

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 12, 2013**

The meeting was called to order at 7:03 p.m.

I. ROLL CALL

PRESENT

Ms. Wendy Geckeler
Ms. Merrell Hansen
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Steven Wuennenberg
Chair Michael Watson

ABSENT

Mr. Robert Puyear

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. John Boyer, Senior Planner
Mr. Justin Wyse, Senior Planner
Mr. Jeff Paskiewicz, Senior Civil Engineer
Ms. Sarah Wieder, Planning Intern
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Councilmember Nancy Greenwood, Ward I; Councilmember Elliot Grissom, Ward II; Councilmember Mike Casey, Ward III; Councilmember Bruce DeGroot, Ward IV; and Councilmember Connie Fults, Council Liaison.

IV. PUBLIC HEARINGS – Commissioner Midgley read the “Opening Comments” for the Public Hearing.

- A. **P.Z. 09-2013 Schoettler Grove (2349 Schoettler Rd.):** A request for a zoning map amendment from “NU” Non-Urban District (3 acre) to “R-3” Residence (10,000 sq. ft. lot min.) for 17.0 acres located northwest of the intersection of Clayton Rd. and Schoettler Rd. (20R310137 & 20R220010).

And

- B. **P.Z. 10-2013 Schoettler Grove (2349 Schoettler Rd.):** A request for a zoning map amendment from “R-3” Residence District (10,000 sq. ft. lot min.) to “PUD” Planned Unit Development for 17.0 acres located northwest of the intersection of Clayton Rd. and Schoettler Rd. (20R310137 & 20R220010).

Ms. Aimee Nassif, Planning & Development Services Director explained the zoning process to the audience. After the Public Hearing, Staff will review the issues identified with the Petitioner. An Issues Meeting will then be held before the Planning Commission followed by a third meeting with the Planning Commission for a vote on the petitions. It is not yet known as to when the Issues and Vote Meetings will be held but the project is updated on the website as to when these meetings will be scheduled. Interested parties may also contact John Boyer, Senior Planner for the City of Chesterfield for any updates on the project.

After the Planning Commission’s recommendation, the petitions move forward to the Planning & Public Works Committee, a subcommittee of City Council, for review and recommendation to the full Council. The petitions are then heard before City Council at two separate meetings with a final vote being taken at the second meeting. If the zoning is approved, a separate process begins with the Planning Commission for the Site Plan at which time the Petitioner will provide engineered details of the Plan including lighting, landscaping, and architectural elevations.

STAFF PRESENTATION:

Senior Planner John Boyer explained that the City Code requires a Non-Urban-zoned property to be rezoned to a residential district before being zoned to a Planned Unit Development. He noted that all State and City Public Hearing notifications requirements were met for these two petitions.

Mr. Boyer gave a PowerPoint presentation showing photographs of the site and surrounding area.

Existing Conditions:

- The site is located at the corner of Clayton and Schoettler Roads and consists of 17 acres.
- There is a stub street at Westerly Court which is a proposed location for access into the northern portion of the subject development.
- There is a cemetery located on the site, which is registered with St. Louis County and is owned by First Missionary Baptist Church of Ballwin. The Chesterfield Historic and Landmark Preservation Committee has been notified of the existence of the cemetery but no comments have been received from the Committee at this time.

Site History:

- The site is currently zoned “NU” Non-Urban.
- Current Uses on the site include *Residential* on the far eastern portion of the site; the remainder of the site is vacant and includes the cemetery.

Requested Permitted Use:

- Single-family Residential, detached structures

Nearby Zoning:

	Subdivision	Zoned	No. of Lots/Units	Lot Size
North	Westerly	R-1A with PEU	25 lots	15,000 sq. ft. (Minimum)
South	Gascony	R-3 with PEU	14 units	4200–6400 sq. ft.
West	St. Louis Retirement development	R-1 with C.U.P. for the retirement units	90 units	2.9 acres
East	Amberleigh	R-3 with PEU	33 attached units	8 acres

Out-Boundary Survey:

- An out-boundary survey is required for the rezoning from “NU” to “R-3”.
- No Attachment A is required for this straight zoning district; it must meet the minimum zoning requirements of the “R-3” District.

Preliminary Plan:

- The Preliminary Plan is required for the proposed “PUD”.
- The Plan proposes 31 lots on 17 acres – 1.82 units/acre.
- There are two access points proposed for the development – 1) off Schoettler Road across from Amberleigh Hill Court; and 2) from the existing stub street at Westerly Court.
- There are minimum 30-foot buffers around the perimeter of the site, as required by the “PUD”.
- The eastern tract proposes lots ranging in size from 7,000 - 10,500 sq. ft.
- The western tract proposes lots ranging in size from 12,000 - 15,000 sq. ft.
- The “PUD” zoning allows for a variance from the “R-3” minimum setbacks. Below is a table showing the “R-3” minimum required setbacks vs. the setbacks being proposed by the Petitioner under the “PUD” zoning.

SETBACKS		
	“R-3” Minimum Required	Proposed under “PUD”
Front	20 ft.	20 ft.
Side	8 ft.	6 ft.
Rear	15 ft.	15 ft.

Comprehensive Land Use Plan:

- The City’s Comprehensive Land Use Plan designates the subject site as *Residential*.

Items for Consideration:

- Appropriateness of the Zoning (“R-3” or “PUD”)
- Proposed Density/Number of Lots:
 - Under the “PUD” zoning, the Petitioner is proposing 31 lots on 17 acres (1.82 units/acre)
- Lot Sizes:
 - Smallest Proposed Lot: 7,128 sq. ft.
 - Largest Proposed Lot: 15,069 sq. ft.
 - “R-3” District allows a minimum lot size of 10,000 sq. ft.
 - “PUD” allows flexibility in lot sizes but does not allow flexibility in the density. If approved, the “R-3” zoning would establish the density requirements.
- Proposed Setbacks
 - 20 ft. front, 6 ft. side and 15 ft. rear (“R-3” requires 8 ft. min side setback).

Items under Staff Review:

- Storm Water Concerns – MSD is currently reviewing the plan.
- Future Traffic Impacts/Road Improvements
- Grades (street and building area)
- Agency Comments – Staff is still waiting for comments from St. Louis County, which has jurisdictional authority over Clayton Road.
- Tree Stand Delineation – The Tree Stand Delineation submitted had small variations between existing conditions on site and what was shown on the plan. The Applicant is revising the plan.
- Tree Preservation Compliance – Compliance can be achieved either by preservation of 30% woodland canopy or the Petitioner can request special conditions for the City to review. Special considerations can include the topography of the site, woodlands, etc. Staff is requiring a Tree Preservation Plan prior to the Issues Meeting rather than at the later Site Development stage.

Discussion

Commissioner Wuennenberg asked for clarification on the lot sizes in Westerly subdivision and Amberleigh. Mr. Boyer replied that Westerly has a “PEU” and minimum lot sizes were approved at 15,000 sq. ft.; the majority of the lots within the development range in size from 15,000-22,000 sq. ft. with one lot being at one acre. The Amberleigh development is comprised of 33 attached units of approx. 10,000 sq. ft. on 8 acres.

Chair Watson asked for information on the buffer sizes of the neighboring subdivisions. Ms. Nassif noted the buffer for Gascony is 10 feet, and for Westerly the buffer ranges from 10-25 feet.

PETITIONER’S PRESENTATION:

1. Mr. Mike Doster, Land Use Attorney for the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO stated the following:
 - The Petitioner has submitted two applications – one is to rezone to the “R-3” District and the other is to approve a Planned Unit Development.
 - The proposed density under the “PUD” is less than “R-3”, less than Gascony, less than Amberleigh, and compares favorably to Westerly.

- The site is topographically challenging but the proposed plan works with the topography rather than leveling the site.
 - The plan also mitigates existing storm water drainage to the north.
 - The “PUD” common open space and buffering standards are higher than those imposed on Gascony and the proposed plan meets, or exceeds, those higher standards.
 - The church property to the west was added to the site after the original application was filed and it is now under contract to the Petitioner.
 - The plan proposes to put a permanent preservation area easement in place so the property cannot be disturbed in perpetuity.
 - The Petitioner will comply with the tree preservation and landscape regulations. Those regulations allow the Petitioner to apply for special conditions and to present a mitigation plan.
 - The Tree Stand Delineation Plan that was submitted included some inaccuracies, which are being corrected; the revised plan will include the church property to the west.
2. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO gave a PowerPoint presentation and noted the following about the subject site:

Along the North Property Line is Westerly Place:

- The subject property has approximately 1400 feet of frontage along Westerly Subdivision and there are 9 residences that abut the property.
- Along the north property line is one of the low areas of the site at an elevation of 622 feet above mean sea level.
- Westerly Place is zoned “R-1A” and is comprised of 15.64 acres with 25 lots (1.6 lots/acre)

Along the East Property Line is Schoettler Road:

- There is approximately 725 feet of frontage along Schoettler Road.
- Amberleigh is located along the east side of Schoettler Road.
- The high elevation of 688 is at the intersection of Clayton and Schoettler Roads – there is 66 feet of fall across the site.
- There are 10 villas along the east side of Schoettler Road.
- Amberleigh is zoned “R-3” with 33 units on 7.75 acres. Its density is 4.3 lots/acre.

Along the South Property Line is Clayton Road and Gascony:

- There is approximately 520 feet of frontage along Clayton Road.
- At the southwest corner of the site is the highest elevation at 690.
- There is approximately 578 lineal feet along 8 residences of Gascony and the elevation at the mid-point is 687. These homes have their walls 15 feet off the property line.
- There is another 231 lineal feet of frontage along the common ground of Gascony, which is Gascony’s storm water detention basin.
- Gascony is zoned “R-3” with 14 lots on 3.77 acres. Its density is 3.7 lots/acre.

The West Property Line is contiguous with the St. Louis Retirement residence

Existing Conditions/Topography:

- The elevation at Schoettler and Clayton is 688.
- At the southwest corner of Gascony, the elevation is 690.
- At the north property line, the elevation is 622.
- At the very northwest of the site, the elevation is 622.
- The slopes running north/south through the property are 20-42%.
- There is 68 feet of vertical relief from Clayton Road to the north property line.
- The property falls north and rolls from east to west.
- The site has difficult topography and abuts residential property.

Access:

Proposed access would be: (1) from Schoettler Road aligned with Amberleigh; and (2) from Westerly Court. There is also a cross access easement that was granted as part of Gascony to Clayton Road but it is not feasible to connect here because the property line on the subject site is 39 feet lower than Gascony's cul-de-sac.

Utilities:

- There are adequate sanitary sewers at the stub of Westerly Court.
- There are existing water mains at the stub of Westerly Court.
- There is an existing public water main within Schoettler Road.

Proposed Site Plan:

- The proposed Site Plan is for 31 lots.
- The objective is to "develop a plan that works with the unique and steep topography of the site, and to maintain the general roll of the land. The objective is not to *pancake* the site."
- They plan to minimize the lots immediately adjacent to the residents.
- Their proposed density is 1.8 lots/acre, which is very comparable to Westerly and 50% less dense than Amberleigh and Gascony.
- Detached villas will be placed adjacent to the arterial roads.

Proposed Road:

- The proposed road is a serpentine road coming into the property.
- Portions of the road are proposed to be at an 8% slope, which is 2% greater than the City's standard. They intend to ask the City for an exception to allow the steeper slopes in order to work with the existing topography.
- The steep slopes (3:1) will be located along Schoettler and Clayton Roads, and will be utilized as buffers so that the villas will be tucked down 10-15 feet below the streets. These buffers will far exceed 30 feet. The slopes will be restored and replanted.
- They will cut a slope down from the property line at Gascony to keep the road below the homes at Gascony to prevent headlights from shining into Gascony. Also, the road runs parallel to the back of the houses of Gascony.

Buffers:

- *Westerly:* West of Westerly Court, the buffer will be maintained at 30 feet – Westerly has a buffer requirement of 20 feet.

- Gascony: A 30-foot buffer will be provided along Gascony – Gascony has a 10-foot buffer along its property line.
- They are trying to be respectful of the existing vegetation, particularly at the corner of Westerly.

Storm Water Management:

- Along the Westerly subdivision, a large storm water management basin will be constructed. This will be a dry, grass, manicured landscaped detention basin along with a bio-retention ahead of it.
- MSD has given conceptual approval for a storm water management plan.
- The storm water basins will dramatically reduce the pre-developed runoff under the post-developed condition.
- The bio-retention will provide water quality, will remove 80% suspended solids, and will provide volume reduction – the first 1.14” of rain will either be evaporated or infiltrated back into the ground.

Traffic:

- Thirty-one homes will generate 0.75 trips per hour during the morning peak time. Of these trips, 75% (18 vehicles) exit the site and 25% (6 vehicles) enter the site.
- During the evening peak time, it is anticipated that there will be 1.01 trips per household – 63% (22 vehicles) entering the site and 37% (10 vehicles) exiting the site.

Cut/Fill:

They intend to move 100,000 yards of dirt – in the valley to the east side, there is as much as 30 feet of fill and as much as 23 feet of cut that will come down off the ridge on the western half of the site.

Key Points of the Development:

- 30.18% common ground
- 10.48% preservation area

Widening of Schoettler Road:

- The City is underway on a Master Plan Study of Schoettler Road from Highway 40 to Clayton Road.
- With respect to the subject development, there are utility constraints that prohibit them from widening the road.
- They propose to dedicate right of way on Schoettler to accommodate a future project.

Summary

They feel they have a sustainable, comprehensive plan that works with the topography, is well-thought-out, has low density, and provides buffering along the adjoining residences.

Discussion

Commissioner Lueking asked for clarification on whether the neighboring subdivisions were developed prior to the incorporation of the City in 1988. Ms. Nassif noted that Amberleigh, Westerly, and Gascony were all developed after the City's incorporation.

Commissioner Lueking asked if the cemetery is part of the 17 acres that comprise the site. Mr. Stock replied that it is. He added that there is approximately 40% of the site that is either common ground or preserved.

Commissioner Lueking asked where the existing pond is located in relation to the proposed development. Mr. Stock noted that it is near the area where a bio-retention basin will be installed.

Commissioner Lueking asked for clarification about the amount of right of way on Schoettler Road. Mr. Stock stated that they have proposed right of way of 3,747 sq. ft. to accommodate a third lane. He added that County is requesting that the sidewalk along Clayton Road be ADA-accessible, which requires 1,625 sq. ft. of dedication along Clayton Road.

Commissioner Geckeler stated that the Petitioner's narrative repeatedly mentions that that there will be *substantial grading and clearing of existing trees from the subject site*, which she noted will change the conditions of the property. She went on to say that the design features of a "PUD" call for *maintaining existing site topography, soils and vegetation, and slope, preservation of natural, cultural areas, preservation of existing mature trees, enhanced landscaping*". Commissioner Geckeler asked how they can justify a "PUD" when they can't meet most of the major design features that make a "PUD" applicable. She also questioned whether it was good design to have all the natural area (*church site*) on one end of the site. She did not feel the site was incorporating exceptional design features to warrant a "PUD" designation.

Mr. Stock stated that they are not changing the drainage patterns, the general topography is still sloping from south to north, and sloping from east to west – but the topography is being adjusted to fit within the requirements of the City's profiles for streets. He then noted the following improvements that are being proposed for the development:

- Improving the storm water drainage that exists today. The soil conditions are not being changed and they are promoting the infiltration of storm water.
- Incorporating a sidewalk along Schoettler Road and a sidewalk within the development.
- Planning a trail within the preservation area.
- Planning extensive landscape and restoration around the buffers to provide buffering between Gascony and Westerly, along with protecting the proposed homes from Schoettler and Clayton Roads.

Commissioner Geckeler pointed out that sidewalks are required with the rezoning so it cannot be considered an exceptional design feature.

Chair Watson asked if there would be any modifications to the existing cemetery – such as fencing it and cleaning it up. Mr. Stock replied that they plan to clean out the underbrush and put in a trail system that would extend to Clayton Road and would also tie into the sidewalk system within the development. They have not discussed fencing the cemetery but can consider it.

3. Mr. Bill Biermann, 1795 Clarkson Road, Suite 190, Chesterfield, MO stated he would hold his comments to the end.

SPEAKERS IN FAVOR:

1. Mr. James McConnell, 14425 Rue de Gascony Court, Chesterfield, MO stated the following:
 - His property would benefit from the proposed development because it appears that the development plan causes the ground behind his home to be excavated and slope away, which will improve the existing drainage problem in his yard.
 - He would like the buffer zone behind his home to have vegetation as dense as possible to shield them from the new development and any headlights coming down the road.
 - All the houses adjacent to the south border of the subject property have their patios built within inches of the property line. When the new development is built, Gascony's patios will face the front yards of the proposed homes.
 - He is glad that access was not granted through Gascony's entrance cul-de-sac because it is extremely dangerous turning onto Clayton Road going east from Gascony during the morning and evening peak hours – especially since Ballwin allowed entrances into the shopping center that is located across the street from Gascony.
 - Schoettler Road is heavily traveled during the afternoon and evening so another turn lane going west onto Clayton Road would be an improvement.

SPEAKERS IN OPPOSITION:

1. Mr. Jeff Johnson, representing Westerly Subdivision, 2207 Westerly Court, Chesterfield, MO stated the following:
 - While he will be speaking primarily about the need for an enhanced buffer between the subdivisions, he is supportive of the other Speakers from Westerly who have concerns about the proposed Westerly Court extension, storm water drainage, and traffic on Schoettler Road.
 - They feel the developers and City should strive to minimize the adverse effects on the surrounding homeowners from noise pollution, light pollution, and the changes in landscape that accompany new developments.
 - Their goal is to retain as much of the "green wall" that currently exists between the subdivisions and to ensure that there is a consistent buffer zone of at least 30 feet where Westerly Place borders with the proposed development. Currently, the "green wall" consists of both trees and shrubs, as well as an earthen elevation and the creation of a suitable buffer would need to include both components.
 - Lots 6 and 7 of Westerly Place were granted variances to allow a reduced setback so these homes have driveways that are built directly on the lot line with the proposed Schoettler Grove, which makes their homes closer to the proposed development than is typical.
 - The proposed development includes plans for a road running along much of the border with Westerly, which may be busy during certain times of the day.
 - The proposed development is planned for "R-3" zoning as opposed to Westerly's "R-1A" zoning. The homes will be built on elevations that are above the level of many of Westerly's homes, which makes them very conspicuous along the horizon and a stark departure from their current views.
 - He expressed appreciation to Mr. Stock, Mr. Theiss, and Mr. Biermann who visited his home and listened to his concerns.

- He feels that the revised proposal for an undisturbed area that extends to the proposed street has significant merit and it retains the elevation and much of the “green wall”.
- They would like to meet further with Mr. Stock regarding the risk to the root systems of the existing mature trees vs. removing the vegetation, leaving an earthen berm and heavily re-landscaping.
- They feel that the solution to creating a suitable buffer may need to be individualized given the significant differences in elevation of the land along the common border.
- In summary, they request a minimum 30-foot buffer consisting of a heavily landscaped earthen berm that will retain the beauty and the functional separation from the proposed subdivision that the current natural border of earthen elevation and dense vegetation provides.

2. Mr. Robert Burch, representing Westerly Place Subdivision, 2208 Westerly Court, Chesterfield, MO stated the following:

- In both public and private meetings, the developers have assured Westerly Place homeowners that they are neutral with regards to the access to the proposed development through Westerly Court.
- If the two subdivisions are connected, the homeowners in both subdivisions will be faced with increased traffic, noise and trash in the neighborhood. They do not feel that such action is consistent with maintaining distinct, private neighborhoods like those in the adjacent subdivisions along Schoettler Road. Much larger subdivisions, such as Brook Hill and Scarborough, each have only one public road access point.
- They have been told it is desirable, and even required, to have two entries into a subdivision in the event emergency personnel are needed and cannot access one of the entrances. They feel the impact to the lifestyle and privacy that Westerly residents have enjoyed seems to be a very high price to pay for the “infinitesimally small chance” an additional entry point would be needed. This seems to be especially confusing since the main entrance to Schoettler Grove will be only about 50-70 yards away from the main entrance to Westerly Place.
- They are concerned that there is the potential for more accidents due to the increased volume of traffic and the narrow S-shaped entrance to Westerly Place.
- They are concerned that by connecting the two communities, it will, in essence, create one subdivision. Due to the blurring of identities, they are concerned that Westerly’s property values will be adversely affected.
- If an additional entry is required, they would welcome the opportunity to explore a grassy entry, similar to the Seasons at Schoettler subdivision, to achieve requisite objectives.
- They welcome Schoettler Grove to the neighborhood but request that Westerly Place be allowed to maintain its own identity and its own level of privacy and seclusion.

Commissioner Geckeler asked whether it is feasible to have a grassy, chained entrance and not open up Westerly Place. Ms. Nassif replied that Westerly Court is a public street and as a public street was developed with the intention that it would be a through-street. The alternative would be to have the street end in a cul-de-sac. She added that in 2006 Westerly Place subdivision requested an ordinance amendment to reduce some of the

lot sizes. The ordinance incorporated language requiring Westerly to provide a street connection in the future to the adjacent undeveloped property to the south – the proposed Schoettler Grove development. If he is interested, Ms. Nassif advised Mr. Burch that she would provide the ordinance amendment to him.

3. Ms. Bonnie Boyd, 14409 Rue de Gascony Court, Chesterfield, MO stated she would pass on speaking.
4. Ms. Karen Moculeski, 14405 Rue de Gascony Court, Chesterfield, MO stated the following:
 - She had submitted a letter to the Commission, dated July 29, 2013, regarding her concerns about the proposed development.
 - The property has 525 identified trees, of which nearly 20% of them are Monarch trees. She does not feel that the developer ever had any intention of complying with the “spirit and purpose” of the Tree Preservation and Landscape Ordinance.
 - She noted that even extensive re-landscaping cannot replace groves of trees that are 100-200 years old.
 - She feels that “with a little imagination and maybe not as much profit, there is still the opportunity to do something with this land that is residential.”
 - She feels that if the petition is granted, the developer is being granted “an exception”.
 - She has concerns that headlights from vehicles using the internal road will shine into the existing Gascony homes and does not feel the proposed 30-foot buffer is substantial enough.
5. Mr. Tim Sauer, 14611 Hunters Point, Chesterfield, MO stated the following:
 - The lack of continuous sidewalks along Schoettler Road has been a problem for years. He and his sons have contacted the City and the Ward III Councilmembers about their concerns on a number of occasions. They also submitted a petition to the City, which was signed by numerous residents. He is a person with disabilities and was told that the City’s sidewalks do not need to be ADA-compliant. He is happy that they are now talking about adding sidewalks but he feels that it should have been done years ago.
 - According to County records, the Kraus lot at 2031 Schoettler Road (Locator No. 20R510034) is up for tax auction later this month. He questioned how this lot can be included in the proposed plan.
 - He has concerns that residents in the proposed development will not utilize their driveways because of the difficulty of getting in and out of drives that are built at an 8% slope. He feels that this will cause them to park along the road.

Regarding the referenced Kraus lot, City Attorney Heggie advised Mr. Sauer that the Petitioner is required to either have ownership or consent of the owner to go forward. If that is not the case, that property will be excluded from any potential rezoning.

6. Ms. Elizabeth White, 14413 Rue de Gascony Court, Chesterfield, MO stated the following:
 - She is hearing a lot of “exceptions to the rules and guidelines that have been put in place”.
 - Gascony is zoned “R-3 with exception” and they can hardly park in their driveways without crossing their sidewalks. It is very difficult to park on both sides

of the street without interrupting other vehicles coming in and out of the subdivision.

- She noted that the proposed development has a number of homes on 7,000 sq. ft. lots, and while Gascony is comprised of attached units, the new development with “detached units will have a lot of people in a small space and that will make a contentious environment for everyone”.
- Her home backs to the proposed development and her patio does extend to the property line. She has safety concerns because there will be a street just 30 feet from her property making the back of her house very accessible to anyone parking on that street. She prefers a street straight down the center of the area where the 10,000 sq. foot lots are proposed and ending in a cul-de-sac rather than the proposed circle drive. This would allow the Gascony and Westerly residents to have a backyard facing them with a buffer rather than a street that will have noise, headlights, and street lights shining into their bedrooms.

SPEAKERS – NEUTRAL:

1. Mr. John Krumrey, Trustee of Westerly Place, 14733 Westerly Place, Chesterfield, MO 63017 stated the Westerly residents have two major concerns about the proposed development:
 - *Street connection of Schoettler Grove to Westerly Court:* The connection will bring even more traffic to an already difficult intersection. According to the Monarch Fire Protection District, a second entrance to a new subdivision is only required if there are more than 30 homes. Since Schoettler Grove is proposed at 31 homes, he suggests removing 1 home to eliminate the need for a second access.
 - *Increased traffic on Schoettler Road and Westerly Place created by the connection:* According to statistics from the Missouri Highway Patrol, there have been nine accidents at the intersection of Westerly and Schoettler during the last five years – four in the last year. This is a street that only has 21 homes.
 - If Schoettler Grove is connected to Westerly Court, the development brings additional traffic to the already dangerous intersection.
 - The Westerly residents feel the developer has an obligation to invest in the offsite improvement of Schoettler Road by widening it and creating a turn lane that runs from Clayton Road at least to Westerly, if not all the way down to Georgetown. If there is no connection to Westerly, they feel it would eliminate the need for an offsite improvement.
2. Ms. Barbara Burnside, 8 Georgetown Road, Chesterfield, MO stated the following:
 - If one is traveling north on Schoettler Road and attempting to make a left turn into Westerly or Georgetown, it is a serious traffic hazard without a left-turn lane.
 - She feels left-turn lanes are necessary for Schoettler Grove, Westerly, and Georgetown to alleviate the traffic and safety issues.
3. Mr. Bob Grant, 14721 Westerly Place, Chesterfield, MO stated the following:
 - His lot faces almost directly with the stub street.
 - He noted that he is speaking as a *Neutral Speaker* because he feels, overall, that the proposed development is a reasonable project – it is a residential project vs. something commercial.
 - He does, however, feel it can be improved. He urged the Commission to not let the access be completed through the stub street because the Fire District

Ordinance only requires a second entrance when there are more than 30 lots in a residential development. He urged the developer to reduce the number of lots to 30, which would eliminate the need for a second entrance and which would decrease the density making it closer to Westerly's density.

- He noted that there is also an appeal process with the Fire Protection District that could be utilized to possibly eliminate the need for a second entrance.
- He requested an opportunity to review the 2006 ordinance amendment for Westerly Place.
- There will be a lot of traffic coming from the new development through Westerly to access Schoettler Road and the residents would appreciate it if this could be avoided.
- He hopes that Schoettler Road can be improved in the subject area because getting in and out of Westerly is quite hectic and adding an additional 30 lots will only add to it.

4. Ms. Robyn Hayes, 14741 Westerly Place, Chesterfield, MO stated the following:

- She noted that she is speaking as a *Neutral Speaker* because she is glad a residential development is being proposed vs. a commercial one.
- She is not in favor of the "PUD" and asked whether the developer would be allowed to change the plan once it is zoned to "PUD" – such as adding more lots.
- She feels the site should be zoned "R-1A" or at least "R-3".
- She has concerns that the dry water basin would necessitate removing all the trees in that area.

Ms. Nassif informed Ms. Hayes that once a Planned Unit Development is approved by City Council, any changes to the development plan or any of the conditions approved in the ordinance would need to go through this entire public hearing process again.

PETITIONER'S RESPONSE:

Mr. Doster stated that they have listened attentively to the concerns raised by the residents. It is their intent to address these concerns by responding to Staff's *Issues Letter* once it is received.

ISSUES:

Mr. Boyer took note of the following issues raised:

1. Clarification as to when a second entrance into a subdivision is required.
2. Information regarding the "green wall" referenced by Westerly residents – what are the residents requesting to be retained for their subdivision – trees or shrubs? Mr. Jeff Johnson, *Westerly Place subdivision*, stated that they are looking for maintenance of the green wall which is made up of both trees and shrubs, along with the substantial earthen elevation. It was noted that none of the existing trees in this area are on Westerly Place property.
3. Clarification as to whether Gascony's patios go up to their lot lines, and more information about that zoning.
4. Tree Preservation Compliance
5. Plans for the preservation area and cemetery – will trails be provided?
6. Storm water concerns.
7. Concerns related to headlights and street lights.
8. Concerns regarding buffering and berms abutting adjacent properties.

9. Concerns related to the road layout near property lines on both the north and south sides of the development.
10. Concerns with traffic along Schoettler Road and Clayton Road. Possible road improvements for Schoettler Road.
11. Is the zoning appropriate?
12. Stub street connection concerns for Westerly.
13. Sidewalk concerns.
14. Ownership question regarding the Kraus lot.
15. Concerns regarding street grades.
16. PUD compliance related to design features.
17. Follow-up with the Historic and Landmark Preservation Committee regarding this development. *Ms. Nassif stated that this Committee had been advised of tonight's meetings and she will keep the Committee's Chair apprised of all future meetings regarding this petition. She is hoping to obtain written comments from the Committee before the Commission goes to vote on this petition.*
18. Review the rezoning records for the neighboring subdivisions to determine if the Mertzes, or their representatives, made any particular assertions or promises to the City.

Commissioner Lueking asked that the Commissioners read the "PUD" description provided by Commissioner Geckeler.

Commissioner Midgley read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Lueking made a motion to approve the Meeting Summary of the July 22, 2013 Planning Commission Meeting. The motion was seconded by Commissioner Wuennenberg and **passed** by a voice vote of 7 to 0 with Commissioner Proctor abstaining.

VI. PUBLIC COMMENT

Mr. John Villapiano, Simon Property Group, 105 Eisenhower Parkway, Roseland, NJ stated he was available for questions regarding **Chesterfield Blue Valley, Lot 2 (St. Louis Premium Outlets)**.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **Chesterfield Blue Valley, Lot 2 (St. Louis Premium Outlets)**: A request for an Amended Sign Package for Lot 2 of the Chesterfield Blue Valley development to modify sign criteria for the St. Louis Premium Outlets development.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Amended Sign Package for Lot 2 of the Chesterfield Blue Valley development. The motion was seconded by Commissioner Lueking and **passed** by a voice vote of 8 to 0.

VIII. OLD BUSINESS - None

IX. NEW BUSINESS

Ms. Nassif stated that she will be working out a schedule with the Chair for the yearly Planning Commission training. She then welcomed Ms. Merrell Hansen as the newest member of the Commission.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 9:03 p.m.

Steve Wuennenberg, Secretary