

City of St. Clair Planning & Zoning Board Meeting January 11, 2010

Chairman Myrna Turner called the meeting to order at 7:00pm.

Roll Call: Nathan Tate, Ken Scott, Doug Komo, Beth Bailey, Carolyn Barnes and Mayor Blum. Terry Gasaway was absent do to illness.

Chairman Turner asked if everyone had looked at the meeting minutes from December 14, 2009. She then asked for a motion to approve the minutes. Mayor Blum made a motion to approve the minutes and Beth Bailey second the motion. Minutes of December 14, 2009 were approved.

Beth Bailey started the discussion in asking how to handle the Historic Downtown Overlay district. Section O. –CDA: 56.

Mr. Lang stated that the procedure would be that the property owner would offer the suggested changes to be made to the property. Chairman of the Commission would open the public hearing so the public could make any comments. Chairman of the Commission would close the public hearing and members of the Commission would discuss the comments made by the public and any suggestions and concerns that they might have.

Mr. Lang reintroduced himself to the Commission and the audience. He went on the talk about the comprehensive plan process for the City and that some of the changes in the City codes were a result from comments from that process. He went on to read the list of changes in Appendix B. The Land Subdivision and Mobile Home Park regulations. He explained that the changes were from other jurisdictions because they have been tested and they worked there, they are legal.

Mr. Lang went on the list the changes in the Zoning codes that had to do mostly with the General Provisions section.

Chairman Turner opened the public hearing for comments and questions from the audience.

Jeff Quattlebaum introduced himself and stated that what will happen hear tonight will directly effect any development in the future. He stated that what he is seen and read it is a good thing. He stated that some of the material is in a gray area. He asked who determines the size/ type of street in a subdivision.

Mr. Lang stated that street type/ size is determined by the amount of traffic and the way it is constructed. He went on to say that streets in a subdivision are minor streets. Minor Streets lead into collector streets and collector streets lead into Arterial streets.

Jeff stated that he has the plat for the third phase of his subdivision submitted for approval and he wanted to know if he would have to change them to the new regulations. He was told that he was grand fathered in and would not have to change his plat drawings to the new regulations.

Jeff Quattlebaum talked about the percentage of green space in a subdivision. He stated that the City has a 10% green space in the existing code. He stated that his development is a total of 47 acres. He stated that the 10% green space regulation would mean that he would more or less give away 4.7 acres.

Gary Marquart, Ameren UE, stated that he had three pages of comments and he did not want to read all of them. He past out copies to the Commission. He stated that the comments were over all of the material and not just the bold print/ new material. His comments were geared toward the utility operations and installations. Mr. Marquart talked about easements in front of the lots/ property should be wider. He suggested that easements at the rear of lots should be avoided. He mentioned that most everyone wants under ground service in their subdivision, but some overhead power lines have to be used to get to land locked properties. Mr. Marquart stated a concern about the location of streetlights being located to close to an intersection. Mr. Marquart stated that the electric conductors should be located according to the latest NEC code regulation.

Chairman Turner asked Mike Johnson if he had anything to say. Mr. Johnson stated that he did not have anything to say.

Jeff Quattlebaum stated that the general requirements for drainage and storm sewers in the City code are superceded by DNR.

Chairman Turner asked if anyone had anymore questions or comments. She then closed the public hearing portion of the meeting.

Mr. Lang suggested that the commission discuss back and forth and ask any questions that they might have. He stated the hoped that the commission could send a recommendation to the Board of Aldermen in one of three ways. He stated that the one would be to approve the new codes, the second would be a denial and the third would be to approve with suggested changes.

Doug Komo asked that if a subdivision association is weak or non exist. Who is responsible for keeping the detention basin cut or if someone's grass need cut or cars or RV's out of line.

Mr. Lang stated that if you do not have an association the City would have to be responsible for the detention basins. In new subdivisions in the time to come the home owners will have to assume responsibility for their development.

Doug Komo stated that section 8.9 Common Green Space. He read the paragraph about green space. He thought it was unclear if the Board of Aldermen had to enforce the 10% of land as green space or not.

Mr. Lang stated that the 10% of green space shall be enforced, but the Board of Aldermen will negotiate on the location of the green space.

Doug Komo stated that he likes street width of 32' in subdivisions because it creates less clutter. Mobile home parks is 20', is there a reason for that.

Mr. Lang stated that the 20' width in mobile home parks came about because the owner of the mobile home park has to maintain the streets. They do not want to build the streets to City specifications if the City does not maintain them.

Beth Bailey talked about the Historic Downtown Overlay district. She is concerned about the demolition of a historic building. She stated that if some one comes before the Board asking for a permit to demo a building and we tell them NO.

Mr. Lang stated that the owner comes before the Board of Aldermen. If the Board denies the permit the owner can go to the Board of Adjustment. If the Board of Adjustment denies the request the owner can go to Franklin County Circuit Court.

Mr. Lang stated that the Planning & Zoning Commission would have to go through a public hearing and apply the overlay district to a specific property and then the Board of Aldermen would have to approve it. All people that would be impacted would have a chance to come and learn the regulations

Beth Bailey talked about her concern of 15% green space on a highway overlay. She said that the developer might not want to devote that much ground for such expensive ground.

Mr. Lang stated that not all ground in a development can be developed, it is not possible. He states that the green space can be spread out, that it does not have to be in one block.

Beth stated that her next concern is on page CDA: 79. Section M. Fence requirements, paragraph 7. She asked if a new owner buys a property and there is a fence on the property, do they have to take it down.

Mr. Lang stated that if the fence is not up to code, wrong location, etc. it would have to come down or brought to conformity.

Beth discussed the parking of recreational vehicles on the side of the house on a concrete pad. She does not want a concrete pad on the side of her house. She stated that she thought this section is too strict. That a lot of people have more than one recreational vehicle in their yard.

Chairman Turner stated that this is not what Mr. Lang and the Lang gang came up with it was the 50+ people of St. Clair stated that this is what we want.

Doug Komo spoke of the 25% green space for the Highway Corridor Overlay district and is concerned that this is too strict in telling a developer or large store chain where to plant the shrubs and trees in the parking lot.

Mr. Lang stated that these regulations have been in place in other municipalities and they work. He stated that if the regulations are too restrictive they can go to the Board of Adjustments.

Doug Komo asked the question about putting sidewalks in the third phase of a subdivision when the first two phases did not have to have sidewalks.

Mr. Lang stated that the third phase would have to have the sidewalks. He said the City could commit to putting the sidewalks in the other two phases or the City could waive the requirement.

Chairman Turner asked if there was anymore discussion. There was none and the Chairman poled the commission members. Nathan Tate: NO, Ken Scott:NO-Have things to discuss, Doug Komo: No-Suggestions, Beth: No, Carolyn: No- wants more time to look at comments.

Mayor Blum stated that he was proud of the Commission for the discussion that they had on this matter. He stated that he thinks they should approve.

Chairman Turner apologized for not presenting it right for the vote to approve the new codes and talked about the changes that were brought up in the meeting. She said that she would pole the members again.

Nathan asked what it means to vote for the new codes with changes.

Chairman Turner said that it means that we would tell the Board of Aldermen that we had concerns about these items and that by our next meeting we would have it down pat. She said that we have three choices to approve, deny, approve with changes

Chairman Turner polled the members again. Nathan: Yes, Ken: Yes, Beth: yes-with changes, Carolyn: Wants a working meeting before the next Board of Aldermen meeting and end up with a working document to present to the Board of Aldermen. There was discussion from other members in regards to the concerns or changes that they want to make. The members decided to approve the new code changes with changes.

Chairman Turner stated that the P&Z Board will recommend to approve all the changes with changes.

Chairman Turner asked for anymore discussion from the members. None being said she asked for a motion to adjourn.

Doug Komo made a motion to adjourn and Nathan Tate second the motion, meeting closed at 8:20pm.