PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
July 26, 2004

The meeting was called to order at 7:05 p.m.

I. PRESENT

Mr. David G. Asmus
Mr. David Banks
Mr. Fred Broemmer
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Thomas Sandifer
Chairman Victoria Sherman
City Attorney Doug Beach
Mr. Bruce Geiger, Council Liaison
Ms. Teresa Price, Director of Planning
Mr. David Bookless, Project Planner
Mr. Kyle Dubbert, Project Planner
Ms. Christine Smith Ross, Project Planner
Ms. Mary Ann Madden, Planning Assistant

ABSENT

Dr. Maurice L. Hirsch, Jr.

II. INVOCATION: Commissioner Macaluso

III. PLEDGE OF ALLEGIANCE

Chairman Sherman acknowledged the attendance of Councilmember Bruce Geiger, Planning & Zoning Liaison (Ward II), Councilmember Mike Casey (Ward III), Councilmember Connie Fults (Ward IV) and Councilmember Mary Brown (Ward IV).

IV. PRESENTATION OF PLAQUES

Chairman Sherman presented retired Commissioners Layton and Wardlaw with plaques of appreciation for their dedication and service to the Planning Commission of the City of Chesterfield. It was noted that Mr. Layton had served as Chairman of the Commission and that Mr. Wardlaw had served as Secretary. The retired Commissioners were given a standing ovation by all present.

V. PUBLIC HEARINGS - None

VI. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the July 12, 2004 Meeting. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 6 to 0.** (New Commissioners Asmus and Sandifer did not vote as they were not present at the July 12th Meeting.)

VII. PUBLIC COMMENT

1. Mr. Bill Decker, Gray Design, 9 Sunnen Drive, St. Louis, MO, speaking in favor of **Precision Eatherton** stated the following:
   - He has spoken to the owners of Precision Properties, who have informed him that there is no agreement between them and Doug Adams.
   - It is their opinion that Doug Adams has no legal ground asking for any requirements on the proposed site.
   - They are asking that the project be passed as presented since it meets all requirements of Chesterfield Ordinance and has received Staff approval.

2. Mr. Douglas F. Adams, 16441 Walnut Rail Road, Chesterfield, MO 63005, speaking in opposition to **Precision Eatherton** stated the following:
   - He is opposed to the landscaping portion of the Precision drawings.
   - He owns 33 acres behind the Precision property and between the two runways of the airport.
   - He and the airport do not have access to Eatherton Road – he has a 20' gravel road, which he has granted temporary easement to the airport to gain access.
   - His plan is to build a 33-acre Industrial Park; Precision bought the 3 acres in front of Mr. Adams' property – between his acreage and Eatherton Road – with the understanding that Mr. Adams would buy back from Precision a 50' wide strip to build a road, which Precision would use as access to their property.
   - Since Precision's access to their property would also be the entrance to Mr. Adams' Industrial Park, he has concerns about the sight of construction trucks from his property.
   - He has an Irrevocable Letter of Credit stating that Precision would construct a berm as part of their landscaping. A copy of this Letter of Credit was presented and will be made a part of the public record.
   - He has given an Irrevocable Letter of Credit to Precision indicating that he would put in the above-mentioned road, along with bringing water to them.
   - The road access shown on Precision's plans is on the easement that Mr. Adams' is buying from them and constructed at Mr. Adams' expense.
   - The proposed berm has been dropped, which allows no blockage of the view of trucks.
   - He asks for denial of Precision's proposed plan and reconsideration of the plan that Mr. Adams presented to the Site Plan Committee.

Commissioner Perantoni asked if Precision Eatherton had any other means of getting water to their property.

Mr. Adams responded that he is not aware of any other means as the water is on the airport grounds and must come through his property, the same way sewers will have to come through his property.

Commissioner Perantoni asked if Mr. Adams planned on not granting water access if the berm is not constructed.

Mr. Adams replied that he will not be granting access at this time.

3. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **P.Z.10-2004 Fox Hill Farms**, stated that his law firm represents the Petitioner, Barry Simon Development. Mr. Doster gave a slide presentation showing the following:
   - The portion of the recorded plat for Eagle Crest that shows the 50'-wide access easement to allow access to the property to the south, which is the subject property of the petition.
   - The temporary slope and construction licenses that are necessary to construct the access.
   - Language from Ordinance 1315, which is the Eagle Crest Ordinance. This Ordinance imposes a condition for a 50' access easement provided to the landlocked property to the south as directed by the City of Chesterfield.
   - Preamble of the Eagle Crest Ordinance, which cites in part "*That the Planning & Zoning Committee had considered the request and recommended approval of the PEU for Eagle Crest with certain conditions including access to the property to the southeast and adding conditions relative to the erection of a sign concerning possible future extension of the street and allowing Eagle Bluff Court to be longer that 800'.*"
   - A density comparison between Eagle Crest and the proposed subdivision. Mr. Doster stated that the Staff Report indicates the Petitioner has complied with the Comprehensive Plan guideline with respect to density.

Commissioner Macaluso referred to the Staff Report, Item 3, which states the Petitioner's response as: "*The residents of Griffith Lane will not grant sufficient right of way to allow for the construction of access to the proposed development, and they do not want access to the proposed development to be constructed over any portion of Griffith Lane.*"

Commissioner Macaluso stated that while the residents of Griffith Lane do not want access to the proposed development over Griffith Lane, the residents of Eagle Crest do not want access over their streets either and asked how the Developer saw any difference between the two.

Mr. Doster replied that he feels they are two different situations – Eagle Crest subdivision was put in pursuant to condition that required a 50'-wide access easement where the cul-de-sac is currently located. The streets in Eagle Crest are dedicated as public streets, not yet accepted because Eagle Crest subdivision is not complete. Griffith Lane is a private lane – it is 15' wide. It has been a private lane for years and the residents do not want their neighborhood changed. Mr. Doster further stated that the information in the response in Item 3 is what was communicated to him through Griffith Lane's attorney.

Commissioner Perantoni referred to Griffith Lane as being used as an emergency access and asked if 100% of the residents are willing to have it used as an emergency access.

Mr. Doster responded that they have indicated they are willing to allow Griffith Lane to be used as an emergency access, with some understanding that the maintenance of the road would be done by the proposed subdivision and not by the residents of Griffith Lane.

2. Mr. Rich Halsey, 424 South Clay Avenue, St. Louis, MO 63122, speaking in favor of **P.Z.10-2004 Fox Hill Farms**, stated that he is a land planner and landscape architect. Mr. Halsey gave a slide presentation showing the following:
   - An average lot size comparison between Eagle Crest and the proposed lots for Fox Hill Farms, showing an average of .7 acre/lot for Fox Hill Farms and .69 acre/lot for Eagle Crest. Mr. Halsey stated that under the E-One Acre zoning designation, any subdivision would be required to have an average lot size of one acre. Fox Hill Farms cannot comply with that requirement, which is why they have filed under the E-One-Half Acre zoning.
   - Comparisons between Eagle Crest and Fox Hill Farms showing the front yard setback requirements, side yards, rear yards, and lot sizes showing that Fox Hill Farms equals or exceeds the requirements that are set for Eagle Crest Estates.
   - A photograph looking south into the property at the existing cul-de-sac showing a mound of dirt, which the Developer proposes taking down. Mr. Halsey stated that Eagle Bluff Court ends in a cul-de-sac and the Developer proposes to continue a private road, built to public standards, from that Court. The Developer will grade down equal to the current gradient – there will be about a 3% street grade going into the site.

Commissioner Macaluso referred to the mound of dirt to be removed and stated that when she looked at this, it appeared that the mound of dirt went behind Lots 30 and 31. If the dirt is just removed from the easement, Commissioner Macaluso asked if this would present a problem for Lots 30 and 31.

Mr. Halsey responded that the Developer does not believe there is any problem. There may be a need for a retaining wall, but until the accurate contours and topos are received, that cannot be determined. Mr. Halsey further stated that the proposed grading will be within the 50' road easement and the Temporary Slope and Construction License, as granted as part of that easement. They do not believe they will cause any kind of encroachment on private property.

3. Mr. Barry Simon, 632A Trade Center Boulevard, Chesterfield, MO 63005, speaking in favor of **P.Z.10-2004 Fox Hill Farms**, gave a slide presentation showing the following:
   - A comparison of livable square footage between Eagle Crest homes and the proposed homes of Fox Hill Farms. Mr. Simon stated that calculation of square footage was based on the definition of square footage used by AIA. Using this calculation, the square footage of the proposed homes equal or exceed the square footage of the homes of Eagle Crest.
   - A comparison of prices between Eagle Crest homes and the proposed homes of Fox Hill Farms. Mr. Simon stated that the average price of Eagle Crest homes

from Plats 1 and 2 is $915,562. This price is based on St. Louis County records on homes that were closed in Eagle Crest. Mr. Simon stated that the starting price for Fox Hill Farms will be from the $750,000's and the starting price for Eagle Crest was from the $600,000's.

- Photographs of a home from Eagle Crest compared to photographs of homes that are planned to be built in Fox Hill Farms.

4. Mr. Mike Boerding, 5055 New Baumgartner Road, St. Louis, MO 63129 of the Sterling Company, speaking in favor of **P.Z.10-2004 Fox Hill Farms**, stated the following:
   - His firm was contacted by Mr. Simon to assess the feasibility of improving Griffith Lane to provide an alternate access to this development.
   - A survey crew went to the site to verify the cross section of the flood plain, the road profile, the elevation of Wild Horse Creek Road and the flood elevation, as well as the general lay of the property.

Mr. Boerding referred to drawings and explained two different alternatives that were explored for improving Griffith Lane. It is their conclusion that it is not feasible to improve Griffith Lane as an access to the proposed property.

Commissioner Perantoni asked if Griffith Lane is usable as an emergency access.

Mr. Boerding responded that it is usable as an emergency access since a much steeper grade is allowed for an emergency access.

5. Mr. William Ruby, 404 Griffith Lane, Chesterfield, MO 63005, speaking in favor of **P.Z.10-2004 Fox Hill Farms**, stated the following:
   - He is the attorney for the residents on Griffith Lane, as well as a resident himself.
   - Griffith Lane has been a privately-maintained street since the 1920's.
   - The residents wish for the character of their street to be maintained.
   - He has been in contact with the Legal Counsel and engineers from the Missouri Department of Transportation and they have informed him that they will not permit an access to a subdivision of this nature for this volume of traffic so close to the Caulk's Creek Bridge.
   - MoDot prefers only one major subdivision entrance between Griffith Lane and Wilson Road.
   - The residents of Griffith Lane have no proposal to have their street accepted by the City as they wish to maintain it as private.
   - The residents have agreed to accommodate the Fire Marshall who requested that access to the rear of the subdivision be made through their road.
   - All the residents of Griffith Lane are in favor of the proposed development.

6. Mr. Nabeel Gareeb, 16830 Eagle Bluff Court, Chesterfield, MO 63005, speaking in opposition to **P.Z.10-2004 Fox Hill Farms**, stated that he is speaking on behalf of the residents of Eagle Bluff Court and asked all the residents of Eagle Bluff Court to rise. Mr. Gareeb stated that he would be addressing the issue of "Access" and made the following points:

- Griffith Lane is the primary access to the Fox Hill Farms location and they believe it should stay as such.
- They have retained an engineering firm to evaluate Griffith Lane.
- The engineering report has concluded that Griffith Lane can be modified to be the primary access for approximately $600,000.
- He referred to an engineering drawing, which showed a modified Griffith Lane on Eagle Crest common ground for the majority of the length and which raised Griffith Lane out of the flood plain.
- Monarch Fire District Department has requested that Griffith Lane be 20' wide. The proposed road is a 26' wide development.
- No other viable access paths were found.

Mr.Gareeb submitted a "Presentation from Residents of Eagle Crest Estates – July 26, 2004" which will be made a part of the public record.

Commissioner Macaluso asked how much expense the residents have incurred in retaining a lawyer and an engineering firm.

Mr. Gareeb responded that to date it is an estimated $12,000-$13,000.

City Attorney Doug Beach noted two legal issues that would need to be addressed with respect to the proposed modification of Griffith Lane:

- The residents of Griffith Lane have indicated they do not want Griffith Lane modified.
- There are concerns with giving up common ground in Eagle Crest to accommodate the road modifications.

City Attorney Beach stated that the Legal Counsel for the residents of Eagle Bluff Court would need to give him some insight on how these issues would be addressed.

7. Mr. Art Handman, 16842 Eagle Bluff Court, Chesterfield, MO speaking in opposition to **P.Z.10-2004 Fox Hill Farms**, stated he would be speaking on "Development Content" and noted the following:
   - There are two distinct neighborhoods in Eagle Crest Estates – Plat 1 is Eagle Crest and Plat 2 is The Wings at Eagle Crest.
   - The lots at The Wings at Eagle Crest were sold starting at the $800,000's vs. $600,000's for Eagle Crest.
   - The lots in The Wings at Eagle Crest are located on a cul-de-sac named Eagle Bluff Court.
   - The lots in The Wings at Eagle Crest are separated by a bridge from Plat 1.
   - The lots in The Wings at Eagle Crest are a separate neighborhood with a different name and signage.
   - The Wings at Eagle Crest is the neighborhood directly affected by the proposed subdivision so it is their feeling that comparisons on lot size and pricing should be made to The Wings at Eagle Crest.
   - Average lot size in the proposed subdivision is 23% smaller than average lot size in The Wings – a difference between 30,000 sq. ft. and 39,000 sq. ft.
   - There is approximately a 30% difference in pricing between the two subdivisions.

- An appraiser was hired to do a diminution assessment. His report indicates that the range of diminution on the properties in The Wings at Eagle Crest is between 5-25%, with properties closer to the ridge at the low end and properties closer to the cul-de-sac at the high end.
- Based on an analysis of that report, the dollar range of diminution is between $1 million to over $2 million for the residents of Eagle Bluff Court.

8. Ms. Dana Field, 16861 Eagle Bluff Court, Chesterfield, MO 63005, speaking in opposition to **P.Z.10-2004 Fox Hill Farms**, stated she would be addressing the "Secondary Issues" and pointed out the following:
   - There is concern that construction traffic will cause safety issues for 12 children, along with all residents of Eagle Bluff Court.
   - There is concern over the residents' inability to use city services – such as post office boxes and school buses – due to construction zone designation.
   - There were no signs per City Ordinance indicating the possibility of a connection to the stub street.
   - The residents feel they live on Eagle Bluff "Court", not "Street" or "Boulevard" or "Avenue".
   - The court has a cul-de-sac with a roundabout, which gives the appearance of a street that ends.
   - The residents are concerned that these issues will cause significant legal bills for all parties involved.
   - Environmental issues associated with cutting down the hill must be evaluated. Residents want to know how this will affect the existing lots at the end of the cul-de-sac from an aesthetic standpoint, from a runoff standpoint and from a deterioration standpoint.
   - The two lots at the end of the cul-de-sac have spent considerable money on retaining walls.

9. Mr. Stephen L. Kling, Jr., attorney for the residents of Eagle Crest, 10 South Brentwood Boulevard, Clayton, MO 63105, speaking in opposition to **P.Z.10-2004 Fox Hill Farms**, stated the following:
   - His clients believe Griffith Lane is a feasible prospect as primary access to the proposed development and can be done for a reasonable cost.
   - If Griffith Lane is used as primary access, their concerns about compatibility would be resolved to the extent that Eagle Bluff Court would not be connected to the new subdivision.
   - His clients request that the Planning Commission recommend using Griffith Lane as the primary access and eliminate Eagle Bluff Court as the primary access.
   - His clients request a buffer between the two subdivisions to maintain the hill.
   - His clients request that Eagle Bluff Court be deemed a permanent cul-de-sac by removing the easement.
   - According to the appraisal, there will be a significant diminution on the homes' value if the street is put in.
   - Mr. Kling had sent a letter on June 22, 2004 regarding the plot plans, which was to be included in the Commissioners' packets, however, it was overlooked when the packets were assembled.

- It is their feeling that the City has some liability with respect to the City Ordinance not being followed concerning signage not being posted indicating the possibility of a connection to the stub street.

Commissioner Macaluso asked Mr. Kling to expand on his comment regarding the plot plans that were to be included in the packets.

Mr. Kling stated that there were a number of questions regarding plot plans and what was shown on them. Mr. Kling stated that the date on the plot plans shows that they were given to the homebuyers at closing. Regarding the boundary adjustment plat, it was approved four months after Mr. Gareeb owned his property. It does not show up on his title. Mr. Gareeb would have had to have gotten the plat book to see the reference to "access easement". Mr. Kling showed a copy of the community layout which was in the builder's trailer and used as a hand-out. It shows access routes into the common ground but it does not show a roadway easement or future connection.

10. Ms. Kerry Feld, 10 South Brentwood, #200, Clayton, MO 63105, chose to pass on speaking in opposition to **P.Z.10-2004 Fox Hill Farms.**

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Precision Eatherton: Site Development Plan, Landscape Plan, and Architectural Elevations for a 10,750 square foot office/warehouse building located within a "PI" Planned Industrial District on an approximately 2.9-acre tract of land on the east side of Eatherton Road, approximately 230 feet north of Wardenburg Rd.

Commissioner Macaluso, representing the Site Committee, made a motion to hold the Site Development Plan, Landscape Plan and Architectural Elevations until the Department has a chance to review the concerns brought up in the Site Plan Committee meeting. The motion was seconded by Commissioner Broemmer.

General discussion was held regarding concerns about the following issues:

- Whether the Commission wanted to further review the proposed landscaping with respect to the berm issue brought up by Mr. Adams.
- Whether there is a problem with access to the 33 acres owned by Mr. Adams.
- Whether there is a problem with water being accessed to the Precision Eatherton site.

Responding to the issue of the berm, Planning Director Price stated that the Department does not have a plan showing a berm and that the Petitioner would be the party to present such a plan.

Responding to the issue of access to the 33 acres, Planning Director Price stated that Wings Boulevard provides access to that site.

Responding to the water issue, City Attorney Beach stated that this is not the City's issue since it is not required in the Ordinance.

Commissioner Broemmer withdrew his second to the motion to hold the Site Development Plan, Landscape Plan and Architectural Elevations.

The original motion dies due to the lack of a second.

Commissioner Broemmer made a motion to approve the Site Development Plan, Landscape Plan, and Architectural Elevations for Precision Eatherton as presented. The motion was seconded by Commissioner Sandifer.

Upon roll call, the vote was as follows:

Aye: **Commissioner Asmus, Commissioner Broemmer, Commissioner O'Connor, Commissioner Perantoni, Commissioner Sandifer**

Nay: **Commissioner Banks, Commissioner Macaluso, Chairman Sherman**

The motion passes by a vote of 5 to 3.

B. **Tara Estates Subdivision:** A record plat for an approximately 12.4-acre tract of land, zoned E-One Acre Residential, located on the north side of Wild Horse Creek Road, west of Tara Oaks subdivision.

Commissioner Macaluso, representing the Site Committee, made a motion to approve the Record Plat as presented. The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 0.**

C. **Spirit Trade Center Lot 30 (Product Promotions) Office/Warehouse**: A Site Development Section Plan for an office/warehouse on Lot 30 of Spirit Trade Center, zoned M-3 Planned Industrial, located south of Edison Road, east of Spirit Drive and west of Trade Center Blvd.

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

Commissioner Banks asked if the access shown from Edison Road was where it was when the Ordinance was written originally.

Project Planner Kyle Dubbert responded that everything was in compliance with the Ordinance and Public Works did review this as well.

City Attorney Beach stated that when access is not specified in the Ordinance, it is reviewed by Public Works.

The motion passes by a voice vote of 8 to 0.

IX. OLD BUSINESS

A. <u>P.Z. 10-2004 Barry Simon Development (Fox Hill)</u>: A request for rezoning from NU Non-Urban to E-Half-Acre Estate district for a 40.1-acre parcel located on Griffith Lane, south of the terminus of Eagle Bluff Court, approximately 1500 feet from Wild Horse Creek Road. (Locator Numbers 18U32-0015, 19U64-0028, 19U64-0017)

<u>Project Planner Christine Smith Ross</u> commented on three documents she had received:

- A letter from Steve Kling, which was inadvertently left out of the Commissioners' packets.
- A "Griffith Lane Permit by Usage Agreement", which is a recorded document signed by the owners of the property on Griffith Lane, pointing out that the easement is not totally unrecorded. It was a signed document granting each other the rights to use the road. This document was received from the Petitioner after the deadline for receipt of documents.
- A letter to Barry Simon from Mike Boerding discussing the topic of using Griffith Lane as access. This document was also received from the Petitioner after the deadline for receipt of documents.

Copies of all three documents will be in the Commissioners' packet when this item comes up on the Agenda again.

ISSUES:

The following Issues were noted:

- Construction traffic
- Grade transition
- Lot size and cost comparison to The Wings lots only
- Sign requirements indicating a stub street
- Regarding the elevations and how the proposed road would go in, clarification as to where the lot lines are for Lots 30 & 31 – request that they be darkly shown – and some kind of visual showing what the elevations are.
- Regarding the land that has to be removed, different cross-sections of the areas around Lots 30 & 31 to illustrate the proposed grades.
- Include in the packets, the Tree Preservation Plan and the plan where Monarch trees are marked out.
- Referring to the Petitioner's Response of Issue #5 of the Staff Report, which states "*The public discussions that occurred during the approval process for Eagle Crest Estates clearly indicated that the purpose of the easement was to accommodate development to the South"* – a request for those records, whether they be Minutes or discussions, which show how this easement was talked about.
- Clarification as to who owns the easement or who has the right of the easement. If the easement was granted to the City, does the City have the right to use it? And how would that affect the private road issue that Simon is planning for the road?
- Referring to this project coming through as E-One-Half Acre, is there a possibility that this project can come through as E-One-Acre? <u>Commissioner Macaluso</u> noted

that the Comprehensive Plan calls for this area to be one acre, not one-half acre and she expressed concern that the Estate Districts are not coming through in the way the Comprehensive Plan has this area designated.

- Request for comments from the Developer regarding the comments made by the residents' engineer about Griffith Lane.
- Request to look at these Issues again with the original information that was available at the Public Hearing – to be made available through packets
- Request for MoDot's comments as to whether they would approve a major curb cut with this kind of access for Griffith Lane.
- Request for a site section cut perpendicular to the road through Property 1 and 36 or 2 and 35.
- Request for the outcome of past situations where a buyer is not aware of something that has been noticeably plotted as an easement.
- Regarding the easement coming out of the existing subdivision, request for the initial thought process from the Planning & Zoning Committee when this easement was planned.
- Question as to why Griffith Lane is being proposed as access when it is a private road and the residents have stated they don't want it changed.
- Request from City Attorney Beach to review the Minutes of the meetings when Eagle Crest was approved and specifically what was said, if anything, with regards to access.
- Request for more clarification on Public Works' objection to the excessive length of Eagle Bluff Court – are they objecting to it solely because it goes against the policy in the Street Matrix or are there other reasons?
- Request for a meeting with the Developer to actually look at the Record Plat of Chesterfield Estates to better understand how the land is impacted, or is not impacted, by this subdivision.
- Request that Issues not be dropped off at this point even if the Issue has been addressed by the Petitioner.
- Request for information on the roundabout situation that might be developed with the entrance and the cul-de-sac being in the middle of the road.
- Request for Public Works' opinion on using Griffith Lane as the primary access.
- Question as to whether there were efforts on the part of The Wings' residents to stop construction or to influence construction on the other plat; and whether they expressed the same problems with the other plat. (It was noted that The Wings plat was built after the first plat but Project Planner Smith Ross stated she would verify this.)
- City Attorney Beach requested information from the Developer and the Homeowners' attorneys with respect to their legal opinions regarding Griffith Lane being used as access. If Griffith Lane can't be used, the issue then arises as to whether the land is going to be landlocked or does someone think the language is not appropriate for making it the access, as set forth in the old Ordinance for the Eagle Crest subdivision? City Attorney Beach noted that this requested information is not required, but if anyone wants to share it with him, he would appreciate seeing their legal thoughts.

In order not to violate Policy, City Attorney Beach advised that a vote needed to be taken to instruct Staff not to drop addressed Issues on this project at this point.

Chairman Sherman made a motion to include all the Issues, including addressed Issues, in the Staff Reports for this project only. The motion was seconded by Commissioner Macaluso**.**

For clarification, Planning Director Teresa Price asked how the Commission wanted the Staff Report to be assembled.

Chairman Sherman responded that the Report should keep the old Issues, adding on any new Issues, and keeping all the Issues under their respective categories.

Upon roll call, the vote was as follows:

Aye: Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Macaluso, Commissioner O'Connor, Commissioner Sandifer, Chairman Sherman

Nay: Commissioner Perantoni

The motion passes by a vote of 7 to 1.

X. NEW BUSINESS

Councilmember Geiger referred to the "bowtie" parcel along Wild Horse Creek Road and stated that his understanding of this area calls for "low-density office campus". He asked for confirmation that this excludes "commercial".

Chairman Sherman directed the Department to add the following Issue to the "bowtie" project:

- Clarification of exactly what the Comprehensive Plan does allow.

Commissioner Broemmer referred to the Chesterfield Hollow situation where there is a development that has been ongoing for years and asked if there is anything that can be done to avoid this type of situation in the future.

Planning Director Teresa Price stated she would look into it.

Commissioner Broemmer referred to the properties in the new development on Olive, just west of the Phillips Station and Surrey Place, and stated that the grass needs to be cut.

City Attorney Beach stated that inspectors could be sent out there and Planning Director Price made note of the location.

XI. COMMITTEE REPORTS:

A. Committee of the Whole
B. Ordinance Review Committee
D. Architectural Review Committee
E. Landscape Committee
F. Comprehensive Plan Committee
G. Procedures and Planning Committee
H. Landmarks Preservation Commission

XII. ADJOURNMENT

Commissioner Macaluso made a motion to adjourn. The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 0.** The meeting was adjourned at 8:50 p.m.

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Lynn O'Connor, Secretary