PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
September 13, 2004

The meeting was called to order at 7:07 p.m.

I. PRESENT **ABSENT**

Mr. David G. Asmus
Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Thomas Sandifer[1]
Chairman Victoria Sherman
Mayor John Nations
City Attorney Doug Beach[2]
Mr. Bruce Geiger, Council Liaison[3]
Ms. Annissa McCaskill-Clay, Senior Planner
Mr. David Bookless, Project Planner
Mr. Michael Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Mary Ann Madden, Planning Assistant

[1]Commissioner Sandifer joined the meeting at 7:30 p.m.
[2]City Attorney Beach left the meeting at 8:40 p.m.
[3]Mr. Bruce Geiger left the meeting at 8:10 p.m.

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE

Chairman Sherman acknowledged the attendance of Mayor John Nations, Councilmember Bruce Geiger (Ward II), and Councilmember Connie Fults (Ward IV).

Commissioner Banks read the "Opening Comments" for Public Hearings.

IV. PUBLIC HEARINGS

A. **<u>P.Z. 16-2004 Edison Place</u>**: A request for a change of zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for an 11.4 acre tract of land located south of Edison Avenue and east of Long Road. (Locator Number: 17U 12 0201).

The request contains the following permitted uses:

(b) Animal hospitals, veterinary clinics, and kennels.

(e) Associated work and storage areas required by a business, firm, or service to carry on business operations.

(g) Automatic vending facilities for:
- (i) Ice and solid carbon dioxide (dry ice);
- (ii) Beverages;
- (iii) Confections.

(h) Barber shops and beauty parlors.

(i) Bookstores.

(m) Child care centers, nursery schools, and day nurseries.

(n) Colleges and universities.

(o) Dry cleaning drop-off and pick-up stations.

(q) Film drop-off and pick-up stations.

(s) Financial institutions.

(u) Hospitals.

(w) Local public utility facilities, provided that any installation, other than poles and equipment attached to poles, shall be:
- (i) Adequately screened with landscaping, fencing, or walls, or any combinations thereof; or
- (ii) Placed underground; or
- (iii) Enclosed in a structure in such manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

(x) Medical and dental offices.

(y) Mortuaries.

(z) Offices or office buildings.

(aa) Outdoor advertising signs (additional to provisions of Section 1003.168)

(bb) Outpatient substance abuse treatment facilities.

(cc) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
(dd) Police, fire, and postal stations.
(gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
(hh) Restaurants, fast food.
(ii) Restaurants, sit down.
(mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
(nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftspersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
(pp) Permitted signs (see Section 1003.168 'Sign Regulations').
(qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
(rr) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

Project Planner Michael Hurlbert stated that this is a request for a change of zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for an 11.4 acre tract of land. Mr. Hurlbert gave a power point presentation showing an aerial view of the site and surrounding area, along with photographs of the site.

1. Mr. Joe Grimes, Grimes Consulting Engineers, 12300 Old Tesson Road, St. Louis, MO 63128, representing the Petitioner, Granville Limited Partners, stated the following:
   - The entire tract consists of 11.4 acres, which follows the levee along Edison and down Long Road.
   - The existing zoning is Non-Urban and the request is for Planned Commercial.
   - The proposed development consists of 2.46 acres of the entire 11.4 acre tract.
   - The proposed uses include 22,000 sq. ft. of boutique-type retail.
   - The project is in accordance with the Comprehensive Plan.
   - Requesting site access right-in only on Long Road and full access off of Edison.

- There are 5 spaces of parking per 1000 sq. ft. The required parking is 110 spaces; the proposal includes 131 spaces.
- Regarding site utilities, there is water and gas along Long Road.
- The storm water from the site will drain to the drainage easement area.
- The project is a one-story development.

Chairman Sherman asked if the drainage area will remain. Mr. Grimes replied that it would remain; the drainage area is part of the overall storm water master plan for the Valley.

Chairman Sherman asked if any roads are proposed on the back side of the project for delivery vehicles. Mr. Grimes replied that the proposal would include a sidewalk along the rear for access for fire exits.

Commissioner Hirsch expressed concern over some of the permitted uses being requested – such as, hospitals, mortuaries, and outdoor advertising signs. He asked Mr. Grimes if he would be willing to eliminate these possible uses. Mr. Grimes replied that they would be willing to review the permitted uses again.

Commissioner Macaluso stated that she would not like to see drive-through in the fast-food restaurants. Mr. Grimes responded that drive-through would not be included.

City Attorney Doug Beach asked why more parking spaces are included than what is required. Mr. Grimes replied that the extra parking would be used in the event that a restaurant is included on the site and would also help as an access for trash removal.

City Attorney Beach asked if there is any intention to making the back elevations more attractive. Mr. Grimes stated that it is the intent of the developer to make the back more attractive.

Commissioner Perantoni expressed concern about deliveries considering the small amount of space allowed. Mr. Grimes stated that as the project develops, traffic circulation studies will be done to make sure everything works.

Commissioner Perantoni asked if Mr. Grimes had a figure for open space and whether the drainage slopes count in the open space. Mr. Grimes replied that the 2.5-acre site is about 32 % open space and 20% building coverage.

Commissioner Asmus referred to the right turn into the project from Long Road, and asked where it came from. Mr. Grimes responded that the retailers interested in the site requested it to serve the residential areas south of Long Road. This is an important issue to the retailers involved.

City Attorney Beach asked if signage was being considered for the back side of the buildings. Mr. Grimes replied that it has not been discussed.

Chairman Sherman asked if there would be any signage on the front, such as monument signs. Mr. Grimes said signage has not been discussed much as this point, but any signage would be in accordance with the Sign Ordinance.

2. Justin Lutgen, 1401 South Brentwood Boulevard, Suite 100, St. Louis, MO 63144, of Pace Properties, had no comments at this time.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

- Disturbance of the drainage area.
- Limit the permitted uses.
- Exclude drive-throughs.
- The number of parking spaces specific to the northeast corner of the parking area.
- The rear elevation views.
- The width of the drive aisle, especially for delivery trucks.
- Clarification on guidelines regarding 50% open space.
- Is drainage counted as part of the open space?
- Is Long Road access necessary?
- Further information with respect to plans for a significant change of Long Road and how that would impact the development.
- Signage on the rear.
- Signage on the front.
- Prepare language that would not allow signage on the back side of the property.
- Regarding the 20% over-parking issue, is it appropriate to use some kind of a phantom-parking approach to that?
- Regarding vegetation and landscaping, is this site on any kind of a seepage berm or will there be requirements from the Levee District with respect to what can and cannot be planted?

REBUTTAL:
Mr. Grimes stated that they will work on the comments that have been made and did not foresee any problems with any of them.

Commissioner Banks read the closing comments for Public Hearing P.Z. 16-2004 Edison Place.

B. **<u>P.Z. 20-2004 McCarthy L.L.C. (Farmers Valley Market)</u>:** A request for a change of zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for a .45 acre tract of land located east of Long Road and south of Chesterfield Airport Road (Locator Number: 17V 14 0043).

The request contains the following permitted uses:

(b) Animal hospitals, veterinary clinics, and kennels.

(e) Associated work and storage areas required by a business, firm, or service to carry on business operations.

(f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.

(h) Barber shops and beauty parlors.

(i) Bookstores.

(m) Child care centers, nursery schools, and day nurseries.

(o) Dry cleaning drop-off and pick-up stations.

(p) Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.

(q) Film drop-off and pick-up stations. Open storage and display are prohibited.

(s) Financial institutions.

(w) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:

(i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or

(ii) Placed underground; or

(iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

(x) Medical and dental offices.

(z) Offices or office buildings.

(cc) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

(dd) Police, fire, and postal stations.

(ee) Public utility facilities.

(gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.

(hh) Restaurants, fast food.
(ii) Restaurants, sit down.
(mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
(nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftspersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
(pp) Permitted signs (See Section 1003.168 'Sign Regulations').
(qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
(rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
(uu) Vehicle repair facilities for automobiles.
(vv) Vehicle service centers for automobiles.
(ww) Vehicle washing facilities for automobiles.

Project Planner Michael Hurlbert stated that this is a request for a change of zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for a .45-acre tract of land. Mr. Hurlbert gave a power point presentation showing an aerial view of the site and surrounding area, along with photographs of the site

1. Mary McCarthy, McCarthy, L.L.C., 18308 Wildhorse Creek Road, Wildwood, MO 63005, Petitioner for the project, stated the following:
   - She is the owner of 128 Long Road and is a resident on Wildhorse Creek Road.
   - There is a need to provide quick, convenient produce, bread, milk and eggs in the proposed location.
   - There will be daily fresh produce.
   - Goal is to have the market open all-year long.
   - The market will have seven garage doors that will open and close.
   - The proposal includes a check-out area, a restroom, a walk-in refrigerator and a fresh-fruit Smoothie stand.
   - The produce will be located on stands the whole length of the pavilion.
   - To start, the market will employ one-full time person, in addition to Mrs. McCarthy.
   - Hours of operation will fluctuate depending on the season.
   - The surrounding property will have a garden and outdoor seating.
   - Her home will be used as office space at this time.
   - Future plans include using the building as a storefront for fruit baskets and retail.
   - The inside of the building will be rehabilitated at a later date.

2. Mr. Justin Winters, Engineer for the project, 333 Midrivers Mall Drive, St. Peters, MO 63376, was available to answer any questions.

Commissioner Hirsch asked if they would be willing to eliminate some of the permitted uses for this site – such as, filling stations, vehicle repair facilities, vehicle service centers, and vehicle washing facilities. Ms. McCarthy replied that the list of permitted uses has been downsized already and she is willing to downsize it some more.

Ms. McCarthy stated that she has concern regarding access to the property. The present access is the drive off the front of the property of Long Road, which will not be allowed for the proposed project. Access to the property will be from the back of the parking lot.

Commissioner Macaluso asked if the front façade of the building will be changed. Ms. McCarthy replied that at the present time, the façade will remain as it is. She does intend to add decorative awnings and landscaping. The pavilion will match the house.

Commissioner Perantoni asked how the parking was calculated. Mr. Winters responded that the parking was calculated by using the original building only; the pavilion was not used for parking calculations.

Commissioner Perantoni stated that the Engineer's Drawings do not match the elevations in dimensions. She asked that the dimensions be reviewed because more parking will be required to accommodate the use of the pavilion.

Commissioner O'Connor expressed concern about the arrangement of the parking spaces. She felt that if customers drive directly up to the produce stands, they will be blocking the access to the parking spaces.

Commissioner O'Connor asked if the outdoor pavilion is visible from any neighboring properties or streets. Ms. McCarthy replied that the pavilion is somewhat visible from Long Road. There are plans for a sign out in front of the property. She is also considering the removal of an existing wall to help with visibility of the stand.

Chairman Sherman asked if any consideration had been given to sidewalks or pedestrian areas for the safety of the customers. Ms. McCarthy responded that there will be one-full time employee in the stand area up front, who will be doing the check-out; the Smoothie stand will also be in this area. All stands are located inside the pavilion and during inclement weather, the garage doors will be closed to protect customers from the weather. Ms. McCarthy expressed concern about installing sidewalks along Long Road. At the present time, there are no other sidewalks along Long Road as it is not pedestrian-friendly. It is possible that a pedestrian walk could be included across the street to Gator Flats.

Mayor Nations stated that the City is promoting walk-ability throughout the area. The City, working with St. Louis County and MoDot on the reconstruction of Wild Horse Creek Road, Kehrs Mill Road and Long Road, has planned for sidewalks and walking paths. There will eventually be sidewalks along Long Road in the proposed area of the Farmers Market.

Commissioner O'Connor asked where customers would enter the pavilion in the event all the garage doors are closed. Ms. McCarthy indicated they would enter from a side door, out of the traffic flow.

Commissioner O'Connor asked why garage doors are being used as opposed to other types of doors. Ms. McCarthy replied that she wanted the feel of an outdoor market – there will be ceiling fans with the intent of an open, airy market.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Mr. Bill Biermann of HB Real Estate, 317 Clarkson Road, Suite 103, Ellisville, MO 63011 stated the following:
   - HB Real Estate owns the Express Lube, which is immediately to the north of the proposed site.
   - He has concern about the fact that there will not be a right-in/right-out turn to the proposed site.
   - Without a right-in/right-out turn, he has concern about how traffic flow will affect the Express Lube site.
   - When Express Lube agreed to a cross access in the past, it was with the understanding that the cross access would be for secondary purposes only and would not be used as the main access to the proposed site.
   - He has concern that customers will be confused as to how to access the Farmers Market.
   - There are times when the cars for the Express Lube are stacked close to the cross access easement.
   - The cross access easement is less than 30 ft. wide.
   - Just to the north of the Market's proposed drive is Express Lube's dumpster, which is a concern.

REBUTTAL:

Ms. McCarthy stated she understands Mr. Biermann's concerns but the only access being allowed by St. Louis County is the access from the back of the parking lot. The flow of traffic coming from Long Road does circle around Express Lube and exits out the front. While at times McDonald's can get congested, Ms. McCarthy felt that the flow of traffic moves pretty well. She stated that if the access is wide enough and the proper signage is in place, people will be able to comfortably get on and off the property.

ISSUES:

- Limit permitted uses.
- Any change to the front elevation?
- Parking calculations to include pavilion.
- Pavilion size does not match on the plans.
- Re-arrange the parking so as not to block the stalls.
- Visibility of the pavilion.
- Location of the access.
- Pedestrian pathways or sidewalks.
- Cross pedestrian access with the Amoco/McDonald's site.
- Use of garage doors as opposed to other material.
- Access for people during inclement weather.
- Traffic flow and internal circulation with the Oil Change business.
- Provide plan of how the property is accessed from the main thoroughfare so it can be seen how the flow of traffic will be routed.

Commissioner Banks read the closing comments for Public Hearing P.Z. 20-2004 McCarthy L.L.C. (Farmers Valley Market).

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the August 23, 2004 Meeting. The motion was seconded by Commissioner Perantoni **and passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

1. Mr. Scott Reese, Vice President of Development for Summit Development Group, 10 South Brentwood Blvd., Suite 100, St. Louis, MO 63105, speaking in favor of **P.Z. 02-2004 Summit Development (Valley Gates Building)**, stated the following:
   - This property is immediately to the east of the Summit Center (formerly U.S. Ice Sports Complex).
   - It is an approximately 7.6-acre site.

- The permitted uses are broad at this point because it is not certain what will be going into the site.
- Because of Summit Development's investment in the Valley, they will require future development to be of a first-rate nature.

2. Mr. George M. Stock of Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO 63005, speaking in favor of **P.Z. 02-2004 Summit Development (Valley Gates Building)**, stated the following:
   - Regarding the issue of open space, they have added plazas and a reflecting pool.
   - The open space calculation is 36%.
   - This 36% of open space compares to 40% open space for the medical office building on the north side of Highway 40. This 40% open space includes the right-of-way – within the property lines, it's 27.6%.
   - The Summit Development plan is 34% green space. If the right-of way is included in the calculations, the green space is 39.6%.
   - Lynch-Hummer and Larry Enterprises, just west of the medical building, is 31% green space.
   - The Junior Achievement property is 66% green space.
   - The U.S. Ice Rink is 49.6% green space – about 11% of their ground is a detention basin, which is being called green space.
   - Regarding the cross access issue, cross access had originally been provided to the west to U.S. Ice Rink; the plan has now been modified to indicate cross access to the east.
   - It is hoped that the Planning Commission would approve the cross access in the location consistent with the Site Plan, as opposed to requiring cross access across the entire east property line.

Commissioner Perantoni asked where the plazas are located. Mr. Stock replied that in front of the building there is a concrete pattern plaza that goes out into the walkways into the parking lot. The reflecting pool is at the entrance, which measures approximately 10' x 20'.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. **Chesterfield Commons North a.k.a Commons Six**: A sign package for a "C-8" Planned Commercial District located on the north side of Chesterfield Airport Road, west of the intersection of Boone's Crossing and Chesterfield Airport Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Sign Package as presented. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

B. **Chesterfield Ridge Center (16401 Swingley Ridge Center) Sign Approval:** Sign Approval for Chesterfield Ridge Center zoned "C-8" Planned Commercial District located at 16401 Swingley Ridge Center at the northwest corner of Swingley Ridge Drive and North Outer 40 Road. (18S420052)

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Sign Package as presented. The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 1.** (Commissioner Broemmer voted nay.)

C. **King of Kings Lutheran Church**: An Amended Site Plan, Landscape Plan, and Architectural Elevations for a building addition on a 7.27 acre tract of land, zoned "R-2" Residential District, and located at 13765 Olive Boulevard.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Amended Site Plan, Landscape Plan, and Architectural Elevations as presented. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

D. **Long Road Crossing**: Amended Site Development Concept Plan for an approximately 23-acre tract of land, zoned "PC" Planned Commercial District, located on the west side of Long Road, north of Chesterfield Airport Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan as presented. The motion was seconded by Commissioner Banks.

Commissioner Asmus stated that he would like the record to show the restrictions for access to and from this site from Long Road. Restrictions include a right-in/right-out only, along with the fact that no left turns are possible due to an existing median. Chairman Sherman stated that these restrictions are written into the Ordinance.

The motion to approve passes by a voice vote of 9 to 0.

E. **Long Road Crossing (Walgreen's Retail Center)**: Site Development Section Plan, Architectural Elevations, Landscape Plan, Sign Package and Lighting Plan for a 1.87-acre tract of land, zoned "PC" Planned Commercial District, located on the west side of Long Road, north of Chesterfield Airport Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations, Landscape Plan, Sign Package and Lighting Plan with the condition that the ARB recommendations are adhered to, along with the addition of additional surface planters and plantings at the front entrance as space permits. The motion was seconded by Commissioner O'Connor **and passes by a voice vote of 8 to 1.** (Commissioner Hirsch voted nay.)

F. **Spirit Corporate Center (Spirit Trade Center, Lot 14):** Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations for an approximately 3.8-acre tract located in an "M-3" Planned Industrial District within the Spirit Trade Center development, on the south side of Chesterfield Airport Road, west of Long Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations as presented. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

VIII. OLD BUSINESS

A. **P.Z. 02-2004 Summit Development (Valley Gates Buildings)**: A request for a change in zoning from an "NU" Non-Urban District to "PC" Planned Commercial District for an approximately 7.698-acre tract of land located on North Outer Forty Road east of Boone's Crossing.

Project Planner David Bookless outlined the issues that had been addressed on this project:

- Number of uses requested: Staff is seeking direction as to whether the number of uses listed is satisfactory to the Commission.
- Amount of open space shown: Addressing Mr. Stock's earlier statement, Mr. Bookless stated that the ordinance for the Valley medical building allowed for right-of-way to be included in the calculations due to circumstances unique to that site with the interchange surrounding it. Staff seeks the Commission's direction with regard to the appropriateness of the amount of open space shown.

- Increased landscaping: The Developer had been requested to increase the amount of landscaping, to include such items as water features, brick planters and outdoor artwork. Staff is seeking direction as to whether or not the landscaping is satisfactory.
- Cross access: Public Works had requested that cross access be shown along the entire eastern boundary until such time as that site is developed. From the Preliminary Plan that's shown for Valley Gates, there are two places where cross access could be shown - on the south side and somewhere along the area to the north of the building. Public Works wants flexibility so when the next development comes in, they can direct the Petitioner as to where to locate the second point of egress and ingress.

Regarding permitted uses, Commissioner Macaluso expressed concern that if the property is sold, uses could be changed. She also pointed out that the Commissioners' packets did not include a list of the uses and requested that a current list of the uses be e-mailed to the Commissioners.

Commissioner Perantoni asked for clarification as to why Public Works is requiring the whole eastern boundary as cross access. Project Planner Bookless stated that it is now standard template language to require cross access along the entire boundary. This was recently done at the Precision Eatherton site along their southern boundary. The reasoning for requiring this is because it is unknown what will happen to the neighboring property so it is not possible to ascertain where the appropriate access points should be. Project Planner Bookless stated that, if so directed, Staff could craft language that would limit the number of access points along the eastern boundary.

Chairman Sherman directed Staff to include in the next packet on this project, information previously presented about the geographic Sub-area 4. She would like the same information presented in map-form so the open space areas are visually shown.

Chairman Sherman also directed Staff to research the reasoning behind the 50% open space policy outlined in the Comprehensive Plan. Project Planner Bookless stated that in researching the Minutes of past meetings, nothing was noted as to the specific reasoning for the 50% figure. Regarding the sub-area, the Comprehensive Plan states that "*Long-range plans will not be re-reviewed upon the completion of infrastructure.*"

Commissioner O'Connor asked if the proposed site has public water and public sewer. Project Planner Bookless stated that the site does have public water and sewer services.

Commissioner Banks asked if the open space information for all the properties could be looked at on the same basis so that right-of-ways aren't being considered on one parcel while being considered on another.

Discussion was held as to whether Staff should be directed to write the Attachment A at 50% open space or at a lesser percentage. Project Planner Bookless stated that the Attachment A could be written at 50% and it could be revised at the vote meeting, if so directed. City Attorney Beach suggested that the Attachment A be written at 40% open space as opposed to 50%.

Commissioner Macaluso asked that a chart be prepared showing how much reduction in square footage would be required for 38% and 40% open space.

Project Planner Bookless stated that it had been previously suggested that a water feature could be added in exchange for a reduction in open space.

Discussion followed as to why the Comprehensive Plan was written to include 50% open space for this sub-area. Senior Planner McCaskill-Clay stated that Staff would re-examine the meeting summaries and files to see if it can be determined why the 50% requirement was included. The Director of Planning would also be consulted in this matter.

After further discussion, the Commission clarified that the earlier request for a map should cover the entire area all the way to the levee to determine how much property is left to be developed at 50% open space.

B. P.Z. 18-2004 City of Chesterfield (Tree Manual): A request to codify the City of Chesterfield's guidelines/regulations relative to landscaping and trees into the City of Chesterfield Zoning Ordinance and to establish new regulations in regards to tree preservation, tree removal, and landscaping.

Project Planner Aimee Nassif stated that the P.Z. 18-2004 City of Chesterfield (Tree Manual) is a request to codify the City's regulations for landscaping and trees and to establish new regulations for tree preservation and tree removal. Since the Public Hearing of August 9, 2004, staff has received comments from the HBA and the City's tree arborist.

Project Planner Nassif asked if the Commission would like Staff to address the HBA's comments. It was agreed that Staff does not need to address the HBA comments.

General discussion was held regarding the tree list and whether Pear and Pin Oak trees should be removed. It was agreed that these trees should remain on the list to encourage diversity.

Commissioner Perantoni felt that the chart on Page 3 of the Tree Manual is confusing to someone getting a simple building permit - the person is directed to look at exceptions further back in the Manual. She felt there should be a stopping point noted on the chart so someone doesn't have to do a lot of reading to determine that a Tree Removal Permit is not necessary.

General discussion followed regarding the flow charts for the Tree Preservation Process and the Tree Removal Process shown on Pages 3 and 4 of the Tree Manual. It was agreed that there needs to be a re-arrangement of where the flow charts appear in the Manual. It was suggested that the flow charts be moved to the sections of the Manual to which they pertain. It was also suggested that a Preamble be included to clarify when a Tree Removal Permit is not necessary

Commissioner O'Connor felt that several issues raised at the Public Hearing were not addressed by the tree specialist. Specifically, questions about the use of only male Ginkgo trees to eliminate odor problems; the trimming of Pin Oaks to eliminate interfering with pedestrian walkways; and a request for a listing of trees that are considered poisonous.

Chairman Sherman pointed out that the tree specialist did address the concern about Ginkgo trees in that only male selections should be used. Commissioner Broemmer stated that all trees will interfere with pedestrian walkways if not trimmed – not just Pin Oaks. He felt that Pin Oaks should not be eliminated from the tree list because they are a good hardwood tree. After general discussion, it was agreed that it should be up to the individual homeowner as to what trees are planted on private property.

Commissioner Broemmer asked who is responsible for following up on tree trimming. Project Planner Nassif stated that tree trimming and maintenance is handled by Public Works and Parks. They have policies and procedures in place from City Council. Their requirement is that all trees be trimmed 10'-12' and be trimmed conservatively.

Commissioner Banks stated that he would like to see a mix of trees in the landscape plans. Pages 14 and 15 of the Tree Manual encourage a mix of trees but Commissioner Banks had concerns as to whether the language was strong enough for what he would like to see accomplished. He has since received an e-mail from Project Planner Nassif suggesting a change in the language to read: "*30% of the trees provided be slow-growing, hardwood trees."* Commissioner Banks stated he's not sure if 30% is the correct percentage, but he does think specific language needs to be included in the Manual.

Commissioner Banks also stated that "slow-growing, hardwood trees" are not defined.

Project Planner Nassif stated that she has suggested language from the City's tree specialist regarding the promotion of a mix of trees and it could be included in the next Staff report.

Commissioner Macaluso suggested that the language include information from the tree chart included in the Tree Manual.

ISSUES:

- Include wording either on Page 3 or in the beginning of the Tree Manual to read:
  Not applicable to residential lots of less than one (1) acre and the removal of less than 10,000 sq. ft. of tree canopy.
- Correct Page 3 of the Tree Manual to read:
  *(Refer to Section **IX** for "Exceptions")*
- Work with creating an Introduction or Overview – changing the flow of it to make it more readable – perhaps a Preamble or language to help clarify single lot standard.
- Provide language developed with the City's tree specialist as a possible suggestion to promoting a mix of trees, the type of trees and the slow-growth, medium rate of trees.
- Provide language to encourage more use of a mix of trees from our recommended tree list to encourage a mix of species, growth rate, etc.

Project Planner Nassif asked if there were specific questions to be taken back to the tree specialist. It was agreed that there was no need for any follow-up questions.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS:

A. Committee of the Whole

The training session for the Planning Commission is scheduled for Wednesday, September 22nd at 6:00 p.m. in the Chambers.

B. Ordinance Review Committee – No report

C. Architectural Review Committee

Commissioner Hirsch stated that the Architectural Review Committee had met. The members of the Committee will rotate as liaisons from the Commission to the Architectural Review Board. The Committee had some discussion regarding the role of the ARB and when, in the process, things have to go to the ARB. They also discussed options that the Commission might have to send matters to the ARB with specific questions. The Committee also reviewed the architectural guidelines and has prepared a draft revising the guidelines. The Committee will be meeting again once the draft has incorporated the suggestions from the Committee. Comments are welcome on the draft.

D. **Landscape Committee** – No Report
E. **Comprehensive Plan Committee** – No Report
F. **Procedures and Planning Committee** – No Report
G. **Landmarks Preservation Commission** – No Report

XI. ADJOURNMENT

The meeting adjourned at 8:57 p.m.

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Lynn O'Connor, Secretary