PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
NOVEMBER 30, 2005

The meeting was called to order at 6:05 p.m.

I.	**PRESENT**	**ABSENT**
	Mr. David G. Asmus	Mr. Fred Broemmer
	Mr. David Banks	
	Dr. Maurice L. Hirsch, Jr.	
	Dr. Lynn O'Connor	
	Ms. Lu Perantoni	
	Mr. Thomas Sandifer	
	Ms. Victoria Sherman	
	Chairman Stephanie Macaluso	

Mayor John Nations
Councilmember Mike Casey, Council Liaison
City Attorney Rob Heggie
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Mr. Nick Hoover, Project Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Macaluso acknowledged the attendance of Mayor Nations; Councilmember Mike Casey, Council Liaison; Councilmember Mary Brown, Ward IV; Councilmember Bruce Geiger, Ward II; and Councilmember Jane Durrell, Ward I.

II. INVOCATION: Commissioner Perantoni

III. PLEDGE OF ALLEGIANCE – All

PUBLIC HEARINGS – Ms. Annissa McCaskill-Clay, Assistant Director of Planning, read the "Opening Comments" for the Public Hearing.

Chair Macaluso thanked the Department of Planning for researching and providing the necessary information in a timely way which allowed the Planning Commission to do its job. She also thanked the public for all its input during this process. All comments made by the citizens have been listened to. She thanked the Commissioners for all the time they have contributed above and beyond the normal volunteer time. She stated that they have

all worked diligently trying to come together on proposing a plan that they feel will work for this area.

City Attorney Rob Heggie addressed the audience members stating that in order to maintain an accurate record of the proceedings of the Public Hearing, and to maintain an atmosphere where everyone can hear all of the speakers for the Commission to carefully consider the remarks, the following rules are to be abided:

- Audience members are to refrain from cheering or clapping during the meeting.
- Speakers should address their comments to the Planning Commission as a whole and not to individual Planning Commission members.
- Remarks addressed to individual Planning Commission members are out of order and speakers are to refrain from any inappropriate or unprofessional remarks of any nature.
- While the Commission certainly welcomes robust discussion about the topic, the rules will be adhered to and enforced as necessary.

IV. PUBLIC HEARINGS

A. A proposal to amend the City of Chesterfield Comprehensive Plan. Specifically, the Plan will be amended to reflect new land use and Plan Policies for the area known as the Wild Horse Creek Sub-Area, a.k.a. the "bowtie."

In conjunction with the Planning Commission, Ms. Teresa Price, Director of Planning, gave a PowerPoint presentation on the Wild Horse Creek Road Sub-Area and stated the following:

- The Comprehensive Plan for the City of Chesterfield is the official statement for the City of Chesterfield Planning Commission.
- On April 21, 2005, the Planning and Zoning Committee of the City Council asked the Planning Commission's Comprehensive Plan Committee to review the following issues for the area known as the "Bowtie" on the Comprehensive Plan. (Eventually the Planning Commission acted as a Committee of the Whole and reviewed the issues.)
- The subject area is located along Wild Horse Creek Road and is designated on the Comprehensive Land Use Plan to be developed as Office Campus and Mixed Commercial Uses.
- Specifically, the Planning and Zoning Committee requested the following:
  - Review the designation of "Office Campus/Mixed Commercial" for the "Bowtie" area as designated on the Comprehensive Plan.
  - Clearly define the intent and definition of "Office Campus" and develop more extensive criteria for this designation.
- The Planning Commission would eventually identify the "Bowtie" area as Wild Horse Creek Road Sub Area.
- The boundaries of the Sub Area are Long Road to the east, Wild Horse Creek Road to the south, the bluffs to the north, and the commercial area west of Long Road to the west.

- During the study process, the Commission agreed to leave the developed portion east of Long Road as mixed commercial. It was agreed to drop this area from the study boundary.
- In developing their issues, the Planning & Zoning Committee discussed the following items:
    - The need to review the current Noise Study information to establish the specifics for determining residential vs. non-residential for the bowtie area, and adjust the Comprehensive Plan if necessary.
    - The need to determine if Office Campus should be a zoning or overlay district vs. a land use category.
    - The need to review and clearly define the intent and definitions for:
        - Transitional
        - Setbacks
        - Cross-access issues
        - Low-density
        - Low-rise appearance
        - Look of the buildings
        - Uses
        - Whether the unusable property on the bluff should be allowed to be included in open space calculations
- After reviewing all the items, the Commission agreed there were three major topics that needed to be studied: Noise; Traffic; and Land Use.

- Items reviewed by the Noise Sub-Committee included:
    - Review of sound measurement
    - The Concept of Normalization
    - Review of the 2009 Contour Map
    - Review of what other communities/agencies have established as a residential no-build line based on the DNL
    - Review of noise initiatives that affect all development

- Items reviewed by the Traffic Sub Committee included:
    - Existing road conditions
    - Scheduled road improvements
    - Transportation model
    - P.Z. 13-2004 Vision Ventures LLC and Plan Provision LLC (Wildhorse Executive Center LLC) Issues:
        - Traffic volume
        - Pedestrian circulation

- Items reviewed by the Land Use Sub Committee included:
    - Historical elements in the area
    - Topological map for the Sub Area
    - Right-of-way
    - Access for parcels
    - Parcel ownership (public utility, railroad)

  - Regulations for development
  - Current land use
  - Subdivision plats in the area
  - Review of examples of office, mixed use in other cities
  - Review of definitions
  - The concept of Zoning vs. Land Use
- Once the work of all of the Sub-Committees ended, the Planning Commission met as a Committee of the Whole.
- Each Sub-Committee reported back to the Committee of the Whole on what it had learned and its concerns.
- The Committee discussed recommendations for the Comprehensive Land Use Plan.
- The Committee worked on developing new Plan Policies and Guidelines and Land Use Designations for the Sub Area.
- The following are the newly-recommended Policies and Guidelines from the Committee of the Whole. These are in addition to, and will replace, specific policies within the Comprehensive Plan for the area known as the Wild Horse Creek Road Sub Area.
- Policies for all development within the Sub Area were developed.
- The total acreage of the study area is 112.4 acres.

- **POLICIES FOR ALL DEVELOPMENT:**
  - **Preservation of Slopes** – Slopes in excess of twenty (20%) percent should not be developed.
  - **Protection of Historic Features** – The protection and preservation of significant historic and heritage sites, buildings and archeological sites should be of utmost importance.
  - **Maintenance of Wild Horse Creek Road Character** - In an effort to maintain the scenic character of Wild Horse Creek Road, all development should be set back from the road and screened from view.
  - **Preservation of Natural Features** - The importance of natural features must be recognized in the Wild Horse Creek Road Sub-Area, and future development should minimize any impact to the bluff, existing tree coverage, and waterways.
  - **Internal Roadway System** – Regardless of the land use type in the area, the development of an internal roadway system, complete with buffers, landscape, pedestrian circulation, and cross access should be reviewed as development occurs in the area.
  - **Open Space –** To emphasize the character of the Sub Area, the preservation of open space is essential.
  - **Pedestrian Circulation** - Trails and sidewalks should be addressed in all development.

- **NEIGHBORHOOD OFFICE DEVELOPMENT POLICIES:**
  All property set back 1,920 feet from the airport runway. Approx. 51.2 acres
  - **Building Style –** Architectural design shall be compatible with the developing character of the neighboring area. Design compatibility includes complementary building style, form, size, color and materials.
  - **Neighborhood Office Development** - Recognizing that in 2004, the City of Chesterfield approved the Tara Estates subdivision, and currently the closest newly-constructed home is set back 1,920 feet from the airport runway. Due to the concern with airport noise, it is recommended that all development within this 1,920 foot setback be developed as neighborhood office. Uses include Office Medical and Dental offices, excluding surgical centers.
  - **Open Space** - Project design should emphasize open space and preservation of natural features. Open Space can include preserved natural features, grass areas, landscaped areas, water features or drainage ditches, sidewalks and plaza areas or seating; but specifically exclude any portion of a site covered by a building, any paved area for vehicular circulation or parking, and any outdoor storage areas.
  - **Parking** - Parking should be screened and buffered from Wild Horse Creek Road and all adjacent residential development.
  - **Site Design** – Overall project design should emphasize pedestrian circulation, landscaping, open space, innovative parking solutions, common amenities, and significant landscape buffering between adjacent residential uses.
  - **Signage** - Comprehensive sign packages should be encouraged for all developments.

- **GUIDELINES FOR NEIGHBORHOOD OFFICE DEVELOPMENT**
  To implement the proposed Comprehensive Plan Policies on Neighborhood Office, the Planning Commission has adopted the following Guidelines. These Guidelines may be modified where good cause is demonstrated to the Planning Commission that the modification will promote good architecture and urban planning. Said modification will require two-thirds vote of the Planning Commission.
  - **Site**
    - Retention of fifty (50%) percent Open Space.
    - Include shared public plazas, courtyards, landscaping, public art, and similar amenities that are visible from the street.
  - **Building**
    - Thirty-five (35) feet maximum height; building height shall be measured from the average finished ground elevation at the perimeter of the structure.
    - Harmony and continuity of design shall be achieved in the exterior building design. Features on all elevations shall be coordinated with

regard to color, types of materials, number of materials, architectural form and detailing.
    - Architectural consistency of colors, materials and detailing shall be provided between all building elevations. False or decorative facade treatments, where one or more unrelated materials are placed upon the building, should be avoided. All elevations need not look alike; however, a sense of overall architectural continuity shall occur.
  - **Signage**
    - One ground-mounted sign at shared access points between parcels not to exceed 3 feet x 6 feet.
    - One 18 inch x 24 inch attached sign.
    - No illumination of signs.

- **RESIDENTIAL DEVELOPMENT POLICIES:**
  - **One-half Acre Residential Development** - One-half acre or larger development should be encouraged between Wild Horse Creek Road and Neighborhood Office to the north. Uses include single family attached and detached. Approx 34.5 ac
  - **One Acre Residential Development** - One-acre or larger development shall be encouraged for properties located west of Long Road, north of Wild Horse Creek Road, east of Neighborhood Office. Uses include single family detached. Approx 26.7 ac.
  - **Building Style** - Rear and side facades should be designed with similar detailing and should be compatible with the principal facades of the building.

- **TIME FRAME**:
  - Planning & Zoning Committee Request - April 21, 2005
  - Public Hearing - November 30, 2005

- **PLANNING COMMISSION MEETINGS**
  - Committee of the Whole: 8 Meetings
  - Traffic Sub-Committee: 2 Meetings
  - Noise Sub-Committee: 3 Meetings
  - Land Use Sub-Committee: 2 Meetings

Commissioner Hirsch outlined the process for this proposal:

- If passed by the Planning Commission, the Neighborhood Office concept would be referred to the Ordinance Review Committee to develop a specific ordinance dealing with Neighborhood Office, or an overlay on an existing zoning district.
- This is different than what occurred with Office Campus. Office Campus was only defined in the Comprehensive Plan as a conceptual land use.
- If it passes, the Commission would be dealing with specific zoning details relative to Neighborhood Office.
- The public is welcome to be involved during thit process.

SPEAKERS IN FAVOR:

1. Mr. Don Bowers, representing five property owners of adjoining parcels in the bowtie area, 175311, 17525 Wild Horse Creek Road, Chesterfield, MO distributed a hand-out to the Commission and stated the following:

- He is speaking for a group representing approximately 10 acres, all adjoining, which runs west from the bowtie.
- They support the plan with some reservations.
- In their area, they have peak noise levels of 95 decibels (db). He has measured over 100 db many times over recent years.
- MoDOT erects sound walls at selected db levels. Mortgage companies do not make loans at certain levels.
- The airport has been, continues to be, and is forecast to be a problem with more, and larger, planes.
- They do support the current recommendations for Neighborhood Office with the following questions and comments, which they ask the Commission to consider:
  - They feel the Commission should reconsider the 20% slope restriction. There are many subdivisions in their area that are on slopes over 20%. The 20% slopes may preclude architectural opportunities for rear-entry garages, cantilever structures, terracing, etc. Instead of precluding it, they ask that the option be left open for an architectural review during the permitting process.
  - They are surprised by the 1920 foot setback line. Normally, in this type of situation, one goes by decibels and follows the standards. They are in the 1920 boundary and they have decibels that hit 95 periodically – sometimes 100 db.
- They hope the Commission will reconsider the wording on the steep slope – do not eliminate it but leave the option open for architectural opportunities subject to review and approval during the permitting process.
- They would like to see decibels recognized in noise contours. When looking at sound contours, airport noise flares out at both ends of the runway. The noise level on the profiles is not as far out as it is on the ends of the runway. They feel that the 1920 line ignores this. All their properties are on the end of Runway 27.
- They thanked the Commission for the opportunity to speak and for all the hours they have put in on this matter.

City Attorney asked Mr. Bowers if all the property owners he is representing are in Chesterfield. Mr. Bowers replied that they are all within Chesterfield. All of the properties adjoin – their properties start at the knot of the bowtie and run west.

2. Mr. Rodney Henry, 17659, 17655, 17661 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - He is representing Wild Horse Creek Executive Center Planned Provisions, LLC and Vision Venture, LLC.
   - He thanked the Planning Commission, Council, and Planning & Zoning Committee for all the effort and hours invested in an area with as high importance as the subject property.
   - The Comprehensive Plan was adopted in March 1990.

- It has been modified numerous times. However, the land use for this area has remained unchanged as Office Campus.
- The Spirit of St. Louis Airport will remain an ongoing operation serving the Chesterfield/St. Louis metropolitan area, the region and the State of Missouri.
- Issues related to noise from airport operations continue to be a driving and determining factor for land use in this portion of the bowtie area.
- Numerous noise studies have led to recommendations for mitigation but the lack of funding has prohibited some, or most, of these efforts. Currently the airport noise and jet fuel emissions continue to be a problem for many residents in the area.
- The current recommendations from the three-year FAR Part 150 Airport Noise and Land Use Compatibility Study from the St. Louis Airport contain 12 recommendations, which are contingent upon FAA funding. There are no guarantees that such funding will be available as this is merely one of hundreds of projects vying for this FAA funding.
- The public has not seen the peak single event noise level findings as they were not clearly depicted in the Part 150 Study.
- The FAA Assessment vs. Arbitrary 1920 setback demarcation line: Based on the demarcation line, the location of a residence, rather than on the FAA Guideline Designation and Current Noise Recommendation, is, in his mind, not at all in keeping with credible best practice – nor is it in alignment/adherence with the St. Louis County Noise Control Code established and applicable since 1974.
- A decision with such impact to land owners should be based on good planning and engineering best practices.
- Speaker asked if the plan had been reviewed and approved by the Director of the Department of Health, medical care for St. Louis County and HUD.
- The American National Standards Institute provides nationally-accepted standards for sound level descriptors for the determination of land. Day-Night Levels are the standard utilized for land use and HUD requirements use. These accepted standards do not advocate the use of arbitrary methods.
- In the event of special conditions, such as airport noise, the intended use of land is generally based on sound and nationally-accepted planning best practices.
- The airport will continue to be a presence and the associated issues will remain. This would preclude that a residential use for the subject property is not suitable or keeping with sound and fair planning judgment.
- They have concern about the use of the 20% slope restriction on the bluff area. He questioned if this could be discussed and further defined for proper use of the 20% suggestion in the proposed plan.
- From a technical perspective, he agrees that these areas can be responsibly developed. Historically, there are many developments in like-kind Chesterfield area homes. Other buildings have been successfully constructed – such as Arrowhead Estates. A lot of homes, driveways and garages have been built on very steep inclines.
- There are many opportunities to successfully utilize this space to enhance Office Campus developments in the area.

(Mr. Henry was asked to stop at this point as his time allotment was up.)

SPEAKERS IN OPPOSITION:

1. Mr. Mike Sellenriek, 17411 Wild Horse Creek Road, Chesterfield, MO 63005 indicated he would pass speaking.

2. Mr. Kris Sachtleben, 17351 Wild Horse Creek Road, Chesterfield, MO 63005 stated the following:
   - He owns approximately 300' of frontage on Wild Horse Creek Road.
   - He had previously dropped off a hand-out for the Commission.
   - When he bought the property, he was looking for a place to live, as well as an investment property. When he bought the property he had to sign a "Future Land Use and Noise Impact Zone Disclosure", which let him know that there would be future development in his area, as well as airport noise.
   - He referred to the 20% slope restriction in the proposed plan and stated that he lives on the slope.
   - Regarding the "one-acre residential" recommendation, he feels it would make it difficult to develop.
   - When he purchased his property, it was designated "Office Campus". Now it is being proposed to be "Mixed Commercial". He is in favor of it staying that way.
   - His subdivision is completely surrounded by commercial use. Looking out the front of his house, he sees only commercial and industrial buildings. He hears construction equipment every morning.
   - Responding to some residents' concerns about property values going down if more commercial development is allowed, he stated that he had his house appraised before and after the construction of the bank and retail center and his property increased in value.
   - He prefers the current Land Use Map. He does not want the plan revised to "one acre residential" because it will would have a financial impact on both him and his neighbors.

3. Mr. Richard Schmelig, 17405 Wild Horse Creek Road, Chesterfield, MO 63005 stated the following:
   - He represents Grand Coteau Subdivision located on the corner of Long and Wild Horse Creek Roads.
   - The Grand Coteau Subdivision supports the Land Use Plan released in 1990.
   - The Subdivision had a meeting in April, 1991 and agreed as a subdivision to support the plan. They agreed they would sell as one parcel. They would not sell one lot at a time. They have had people who have wanted to buy one lot for a commercial project, and they have told them that they are resisting selling one lot at a time.
   - He then stated he was speaking from his personal position: Before purchasing the property 40 years ago, they researched the school district, the airport, the railroad, and the fire protection. They did not fight any of the changes over the years.

- Currently, the view from their property is rooftops. The lighting in their backyard is very bright. Commercial property is very close to their property.
- The Airport Study done in 1988 showed their property to be in the 60-65 DNL range. When reviewing the 2009 noise model projection, their property will be in the 65 DNL zone. Their house gets rocked 2-3 times per day. Noise is an issue.
- The Airport has recommended "non-compatible land use" for his subdivision. With the long-range plan, he feels it will only get worse with more traffic, more planes and more noise.
- Regarding traffic, he feels that if more bowtie property is built as "residential", the traffic peaks will increase. If more of the bowtie property is built as "commercial", motorists traveling east on Wild Horse Creek Road will be getting off at the commercial properties; those traveling west to visit the commercial areas will not be affecting the peak traffic traveling east – it will be offsetting. Initially, the Wild Horse Creek Road/Long Road/Kehrs Mill Road intersection has been discussed, which will also help with the traffic.
- He feels that anyone who moved into the area since 1990 should have researched the area. The Comprehensive Plan has been available since 1990.
- The Grand Coteau Subdivision is surrounded by commercial to the north, a bank/strip mall to the east, and a noisy, cluttered nursery to the south. They feel their subdivision should remain "mixed commercial".
- They ask that the Commission consider their quality of life regarding their property and the resulting impact when it comes time to sell their homes.
- He thanked the Commission for the opportunity to speak.

4. Ms. Deborah Lewis, 17333 Wild Horse Creek Road, Chesterfield, MO 63005 stated the following:
   - Her property is the last property on the corner of Wild Horse Creek Road and Long Road.
   - She would like it to remain zoned as designated in the current Comprehensive Plan because she has nothing but commercial property around her lot. There is a lot of traffic and noise and she does not feel she would be able to sell it "residential".
   - She researched the area before purchasing. She bought the property partially as an investment property and she feels the salability of her property would be greatly decreased if it is zoned "one acre residential".
   - She would like her property excluded from the proposed plan as the commercial property on the other side of Long Road has been excluded.
   - Her property is directly across the street from a nursery and commercial property is all around her lot.

5. Mr. Shaun Mullen, 255 Long Road, Chesterfield, MO stated the following:
   - He was raised in the area since 1974. The area has changed a great deal since then. The airport was there when he moved in and he is fine with it.
   - He feels that many people moved into the area since 1990 without doing any research and now they are upset.

- He feels that those residents living within the bowtie want the land use designation to remain as it is currently indicated in the Comprehensive Plan.

6. Ms. Renee Heney, 1513 Honey Locust Court, Wildwood, MO stated the following:
   - She lives in the Wildhorse subdivision. This subdivision is split – the front half is in the City of Chesterfield and the back half is in the City of Wildwood. She is a Wildwood resident but considers herself a Chesterfield resident as she spends her time in Chesterfield, her children go to school in Chesterfield, and she spends discretionary income in Chesterfield.
   - The Wildhorse subdivision is across the street from one of the widest sections of the bowtie, which means that any development that may take place affects 450 families in Wildhorse, 140 families in The Highlands at Wildhorse, and 13 families in Summit at Wildhorse – all of whom share the same subdivision entrance.
   - She thanked the Commission for the time they have put into this project and for their commitment to the City.
   - When residents attended the first Public Hearing regarding the Vision Ventures petition in June 2004, they took exception with the City's Comprehensive Plan. At that time, they were asked by City officials as to where they were. They responded that they didn't know of the City's Comprehensive Plan and they didn't recall being invited to take part in the process.
   - They also pointed out that it was fortunate that they even found out about the petition for rezoning because the mandatory sign to inform the public of such a filing and an upcoming hearing was not posted. In addition, the City's website had a Chesterfield Airport Road location listed on it as opposed to Wild Horse Creek Road. Such an address would not have alarmed anyone given all the commercial development in that area. They do question proper notification of the first public hearing.
   - Since that time, area homeowners have attended every Planning Commission Meeting, every City Council Meeting, every Planning & Zoning Committee Meeting, every airport noise meeting, every Committee of the Whole meeting, and every Committee of the Whole sub-committee meeting.
   - They have also shared their concerns during Public Comment, and one-on-one with every Council member and Planning Commissioner. They have invited Council members and Commissioners to their homes to meet with them and see the property.
   - They have sent City officials letters, emails, summary documents, charts and more letters.
   - They have had their own independent traffic study conducted and offered the results to the City.
   - They gathered 1400 signatures on a petition opposing commercial development on Wild Horse Creek Road.
   - The Planning Commission has come back with a recommendation that still encompasses commercial use – including medical and dental.
   - Not a single resident was included in the re-evaluation process, nor was there a forum to obtain citizen input.

- The Public Hearing takes place at the end of the process, at the end of the moratorium and near the end of everyone's patience with the issue.
- It is their belief that were not only residents excluded from the planning process but also that the Planning Commission placed far too little weight on the opinions of those City officials most knowledgeable with the bowtie area - the Ward IV Council representatives, Mary Brown and Connie Fults; and Commissioners Stephanie Macaluso and Bud Hirsch, who live in this area. These four individuals can attest to the airport noise disruption; they understand the traffic flow; and they have worked tirelessly to preserve the desirability of this section of Chesterfield. Each has stated his/her belief that the area should remain residential.
- Several years ago, the City Council denied a Walgreen's on Wild Horse Creek Road because it wasn't fitting in this residential area. More recently, the Council denied any additional CSP businesses on Wild Horse Creek Road because they weren't fitting.
- The Council unanimously approved a six-month moratorium so that bowtie land use could be re-evaluated. Then it denied Vision Ventures' request because, again, it didn't meet the community's vision for this area.
- Despite these efforts, the Planning Commission is still recommending office development on Wild Horse Creek Road. It is as unacceptable to them today as it was 18 months ago.
- Instead of following the City's guidelines for developing a quality Comprehensive Plan, they feel the Commission has offered the community a major compromise. They believe their compromise is based on a foregone conclusion that office buildings are appropriate on the bowtie. Yet they have seen no concrete evidence to support this position. They feel the compromise is the result of some Commissioners choosing to substitute their personal judgment for the thorough analysis of facts.

(Ms. Heney was asked to stop at this point as her time allotment was up.)

7. Ms. Wendy Geckeler, 26 Chesterfield Lakes Road, Chesterfield, MO stated the following:
   - She does not live on the bowtie and nothing decided by the City will have any financial effect on her.
   - The residents were so hopeful when the moratorium was declared for the bowtie. She remembers the first moratorium several years ago when resident committees were set up. Visionary concepts occurred and were implemented to make the City stronger.
   - She was hopeful that bold, new ideas would be forthcoming – not from residents this time, but from the Planning Commission – for this area along Wild Horse Creek Road. She does not feel this has happened.
   - Speaker stated that planning requires looking into the future. She feels if the Planning Commission had done this, they would have seen Highway 109 connecting to Highway 64/40, bypassing Wild Horse Creek Road. They would have seen hush-tents and newer, quieter planes at Spirit Airport. They would have seen homebuilding techniques to mitigate noise, already in use in other areas.

They would have looked to the future for a vision of what the bowtie could be to the City.

- She feels that the Planning Commission chose to look to the past and, as a result, squandered the promise of the moratorium.
- The Planning Commission started with a plan made by others long before residents arrived who are affected by it. Tinkering around the edges of that plan, she feels the Commission only managed to make it slightly better.
- She feels critical votes were taken without all members being present. Some refused to speak or vote at all. And at times, the meetings were so unproductive that non-members - the former City attorney, for one – had to step in to redirect thoughts.
- The end result is a plan that satisfied no one. The Committee was split. A compromise was papered together and that is what is being proposed.
- One-acre lots are proposed adjacent to Long Road and Wild Horse Creek Road – an area soon to be transformed into a major intersection. She questions this kind of planning. She feels this kind of planning will be overturned by future logic.
- She feels that "office campus" remains as a blight because present airport noise terrifies the Committee - while home prices, in the areas most affected by present airport noise, continue to climb past $1 million. She feels this kind of planning ignores the facts of real estate.
- Because office campus stays on the site, attached housing is the only viable residential pattern seen fit to co-exist with it. She feels this kind of planning gives the area more units when it is already over-built - dashing the long-established Wild Horse Creek Area Study concept of large lots in a rural ambiance.
- She feels the proposed plan is outmoded, unsuited to the future, and only slightly improved. She feels Chesterfield deserves better.

8. Mr. Ray Manton, 17700 Birch Leaf Court, Wildwood, MO 63005 stated the following:
   - He lives in the Wildhorse subdivision, which is in Wildwood – formerly in Chesterfield.
   - For some time now, there has been a coalition of hundreds of concerned residents of the greater Wild Horse Creek Road area, who continue to express concern and opposition to the development of the bowtie for other than residential use.
   - As a part of this coalition, he has some questions and concerns regarding the Commission's proposal:
     - The designation "Neighborhood Office" is a conflict in terms. Residents of established residential neighborhoods, which contain a preponderance of higher end homes, do not want offices in such close proximity.
     - He questioned how the Commission could determine a portion of the bluff area unsuitable for residential use because of airport noise pollution, and not address potential congestion and safety issues that could come with a neighborhood office use venue.
     - Regarding the traffic studies that have been done, he has yet to hear any discussion or proposals from the Commission that address potential safety or congestion issues.

- To solicit community input, public hearings are a good first step. However, with the hectic schedules and time constraints that working people have today, this approach needs to be broadened in order to obtain a more meaningful appreciation of how people really feel about this issue. He suspects many people aren't even aware of this issue.
- The Commission's proposal development process should be more inclusive. He feels the Commission should conduct an in-depth survey of the community to determine what residents really think.
- His major concern is over whose interests are being served. He does not feel it is the majority of current residents. He questions how this betters the community. If the current character of the neighborhood is now residential, he questioned why it would be changed.
- He asks that the Commission reconsider its current land use proposal and help maintain the residential character of his neighborhood.

9. Ms. Sandy Franklin, 17644 Atlanthus Drive, Wildwood, MO stated the following:
   - She is a resident of the Wildhorse subdivision.
   - She first heard about the request for rezoning of property - directly across the street from Chesterfield Elementary School and in close proximity to the Gateway Academy School - in June 2004. She questioned why someone would consider building offices in the middle of residential subdivisions, churches and schools.
   - She expressed concern about the traffic that would be generated in front of the school and the safety of the school children being transported to and from school, and playing in the park playground nearby.
   - She does not feel this is a place for office development. She questioned why a developer would not go to the Valley where there is ample space, empty land and vacant buildings waiting for occupants. Speaker stated that the developer indicated that the owners of the property want this kind of development.
   - Over a year ago, over 1,500 residents, living in this area and who would be directly impacted by such changes, signed a petition opposing any commercial development on the north side of Wild Horse Creek Road.
   - Since that time, many meetings have been held and many residents have attended and voiced their concerns at those meetings.
   - The initial zoning request was denied; a six-month moratorium for the bowtie was initiated; and sub-committees of City officials were formed to study airport noise, land use and traffic. The information gathered was to be used to revise the Comprehensive Plan and, yet, residents were not asked to participate. She felt that very little new information seemed to be gathered.
   - Airport noise has been discussed at great length, but not in the terms that federal guidelines say that homes can be put in at 65 DNL levels. Neither has there been discussion on the true impact of airport noise on any type of development – whether it be homes or offices.
   - Regarding traffic, speaker stated she is baffled that there was no discussion on traffic at the Committee of the Whole meetings, despite one or more Planning Commissioners expressing concerns at some of the Traffic Sub-Committee meetings. She questioned whether the Committee had studied the traffic issues

and reviewed the police reports that indicate a high propensity of accidents in this area. She questioned what assumptions the Committee used to conclude that traffic from office buildings would be better than traffic from homes. She felt the City should have a responsibility to plan for traffic prior to approving development.

- Although the Committee of the Whole meetings were open to the public, time was not allotted for any public comment. They were told they would have a chance to speak at the end - when the Planning Commission presented its recommendation to revise the Comprehensive Plan.
- The Comprehensive Plan does now contain some residential use – only some of which is compatible with the surrounding area. However, she noted that the Plan still includes offices.
- She asked that the Commission look at the surrounding areas of residential subdivisions, schools and churches – not just an isolated 100 acres of land sitting on a bluff close to a small airport. The current use of the bowtie itself is now residential, and it has always been residential, along with some farming.
- Even if the idea of offices sounded appropriates years ago, Speaker felt that enough evidence has been gathered to date to do away with this idea.

10. Mr. John Drake, 962 Tara Oaks Drive, Chesterfield, MO 63005 stated the following:
    - He is a resident and Trustee of Tara of Wildhorse subdivision.
    - He stated he would share some thoughts on the bowtie evaluation by providing a simplistic look at the key parts of the review process.
    - In management, there is a common practice known as "gap analysis". Gap analysis does not look for what's missing in the process. Instead it looks for areas where objectives or expectations may be overlooked, incomplete or, perhaps, unfulfilled, even though everything appears in order. It is intended to be pro-active, rather than reactive, in finding ways to tweak the process and thus improve and optimize its results.
    - Three study areas have been examined in this re-evaluation:
        - Traffic: In the early meetings of this sub-committee, traffic issues on Wild Horse Creek Road and child safety were discussed. However, its findings seemed weighted more toward the needs of an office development project and less toward the address of the local residents' traffic concerns. He felt the Committee's comments appeared similar to the P.Z. 13-2004 zoning issue. He stated that the City will soon implement the provisions of its new transportation tax district. Several projects will influence traffic flow along Wild Horse Creek Road and, thus, affect traffic issues adjacent to, and within, the bowtie. Discussion of the neighborhood impact of these projects is seemingly missing from the many reports. They would have expected substantial discussion of the expected future traffic situation.
        - Airport Noise: Through the efforts of numerous concerned citizens, coupled with initiatives by Airport management, noise compatibility is now less an issue than it was a few years ago. The Airport Noise Compatibility Study, now nearing completion, identified day/night noise level contours to assist the planning effort - and made numerous recommendations to assist future airport

noise management. Several of their recommendations seemed to have been overlooked in the discussions of this issue. In the Committee deliberations, the 60 DNL contour, which by itself has no geographic basis, was discussed as the baseline for a setback. The now proposed 1920-foot no-build setback, which is measurable and with a geographic basis, became the surrogate for the 60 DNL contour. When the Airport Study's recommendation of the extension of the north runway is implemented, – maybe a few years out – the 60 DNL contour moves northward to near the bluff line. This leaves the entire western bowtie area within the future 60 DNL contour and obsoletes the need for any airport setback. FAA, HUD and EPA guidelines suggest that any residences within the 65 DNL contour should be constructed or modified using accepted sound-attenuating construction techniques. The 60 DNL contour is the reference point of both the Airport and Planning Commission studies. There is no discussion of the use of the special sound-attenuating construction techniques for new construction, as noted in Recommendations 8 and 9 of the Airport Study. The context of the actual Airport Noise Study recommendations, as it relates to the bowtie, requires substantial further understanding.

  - Land Use: Discussions focused heavily on Neighborhood Office with residential development seemingly an afterthought. The role of the airport setback, and its real impact on any future site development, must be thoroughly understood. The recent addition of medical and dental office acceptability within the Neighborhood Office zoning area is surprising, if for no other reason than it had not been previously discussed and was not an option in P.Z. 13-2004. The rationale for this land use addition needs clarification.

- If there is a single gap throughout the process, it was the lack of citizen input from the beginning. Six months after the evaluation began represents the first occasion for residents to participate in the process.
- Based upon his exposure to the deliberations on the recent P.Z. 13-2004 project, it would seem that the entire evaluation is designed to permit Neighborhood Office development within the bowtie - and perhaps a new life for the Vision Ventures project. The no-build setback is just the means of implementation.
- There is perhaps a ready solution to the entire bowtie zoning issue. It may not satisfy everybody but it's the right thing to do.
  - Listen to the residents and recognize the critical issues as to what they are today, and will likely be in the future.
  - Eliminate the airport setback as having no significant value. If desired, implement the FAA recommendation for sound-attenuation techniques and construction for modification of residences within the future 60 DNL contour.
- The result can be a residential zoning throughout the entire western bowtie area with a Neighborhood Office zoning category an artifact of history.
- Gap analysis is designed to give greater assurance that the desired objectives can be achieved.
- He asked that the Commission examine the July 25th memorandum from Teresa Price to see if all the expectations and actions noted in the document have been

fulfilled. He feels that #12, - "Desire of the residents in the area"- was not fulfilled.

- He thanked the Commission for their time.

11. Ms. Candy Citrin, 17892 Bonhomme Fork Court, Chesterfield, MO 63005 stated the following:
    - She, her husband and three children have lived in the Greystone subdivision for eight years. Prior to that, they lived off Wild Horse Creek Road in Country Place subdivision for ten years.
    - She is a realtor and she knows there is both a demand for housing on the bowtie, and a willingness among builders to build homes on the bowtie.
    - Debate over commercial vs. residential land use needs to be resolved so the bowtie property can become available for residential developers.
    - She asked the Commission to keep the bowtie residential and keep commercial development in the Valley.

12. Sandy Atterbury of Miceli Homes was not available when called.

13. Mr. Howard Curtis, 1035 Greystone Manor Parkway, Chesterfield, MO 63005 stated the following:
    - He has attended most of the meetings of the Planning Commission, the Planning & Zoning Committee, and City Council meetings in regards to the bowtie area.
    - He is appalled at the apparent lack of interest in considering the traffic and safety issues on Wild Horse Creek Road, and the nearby intersections, when discussing the best land use of the bowtie. The volume of traffic on Wild Horse Creek Road is very heavy and dangerous, and safety is becoming a bigger issue every day.
    - At the final Traffic Sub-committee meeting, he was encouraged by a review of the document prepared by CBB on November 12, 2004 that showed a chart comparing the likely impact of residential development in this area to proposed office campus on a vehicle per hour basis. The chart showed a comparison of the ten-acre site described by P.Z. 13-2004 with the proposed office campus described as general office use. General office generated eleven times more vehicles per hour than a ten-acre residential site during the a.m. peak - and over eight times more vehicles at p.m. peak. This chart spoke for itself and provided overwhelming evidence against commercial development.
    - The same report also stated that if the area was developed as residential, the flow of traffic would be in the predominant direction of the traffic flow in the morning and afternoon. But if developed commercial, the traffic would travel in off-peak direction. He questioned how it can be determined which way the traffic will travel when specific uses have not been described. Traffic is heavy in both directions.
    - At this same meeting, a recommendation was made to conduct an extensive traffic study of Wild Horse Creek Road and intersections impacting the bowtie at a relatively-small cost to the City - $7000-$8000. However, this recommendation was not brought forward or discussed at the Committee of the Whole meeting. However, after introductions at the first meeting of the Whole, the first words

uttered were, "We need a no-build residential line at 60 DNL." No traffic report was presented and there was no mention of the traffic study recommendation. He questioned how the Commission could determine the best use of the bowtie without an extensive examination of traffic data and the impact of such.

- The last extensive traffic study of the intersection most impacted by the bowtie – Long Road and Wild Horse Creek Road – was conducted by St. Louis County in 2002 and prior to that, by MoDOT in 1996. The results of these studies have been provided to the Planning Commission months ago. All of the studies took place before it appeared that medical/dental offices were being considered for the bowtie. Office and dental would increase vehicle trips in all directions compared to residential.
- He asked the Commission not to substitute their personal judgment for the facts and to vote to rezone the bowtie entirely residential.

14. Mr. Jim Clay, 17675 Bridgewater Circle Drive, Chesterfield, MO stated the following:
    - From the very beginning, traffic was an issue. There has always been confusion about how much traffic would be generated, along with the quality of the traffic, presented by CBB and the local governments. Accordingly, Mr. Beach requested new traffic studies to be completed to clear up the differences of the data.
    - Their association hired a professional engineer and he presented the results of his traffic study. Much to their dismay, no new traffic study datam or clarification of the differences, was presented by CBB, as requested by Mr. Beach.
    - One Commissioner did use the results of their study data to chastise the CBB traffic representative in a manner that questioned the integrity of a traffic study completed by CBB on another development. However, not a single question was asked of the representative regarding her failure to revise the bowtie traffic study that was requested by Mr. Beach.
    - In a sub-committee meeting, the issue of routing the traffic down the back side of the bluff, or in some other manner, was discussed. One Commissioner stated that it was the responsibility of the sub-committee to study the data, and present the results in a manner that supported that alternatives were considered and the actual cost of the alternatives were prohibited. He questioned if this was the meeting where the residents see the cost of the alternatives, which they deserve to see.
    - Adding medical and dental traffic into the new proposed development, vs. general office building traffic, will increase traffic from 3.5 trips for general office to 23.1 trips for medical office and dental per 1000 gross square footage of buildings, according to the Institute of Traffic Engineers' estimate of average daily traffic.
    - For those who believe that residential generates more traffic, it is inconsistent with this data that was pulled out of the Traffic Engineering Highway Capacity manual developed by the Institute of Traffic Engineers.
    - Speaker questioned where the funding will come from for all of the infrastructure redevelopment. There is no money in the State's budget or in the County's budget. He does not believe the TIF fund will cover the costs needed for utility relocations, rights-of-way, widening highways, and building cloverleaf ramps.

- Speaker stated that the citizens would be getting wider intersections for right and left-turn lanes, and alignment of roads at critical intersections that still funnel traffic back onto two-lane roads. He does not feel this is a solution to this traffic problem.

15. Mr. Walter Winzen, 17712 Sugar Berry Court, Chesterfield, MO stated the following:
    - He is president of Transportation Product Sales Company, a major supplier to the railroad industry in all of North America. He moved TPSC to Chesterfield Valley approximately 9 years ago. Several of the company's employees have moved to this area above the Valley to take advantage of the beautiful and rustic residential property.
    - They were all under the impression that the bowtie property would remain residential.
    - 1400 residents, who live above the Valley, have expressed great concern over changing any part of the bowtie area into anything other than residential property.
    - He has always thought that the City's appointed and elected officials were put in place to represent the views of the majority.
    - Speaker stated that this is not a case where the vast majority of the people from this area are asking the Commission to commercialize – they are asking the Commission not to commercialize any of this property. They have said that this property should remain residential.
    - He requests that the Commission, as their representatives, keep this land residential. The benefits of keeping the bowtie residential seem obvious to the families that live there.

16. Ms. Debra Winzen, 17712 Sugar Berry Court, Chesterfield, MO stated the following:
    - With the upcoming holiday season, one of her favorite movies will soon be aired - "It's a Wonderful Life". In the movie, a small town savings and loan manager is made to realize how much impact his decisions and actions actually affect the lives of others in his community. In a dream, he sees an image of his town drained of its charm and its warmth after its leaders have based their decisions solely on profits.
    - In 1995, she and her husband moved into the Wildhorse subdivision from Manchester - wanting to escape the traffic and traffic noise from the nearby commercial developments. This type of development is not the image that they had in mind when they moved into this area. If, at the time, they had known about the potential for this commercial development so close, they would not have chosen this area for their residence.
    - She asks the Commission to support the desires of the many land owners who have made their opinions known, and not proceed with commercial development in the bowtie area.

17. Mr. Bob Nation, 17669 Bridgeway Circle, Chesterfield, MO stated the following:
    - As a former Trustee of the Wildhorse subdivision, he knows that the majority of the Wildhorse subdivision is located in Wildwood. However, the only ingress and egress to their subdivision is through the City of Chesterfield.
    - The future 2009 contour lines show none of the bowtie area within the 65 DNL contour lines.
    - He has been a resident of Chesterfield for over 26 years and has been in the Wildhorse subdivision for 15 years. He is speaking on behalf of the Citizens for Responsible Growth.
    - He is fully supportive of the positions of Wild Horse Creek Road Association. He has been involved in the activities of Spirit neighbors and their quest for noise abatement procedures to be implemented at Spirit Airport.
    - He expressed his appreciation to the Commission for devoting their time on behalf of the citizens of Chesterfield. However, he expressed disappointment in the proposal as it is now presented for the following reasons:
        - Procedure requires public input to the re-study process of the bowtie area. He questions why the only time the public is allowed to make any input is at the Public Hearing stage - after the Planning Commission has made up its mind. He feels it would have been more meaningful to solicit public input at the beginning of the moratorium in order to find out what an overwhelming majority of the residents in the area feel would be an acceptable and appropriate use of the neighboring land.
        - Much of the information has been provided by the residents to the Committee of the Whole during the re-study process. Often this information has either been ignored or not acknowledged.
        - One item of information that has been provided is the data on the FAA, Department of Defense, and HUD noise standards as they pertain to the acceptability of residential building and zoning. These standards all state that residential zoning is acceptable, not only up to the 65 DNL level, but with noise-level reductions achieved through construction methods, up to the 70-75 DNL levels. He questions why the City can't allow residential zoning up to the 65 DNL contour line.
        - The original Comprehensive Plan stated that the City of Chesterfield adopted the standard of 65 DNL.
        - The Airport consultant views things through the eyes of the Airport. When making recommendations to the City pertaining to allowable land uses surrounding the Airport, the objective is to make it less likely that Spirit Airport will have to contend with noise complaints from surrounding residential neighbors. Speaker finds it ironic that the consultant ignores the standards set by the FAA.
        - Although there is already a requirement for new homebuyers in the area to sign a disclosure acknowledging the existence of the Airport and possible noise consequences of residing in close proximity to the Airport, the City is not required to be a respondent as far as receiving any potential noise complaints. This is entirely a function of the Airport.

- Now that the FAR Part 150 Noise Study has been concluded, and there has been a list of a dozen recommended changes put forth to the FAA for their consideration, it is almost a certainty that at least some, if not all, of these changes will be put in place. These changes should begin within the next calendar year.
- With the anticipation of these changes and improvements being made, the Airport consultant has prepared a projection of the new possible contour lines. Although these noise contour lines will retract toward the Airport, it does not appear that the 60 DNL will be entirely off of the bowtie area.
- Recommendation #9 from the FAR Part 150 Noise Study recommends that jurisdictions implement land use controls. It is stated that a 25 decibel noise level reduction is recommended from outside to inside for all noise-sensitive uses within the 60 DNL contour. In addition, it is stated that this is very close to what is normally achieved through energy codes. The consultant further stated that to sound attenuate noise-sensitive structures during construction is approximately $5000-$8000 in additional costs. Speaker does not feel that an additional sum of $5000-$8000 would be a significant factor in determining the economic feasibility of marketing homes of the caliber that have already been built in the surrounding area.
- Along these same lines, he does not understand why the City cannot simply allow residential zoning in areas up to the 65 DNL contour line, and require or recommend sufficient noise level reduction from outside to inside to achieve the desired inside noise level of 45 decibels, or whatever level of noise is deemed appropriate.
- Given the fact that various parcels of land within the bowtie are oriented on a north-south direction that is perpendicular to the noise contour lines, it seems to him that it will be impractical for each developer to be required to concurrently plan, design and develop both residential, as well as neighborhood office. It also seems to him that it would be an inefficient use of available land and would require greater and separate setbacks and buffers within an already constrained area in trying to mix the two types of uses. He also feels that the creativity of the developer would be restricted with less space to work with.

- He believes there is no legitimate reason why the City cannot allow one acre or greater residential zoning within the entire bowtie area. He believes this to be the only appropriate land use for this area and stands the best chance for maintaining the character of the area.
- He asked the Commission not to allow commercial or neighborhood office zoning in an area that is well-suited for residential use and easily fits numerous governmental criteria.

City Attorney Heggie addressed the audience and stated that during the Planning Commission meetings and the meetings of the City Council, there are times reserved for "Public Comment". That time is not set aside specifically for the items on the agenda. If there is any point in time that the residents want to comment to either one of these bodies

about a matter, they should feel free to do so. Written comments to the Planning Commission can also be sent to the City's office.

18. Ms. Joan Smith, 17818 Keystone Trail Court, Wildwood, MO stated the following:
    - She is a Wildwood resident, but once out of her subdivision, she is in Chesterfield and she deals more with Chesterfield than Wildwood.
    - She thanked the Planning Commission and Mayor Nations for the opportunity to speak at the Public Hearing. She also thanked them for the countless hours they have spent on this project.
    - She feels that the Commission's time would have been better spent with more residents' input upfront.
    - She does not understand why the Commission is stuck using the 60 DNL line or the 1920 foot setback when the FAA uses the 65 DNL rating. It has been said that the reason the original Comprehensive Plan shows Office Campus and Mixed Commercial use on Wild Horse Creek Road in the bowtie area was due to airport noise complaints.
    - The number of complaints from the airport noise has decreased substantially over the last years. To her knowledge, none of these complaints are from the bowtie area per the Airport's website.
    - If people don't want to live on the bowtie, they don't have to. There are many residents though who are willing to do so – many residents who are not affected by Airport noise and love the beautiful character of Wild Horse Creek Road.
    - She understands that current residents of the bowtie want the Plan to remain as-is because they have a financial gain. However, she believes they can sell their property residentially because people are willing to pay premium prices to live in this area. The bowtie property owners will not live here and will not deal with the consequences but the other residents will.
    - Regarding these property owners being surrounded by commercial development, Speaker noted that on the south side is Baxter Gardens – it is not a retail store, it is where they store their trees. On the east side, there is a Mobil station but it is buffered by the creek and beautiful landscaping along the creek with trees and Long Road. The north side has the bluffs. The west side has homes. Speaker questions how much commercial they are really surrounded by.
    - The original Comprehensive Plan was driven by the number of airport complaints. These complaints will in no way compare to the number of complaints the City will receive from commercial development in the bowtie area.
    - For the past 18 months, residents have been attending meetings regarding the bowtie area. They have spent countless hours trying to convey to the Commission that they do not want office campus or any type of commercial development along Wild Horse Creek Road. They will continue to do so. They are organized and have the financial resources to do so.
    - They will continue to strongly object to any type of commercial development in the bowtie area.

19. Mr. David Groen, 1028 Greystone Manor Parkway, Chesterfield, MO stated the following:
    - He lives very near the airport and has the experience of almost 30 years of an engineer working on aircraft noise.
    - Part of his job is to predict aircraft contours, measure aircraft noise contours and look at the psychological effects of noise on people. He feels the DNL levels are fully compatible with residential use.
    - Another aspect of his job involves researching on how to make aircraft quieter. Every year aircraft is being made quieter. Therefore, the peak levels and the single-event levels have been going down over the years. He feels the 2009 contours are very achievable and things will improve.

20. Mr. Dick Sawyer, 1023 Greystone Manor Parkway, Chesterfield, MO stated the following:
    - He is a Trustee of Greystone subdivision.
    - He thanked the Commission for the opportunity to speak about their continued concerns regarding the bowtie area.
    - He has been a part of the Wildhorse Creek Road Association during this time of concern.
    - He does not object to commercial development if it's in a commercial area. He owns three office condominiums off of Manchester Road in the Ballwin area. He is in a commercial office park where numerous businesses are located and he feels this is where business should be done – not in a residential environment.
    - Wild Horse Creek Road is a beautiful country residential area and that is why his family chose to build in the area in 1999. If he had known that the possibility existed of commercial development across the street for his home, he would not have built there. They wanted to be in a country-type residential setting.
    - He questions why commercial development would be allowed on Wild Horse Creek Road, which is only two minutes from the Valley where there is commercial and retail.
    - He feels that commercial is being allowed on Wild Horse Creek Road because the property owners want commercial pricing rather than residential pricing.
    - He is concerned daily about his seventeen-year-old daughter having to turn left onto Wild Horse Creek Road. Traffic will only get worse. It is his understanding that there is some thought that commercial traffic would be heading in the opposite direction of the residential. It does not matter to him what direction it is going – it will cause more accidents, traffic jams, etc regardless of the direction.
    - Rockwood School District is against commercial development on Wild Horse Creek Road because of traffic concerns for students.
    - There are already cars and trucks cutting over from I-44 to Highway 40 using Wild Horse Creek Road as a cut-through on a daily basis. Commercial traffic will make matters worse.
    - There has not been a traffic study in over three years. The volume has grown since then. He questions why a new study hasn't been done before moving forward with any development.

- As a Trustee of Greystone, he has not talked to a single resident who is for commercial development. Without exception, all are for residential development.
- He feels the City should form task forces of residents in this area to come up with alternatives to the current proposal. He knows of numerous concerned residents who would commit the time to be involved in this important task.
- He thanked the Commission for their time devoted to the City and asked that the area be kept residential.

21. Ms. Sheri McCann, 17510 Galmiche Court, Chesterfield, MO stated the following:
    - She lives in the Windridge subdivision. The street that goes in and out of her subdivision is the first street that one comes upon after coming off of Long Road.
    - She sees all the traffic heading east and west. It is not an easy street to get in and out of because as you come from Long Road, you are going up a hill, and over the crest of the hill is the entrance to her subdivision.
    - She has seen many near-miss accidents, as well as accidents that have tied up traffic.
    - She has two teenagers who drive, and another getting a permit in less than a year. She has great concern about their safety.
    - She does not feel that commercial is appropriate for this area. The traffic is already very heavy and commercial development would increase the traffic all day long - not just at peak times.
    - Her subdivision gets the brunt of everyone heading one way and everyone coming home. She asked that this area not be zoned commercial.

22. Mr. Bob Caulk, 17902 Bonhomme Ridge Court, Chesterfield, MO stated the following:
    - He lives in the Greystone subdivision, opposite the bowtie. He is against commercial development and in favor of residential development in the bowtie.
    - He runs a company that has operated aircraft out of Spirit Airport for the last 15 years. As an operator of aircraft based at Spirit Airport, they are acutely aware of the need to be a good neighbor and to use appropriate noise abatement procedures – including traffic patterns. They self-limit in terms of hours of operation.
    - In the last six years, they have owned three different aircraft – each one of them being newer, bigger, and less noisy. That is the trend he feels will continue.
    - As a resident living just south of the airport, they use their outdoor pool and deck. They are out constantly and airport noise is not an issue for them.
    - He is in favor of the full use of the bowtie as residential.

23. Mr. Jeff Citrin, 17892 Bonhomme Fork Court, Chesterfield, MO stated the following:
    - He is a Trustee of Greystone subdivision.
    - During the proceedings over the Vision Venture proposal, Ward IV Council members requested a moratorium be imposed to allow the City to take a fresh look at the bowtie. The Council approved their request unanimously 8-0.
    - The Comprehensive Plan's introduction states and delineates that there was to be extensive public involvement in the formation of the Comp Plan. The Comp Plan

clearly states that the public's participation was not only necessary, but it was vital, to insure the validity of the final product.

- He questions why the citizens weren't more involved in the process this time. They had only two opportunities to let their views be known in a public forum – several months ago and tonight. He does not believe that this fulfills the letter or the spirit of the Comp Plan that calls for active community participation. They wanted a say in the fresh look but they feel they were not included.
- Some of the residents have been involved in the process when Chesterfield first became a City. A large number of residents have been opposed to commercial development in the Wild Horse Creek Road corridor from the very inception.
- He hopes that the Commission has not already made up its mind on this issue. He does not question the Commission's commitment or work ethic.
- They were present at each and every public meeting but were not allowed to speak.
- They do not want medical offices, dental offices, lawyers' offices, insurance offices, or any offices – or any commercial development of any kind on Wild Horse Creek Road.
- They do not oppose development – they feel it belongs in the Valley or along the Parkway or in other areas where commercial zones have already been established.
- On Wild Horse Creek Road, they want homes built with the same lot sizes as other subdivisions being built in this part of the Wild Horse Creek Road corridor.
- Airport noise is not an issue to the residents. The Airport consultant said that the FAA guidelines do not mandate commercial development in the bowtie.
- Traffic is an issue with it being bad enough already in both directions – mornings and evenings. If office buildings are allowed, traffic will go from bad to atrocious. Allowing medical offices is order to mitigate the traffic situation does not make any sense.
- All through the Vision Ventures process, the developers stated that they were following the Comp Plan. Speaker feels that now is the time to change the Comp Plan. He asked that the Commission not sent any other developers the wrong message and give them false hope by passing a Comp Plan that allows commercial development in the middle of a residential area.
- The residents will not back down or go away on this issue. He asked the Commission to vote against any commercial development in the bowtie.

24. Ms. Stacy Rolfe, 1116 Wilderness Bluff Court, gave a slide presentation of the area and stated the following:

- She is a Trustee for the Wilderness at Wildhorse subdivision.
- Tara Estates is the subdivision closest to the Airport where one lot premium that sits parallel to the runway is priced at $100,000.
- Chesterfield Elementary School sits across from the bowtie property. The playground for this school sits less than 50 yards from Wild Horse Creek Road. This playground is also a shared City park.
- They are opposed to having any commercial development near the school.

- They have been making the School District aware of the present issue. They have worked with the community in helping them uncover what can be done to protect this area.
- They researched the Parkway and Rockwood School Districts to determine what is located around these schools. Residential surrounds the schools in Rockwood and Parkway. Surrounding Lafayette High School is residential and a garden center. Babler Elementary has a daycare nearby; and ball fields and a fire station are across from another elementary. Fernwood High School has a bank and restaurant nearby. Of the 61 schools in the top two districts of this area, there is only Parkway West High School located near commercial development on Clayton Road. 29 out of 31 elementary schools are in residential areas; 8 out of 9 middle schools are in residential; and 6 out of 7 high schools are in residential areas.
- This information led to the School District coming to terms with the situation. The Superintendent has listened to the concerns of the school community and has met with officials of Chesterfield to express his own personal opposition to having commercial across from the school.
- They have met with members of the School Board and a letter has been sent from the School Board to the Planning Commission expressing their concern and opposition to commercial across the street from the school.
- Wild Horse Creek Road is not a road they take a drive out on Sundays, to visit friends, or a cut-through to get to 109. This is where they live and they are the ones closest to this matter.
- They do not feel commercial is fitting for this area.
- Referring to "It's a Wonderful Life", Speaker stated that the residents don't want "Pottersville". They want to keep their little slice of "Bedford Falls".

(Ms. Rolf was asked to stop at this point as her time was up.)

Commissioner Sherman asked how old Chesterfield Elementary School is. Ms. Rolfe stated that the school is approximately 55-56 years and has been at the same site for all these years.

Chair Macaluso stated that the Court Reporter has requested written statements from anyone who may have one.

(The meeting recessed for two minutes.)

25. Mr. Stephen Kling, 10 South Brentwood Boulevard, Clayton, MO stated the following:
    - He is the Attorney representing the Wildhorse Creek Road Association, an umbrella association representing ten subdivisions in the area.
    - He is regularly is involved with land use controversies. He represents businesses, residents and developers.
    - He is a member of the American Planning Association and is very active in the organization.

- He has written several articles on land planning law and he has the only two articles in the Journal of the Missouri Bar Land Planning Law. The American Planning Association gave him two awards for those articles.
- The planning laws were intended that the politics and controversy over land use, for the most part, could be worked out during the land planning process and not the zoning process.
- The Commission has heard some concerns of his clients with respect to the sector plan amendment that is being proposed.
- The need for this amendment has become clear due to several factors.
  - First, was the overwhelming opposition that came out with respect to the Vision Ventures project, which brought to life the potential for commercial development of the bowtie area.
  - Secondly, the fact that circumstances have changed in this area.
  - Third, that this particular sub-area really has not been the subject of serious study in over a decade.
- A land plan is not a law. It doesn't give it vested right to anyone to anything. There is not a single case, except in a couple of states that have land planning laws which are adopted by ordinance and which zoning is really administrative. Missouri is not one of those states.
- The American Planning Association suggests that if a particular area has not been studied for 10 years or more, there is a rebuttable presumption that the recommendation is no longer appropriate, which means that circumstances do change.
- He sent a letter to the Commission on October 19, 2005 regarding his clients' concerns about their ability to have a meaningful participation in the process before it is too late – before it is impossible to have any meaningful changes. He included in that letter a copy of the American Planning Association's ethical guidelines which strongly advocate the meaningful participation of citizens at a very early stage. That particular ethical guideline was adopted by the American Planning Association for use by Planning Commissions and planning professionals throughout the United States.
- In his opinion, the Planning Commission is working on a neighborhood plan. The Planning Staff may have briefed the Commission on the policy guide that the American Planning Association has adopted with respect to neighborhood studies. Some of those provisions underscore his clients' concerns: He read the following:
  - Local officials and planners must heed opinions and suggestions of people and groups within the neighborhood to create a framework that will enable plans to have a greater chance of being supported and implemented. Planning often occurs in response to a problem. Residents are tired of endless community meetings where nothing ever seems to happen.
  - Planning is viewed suspiciously, when simply telling the neighborhood why the City or other entity is doing something. Planning is not seen as a neighborhood cooperative effort.
  - Accordingly, they suggest planning decisions that have a limited impact on the community as a whole should be made by, or on the basis of advice given by, those neighborhood groups primarily affected.

- Citizen participation should be required in sufficient form and detail to insure the broadest possible participation opportunity for the widest variety of citizens and stakeholders.
- City plans should incorporate neighborhood level perspectives to the City's decision-making and planning process.

- Speaker submitted the following documents for the record:
  - The October 19, 2005 letter from Mr. Kling to the Commission.
  - Policy guide of the APA on neighborhood collaborative planning.
  - Policies and guidelines for development that the Planning Committee has prepared and is considering.
  - Preliminary site concept plan prepared for some of the center bowtie properties for residential use by a prior user.
  - Letter from Coldwell Banker Gundaker to an owner of one of the center bowtie properties indicating that they were working with a homebuilder who was very interested in building single-family homes on the property.
  - Appraisal that was conducted by Mueller and Neff for a center bowtie property that recommended the property's highest and best use was single-family residential.
  - Article on neighborhood planning issued by the Urban Land Institute in 2004.
- His clients are asking that the Commissioners have the ability to hear all their comments, take them into account, and make the very best decision that they can.

26. Ms. Kelly Shamel, 10 South Brentwood Blvd., St. Louis, MO indicated she would pass on speaking.

27. Mr. Doug Brown, 17838 Wilderness Cliff Court, Wildwood, MO stated the following:
    - When Wilderness was developed, a billboard was erected of a man in a tuxedo seated at a grand piano in the middle of a forest by himself. The billboard said "Wilderness – A sanctuary from the ordinary."
    - Anyone who says they moved out here, did their research, and expects the place not to change, he feels is foolish. When people come together to voice their concerns about how change is going to be made, he feels they need to be applauded.
    - If grave markers are put on Wild Horse Creek Road for all the people who have been killed along it, it would not be a pretty sight. He knows of three bikers who have died on this road.
    - He knows the City has plans for parks and jogging trails, and an infrastructure of recreation. He proposes that the use of this land should be for something like that. Something that would benefit not just a few - but would benefit many - through an environmental, emotional and in a serenity way - as it was sold to them.

SPEAKERS – NEUTRAL:

1. Ms. Maria Wilmas, 17719 Wild Horse Creek Road, Chesterfield, MO was not available when called.

2. Mr. Kevin Bohn, 17561 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - He bought his property 8 years ago because of how the Comprehensive Plan was set up in 1990.
   - He agrees with two-thirds of the proposal – the green and the yellow. He does not believe the green will work without the brown being green also. (Speaker was referring to a map on display at the meeting.)
   - He is representing four of his neighbors.
   - Regarding accidents on Wild Horse Creek Road, Speaker stated that it is up to the State of Missouri to improve the road - and they need to widen it and put in proper lights. This traffic problem was not a problem until the subdivisions went in – 450 families.
   - If the area was to remain country, then the subdivisions should not have gone in.
   - If the subdivisions get their way, Speaker sees the farmers in the area being told they cannot sell their land. He does not feel that is right. They have invested in their property – some have been there 40-50 years.
   - He bought his property as investment for the future and to be cheated out of that is wrong.
   - He assumes that 109 will eventually be put through to Highway 40, which will stop 50% of the traffic.

Commissioner Hirsch read the closing comment for the Public Hearing and noted that the earliest possible date that the Planning Commission could vote on this proposal would be December 12, 2005.

V. PUBLIC COMMENT - None

VI. NEW BUSINESS - None

VII. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:40 p.m.

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Lynn O'Connor, Secretary