

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 27, 2009**

The meeting was called to order at 7:00 p.m.

I. ROLL CALL

PRESENT

ABSENT

Mr. David Banks
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Amy Nolan
Ms. Lu Perantoni
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Ms. Mara Perry, Senior Planner
Ms. Susan Mueller, Principal Engineer
Mr. Shawn Seymour, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Connie Fults, Council Liaison and Councilmember Mike Casey, Ward III.

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

- A. **P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.):** A request for an Ordinance Amendment to City of Chesterfield Ordinance 2133 to modify the permitted uses within a "R1A" Residence District with a Planned Environmental Unit (PEU) Procedure for part of a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovian Commons Parkway and west of Old Riverwoods. (17R5300582, 17R5300593, 17R5300607, 17R5300616, 17R5300625, 17R5300634, 17R5300643, 17R5300652, 16R210333, 16R210342, 16R210351, 17R530681, 17R5300692, 17R4400184, 17R4400195, 17R4400205, 17R4400214, 17R4400241, 17R4400250, 17R4400283, 17R4400294, 17R4400342, 17R4400351, 17R4400360, 17R4400371, 17R4400382, and 17R4400393)

STAFF PRESENTATION:

Ms. Mara Perry, Senior Planner gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The petition pertains to only part of the 63.8 acres.
- The initial request was for 27 lots, which was posted per State statutes and City of Chesterfield requirements.
- After the Public Hearing Notice was mailed, the Petitioner had additional conversations with area residents. As a result of these conversations, the Petitioner submitted a letter to the City requesting that 12 of the lots be removed from the petition. Fifteen (15) lots remain in the petition.
- The subject development has four villages - Villages A, B, C and D. Only Villages B and C are part of this petition.
- The subject site is designated in the Comprehensive Land Use Plan as "single-family residential".
- The Site Development Plan was approved by City Council in September, 2005. No changes are being requested to the approved Site Development Plan.
- The plan was also reviewed by the Architectural Review Board in 2005 and no changes are being proposed to the materials or palette approved by ARB.
- City Council approved the record plat in September, 2006 and no changes are being requested to the record plat. All lots have been platted out as building envelope lots.
- As part of the Planned Environment Unit, there is an overall setback requirement. Each individual lot also has a specific setback with respect to distances between the structures. The Petitioner is not requesting any changes to the setbacks.
- Most of the lots in Villages A and D are between 45-47 feet wide; Villages B and C have lots that are 10-12 feet wider than the lots in Villages A and D.

- Change being requested to the Attachment A : (changes shown in **bold**)
 - I. SPECIFIC CRITERIA
 - A. PERMITTED USES
 1. The uses allowed in this “PEU” Planned Environment Unit shall be:
 - a. Single Family attached **or detached** residential units **for Lots 9, 10, 11, 12, 13, 14, 15, 16, 19, 64, 65, 66, 67, 68, and 69 as recorded in Plat Book 355 Pages 14-17.**
 - b. **Single Family attached residential units for the remainder of the development.**
 2. The above uses in the “PEU” Planned Environment Unit shall be restricted as follows:

There shall be no more than 115 Units.
- No changes are being requested to the number of units or to the density.

DISCUSSION:

Responding to questions from the Commission, Ms. Perry noted the following:

- Distances between structures: Villages A and D require 12 feet between structures. Villages B and C require 16 feet between structures, whether detached or attached.
- Size of units: Villages A and D have typical homes of about 40 feet wide; Villages B and C have typical homes of about 54 feet wide. There is no minimum size for a home required in the Attachment A.
- Traffic: Because the project is not changing the number of units or density, it is anticipated that traffic will not be impacted by the requested changes.

PETITIONER’S PRESENTATION:

1. Mr. Chris DeGuentz, Vice-President of Fischer & Frichtel, 695 Trade Center Blvd., Chesterfield, MO stated the following:
 - Kendall Bluff is located on an elevated setting. Villages A and D are elevated looking out towards the bluff; Villages B and C are located directly on the bluff.
 - The design of Kendall Bluff’s community incorporated a village layout with separate builders in each village. Each village went through the architectural review process at which time materials and elevations were approved.
 - Village A consists of 26 lot envelopes, which are 45 feet wide with 12 feet between structures. All 26 units have been completed. The builder was McBride Homes.
 - Village D consists of 28 lot envelopes, which are 47 feet wide with 12 feet between structures. Of these lot envelopes, 20-22 are completed. The builder was Mayer Homes.
 - Villages B and C were contemplated as the bluff-type lots for the development. The lots are larger – 60 feet wide x 82 feet deep – with 16

feet required between structures. Villages B and C are composed of a total of 61 lots, of which 34 are completed. Two of the completed lots are non-bluff lots.

- Due to the completion levels of the other villages in the community, the Petitioner has determined a need to market and sell the non-bluff lots in a fashion similar to those in Villages A and D.
- They intend to maintain their portfolio designs for the bluff lots. However, recognizing the need to complete the project in a more timely fashion, they are requesting that detached units be permitted on the non-bluff lots.
- As part of the original approved plat, one detached lot (Lot 19) is already allowed in the development.
- The proposed detached units will be located in two contiguous areas on the non-bluff side of Villages B and C. The detached units would not change the lot envelope, the setback, or the density. The essential change is the elimination of a three-car garage and making the unit deeper to allocate more square footage. With detached units, they would pick up an eight-foot side yard from the property line to the structure on each side allowing more green space. They have re-allocated square footage to the back and front of the units. The essential change to the depth of the unit is only about four feet since they would build out more towards the street. The floor plan targets “empty-nesters” with a one-bedroom layout.
- Five models are currently being offered on the bluff lots that range between 1800-2300 square feet on the main level. The existing price point on the bluff lots is from the \$680’s and the proposed non-bluff units will start in the mid-\$500’s.

Chair Hirsch asked Mr. DeGuentz to address the concerns that residents raised regarding the proposed detached homes in comparison to the entire community being attached homes. Mr. DeGuentz stated that a number of residents expressed concerns about the future marketability of their attached homes vs. detached homes. He noted that there are a number of attached projects in the City, especially in the north Olive corridor. The Petitioner is trying to “balance the future with now and complete the development in a more timely manner”. They would like to market the development on two fronts – with the portfolio homes on the bluff lots and detached homes on the non-bluff lots, which they feel are in keeping with the rest of the villages in Kendall Bluff.

SPEAKERS IN FAVOR:

1. Ms. Susan Brurack, 129 Kendall Bluff Court, Chesterfield, MO stated the following:
 - Her home in Village A is a McBride Home.
 - She is a full-time realtor with Coldwell Banker Gundaker. She has no allegiance to Fischer & Frichtel and has never sold a Fischer & Frichtel home.
 - After attending the meeting conducted by the Petitioner, she and her husband are in favor of the proposal. They are concerned about their

property value considering the number of vacant lots in the community and are glad that Fischer & Frichtel is being proactive in trying to sell the lots.

2. Ms. Katie Sauer, 187 Kendall Bluff Court – Fischer & Frichtel home, Chesterfield, MO stated the following:
 - She attended Fischer & Frichtel's Open House and feels that the proposed floor plans and designs will blend in with the rest of the community and will appeal to the same type of "empty-nester" market.
 - She would rather see something built with good quality homes than have the lots remain empty.
3. Mr. Jim St. Clair, 133 Kendall Bluff Ct., - McBride home, Chesterfield, MO stated the following
 - He feels that detached homes will appeal to people who want to live in the Kendall Bluff community but not in attached homes.
 - Increased sales in the community would make the entire community more attractive as the vacant lots are not well-maintained and have construction equipment sitting around on them.
 - When units are sold, there is more revenue for Village dues and Master Association dues. The Village dues are used to maintain the Villages' lawns and sidewalks, etc. The Master Association dues are used to maintain the slopes in the development, along with the streets and gutters.
 - He is in favor of the proposal and feels that an improved look to the community would increase the re-sale value of the existing homes.

Commissioner Geckeler asked if the streets in Kendall Bluff are private streets. Mr. St. Clair stated that they are private streets.

4. Ms. Patty Vietmeier, 186 Kendall Bluff Court – Fischer & Frichtel home, Chesterfield, MO stated the following:
 - She agrees with the previous Speakers.
 - She feels that as long as Fischer & Frichtel keeps with their present standards, the proposed homes will be acceptable and very marketable.
 - She wants the detached homes to remain contiguous and the bluff lots to be completed with attached homes, as stated by Fischer & Frichtel.
 - She feels the proposal will be an improvement for the entire development.

SPEAKERS IN OPPOSITION:

1. Ms. Kathy Hamlin, 14614 Kendall Ridge Drive, Chesterfield, MO stated the following:
 - She is currently the Trustee of Kendall Bluff subdivision, Village D and represents all 17 households, which equates to about 30 voters.
 - In good faith, they entered into an agreement with the State of Missouri, St. Louis County, the City of Chesterfield, and Mayer Homes with the understanding that their property would be protected by the adherence to

the original contract – i.e. zoning laws. It was their understanding that once a community is zoned, developed and sold, the agreement was binding.

- One of the most appealing aspects of the community is the gated, attached villa concept, which lends itself to an adult-living environment. Most of them “prefer a community absent of swing sets, bicycles, and streets turned into playgrounds”.
- They paid a premium price to live in this community and feel that if single-family homes are allowed, it will make their properties less appealing and will reduce their properties’ value.
- The proposed housing is set at the same price point as the villas in Village D. They feel that detached housing would be viewed as more favorable when compared to attached housing, thereby reducing their property values.
- They “expect their original agreement to be upheld with no zoning changes in order to protect their half-million-dollar⁺ investment”.
- They are “strongly opposed to having the lots re-zoned and changing the attached villa community to something less than they contracted for”.

SPEAKERS – NEUTRAL: None

REBUTTAL:

Mr. DeGuentz thanked the residents who spoke in favor of the project. He then stated the following:

- He thought there were residents from Village D who had attended Fischer & Frichtel's Open House, at which time they did not indicate any opposition to the project.
- There are no requirements in Kendall Bluff that require it to be an “adult-only” community or a community marketed towards senior living. It is an equal housing opportunity community. Currently a family could purchase any home in Kendall Bluff so there is no change being requested with respect to its permitted use.
- They are trying to react to a number of market and economy-driven situations that have occurred in order to complete the community.
- They are requesting the opportunity to market “14 lots on a dual level to expedite the completion of this community”. One lot is already a single-residence lot.
- The detached housing would be done in two phases. Once a phase is declared “detached”, the entire phase would be detached. The other phase would still have the option of being attached.

ISSUES:

Ms. Perry stated that Staff has no issues with the petition. She noted that there were concerns raised about property values.

1. Do the Indentures include the maintenance of lawns and gutters for the single-family detached lots? Ms. Perry stated that it is her understanding that the Indentures are not changing.
2. Will the phased-in detached housing be done through the Indentures – or how will it be controlled? Ms. Perry replied that as homes are sold, they would be submitted to the City for zoning approval and permits.
3. Does the distance from the street have to be uniform for all the lots? Ms. Perry stated that the street setbacks are all within the building envelope and then each lot has its individual setbacks, which have been recorded on the record plat and the site development plan. Villages B and C have 16-foot setbacks between structures.

Commissioner Perantoni read the Closing Comments for the Public Hearings.

At this point, several residents asked if they could still address the Commission on this petition. Chair Hirsch suggested that they fill out “Speaker’s Cards” so they could be recognized during the “Public Comment” portion of the meeting.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the **April 27, 2009 Planning Commission Meeting**. The motion was seconded by Commissioner Nolan and **passed by a voice vote of 7 to 0 with 2 abstentions from Commissioners Puyear and Perantoni**.

VI. PUBLIC COMMENT

A. P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.):

Speakers in Favor:

1. Mr. Jay Henis, 14639 Kendall Ridge Drive, Chesterfield, MO stated the following:
 - He does not feel that children or single-family residences would detract from the value of the existing homes or the nature of the community. He indicated he would enjoy the sound of children around the area.
 - He feels Fischer & Frichtel has been a “remarkably responsive builder and is a tremendous asset” to their community.
 - He thinks that it will benefit the community to have the homes completed and completed in a consistent manner with the existing structures.

Speakers in Opposition:

1. Ms. Jane Kapp, 169 Kendall Bluff Court – Fischer & Frichtel home, Chesterfield, MO stated the following:
 - Her unit is next to the display unit and across from the 8 lots that are proposed to be detached homes. She is the only occupant in this area.
 - She is a licensed realtor with a history of selling new homes and a personal friend of John Fischer.
 - She is opposed to the re-zoning. She is not opposed to Fischer & Frichtel going to single-family but feels the price point should not be reduced, the three-car garages should remain, and the uniformity of the area should be kept.
 - She paid \$1 million for her home and feels that having a starting price of \$550,000 for the proposed homes will affect her home's value.
 - She noted that the homes with two-car garages and adult children tend to park the third car on the street and feels that this will be a problem with the proposed homes if three-car garages are eliminated.
2. Mr. Myron Holtzman, 14602 Kendall Ridge Drive, Chesterfield, MO stated the following:
 - Until this past week, he was Assistant Salesperson for Village D. He feels Fischer & Frichtel is acting too soon on the proposed changes. As a salesperson, he has encountered many people who are interested in buying a home, but who have to sell their home first and are hindered by the current market.
 - Two of the existing inventory homes currently have pending contracts.
 - He voiced his displeasure with the proposal at the recent Open House held by Fischer & Frichtel.

Speakers – Neutral:

1. Mr. Tom Wickenhauser, 207 Kendall Bluff Court – Fischer & Frichtel home, Chesterfield, MO stated the following:
 - He feels a financial impact study should be prepared on how the requested change will impact the current homeowners. He asked that the Commission request such a study from Fischer & Frichtel.

City Attorney Heggie stated that the City does not have the ability to get financial impact studies from any developers, homebuilders or individuals who appear before the City trying to rezone their property. The Commission and City Council are charged with finding the best zoning for a particular property and are not able to take financial impact studies into consideration.

2. Mr. Anthony Sonn, 156 Kendall Bluff, Chesterfield, MO stated the following:
 - He understands the marketability of the neighborhood is going to be very important to increase the aesthetics of the community and to generate revenue for the community.

- When he and his father purchased their home, it was under the premise that they would be living in an attached villa community. He feels that to change this premise is “a little undermining to the prior buyers”.
- Instead of building detached housing, he suggested constructing attached villas, at a reduced point price, to maintain the continuity of the community.

B. P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village Inc.)

Petitioner:

Mr. Mike Doster, Doster, Guins, 17107 Chesterfield Airport Road, Chesterfield, MO stated that there are two issues with the Attachment A that need to be addressed:

1. The Attachment A requires a 30-foot setback on the eastern boundary. They are requesting no setback requirement on the eastern boundary. He noted that there is no setback for the eastern boundary in the original Chesterfield ordinance for this property. When the revised legal description was prepared, the line was intentionally drawn to skirt the riparian corridor. Because of how the line is drawn, it pushes the setback well into the property.

Chair Hirsch stated that the Tree Manual requires a 30-foot buffer, which explains the 30-foot setback in the Attachment A. He asked if there is already a 30-foot setback because of the riparian corridor on the eastern edge of the property line. Mr. Doster said that this is his opinion.

2. Section II.C. of the Attachment A states: *“Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.”*

Mr. Doster suggests that the language be changed as follows: (changes shown in **bold**;) *“Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing **on the proposed plan.**”*

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **Chesterfield Commons, Outlot 13 (St. Louis Bread Company):** Amended Site Development Section Plan, Amended Architectural Elevations, Amended Landscape Plan and Amended Sign Package for an existing restaurant located on a 1.3-acre tract of land, zoned "C8" Planned Commercial, located on the south side of Chesterfield Airport, west of its intersection with Chesterfield Commons Drive.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan, Amended Architectural Elevations, Amended Landscape Plan and Amended Sign Package for **Chesterfield Commons, Outlot 13 (St. Louis Bread Company)**. The motion was seconded by **Commissioner Puyear** and **passed** by a voice vote of 8 to 0.

VIII. OLD BUSINESS

- A. **P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village Inc.)** A request for an amendment to St. Louis County Ordinance 13,759 and City of Chesterfield Ordinance 1170 to modify the legal descriptions of a 10.895 acre parcel and a 3.038 acre parcel located on the southwest and southeast corners of the Baxter Road and Wild Horse Creek Road intersection.

Project Planner Shawn Seymour stated that the Public Hearing for this petition was held on November 10, 2008 at which time there were no outstanding issues. Since then, the following issues have been identified in the Attachment A:

1. **Section I.C.1.c regarding "Structure Setbacks":** The property was initially zoned by St. Louis County in 1988. In 1996, the City amended the ordinance to add a small portion of property to parcel C-119. Since that time, these two properties have been impacted by right-of-way dedications and boundary adjustment plats. In reviewing the Attachment A, Staff found that no building or parking setback from the east boundary was included – the Attachment A did not include a zero-foot setback; there was simply no setback listed. City policy requires that all Planned Districts have boundary setbacks on all sides. Staff chose the 30-foot setback on the eastern boundary to meet the 30-foot landscape buffer requirement.
2. **Section II.C. of the Attachment A regarding "Time Period for Submittal of Site Development Concept Plans and Site Development Plans:** The Petitioner proposes the following change to this section - (changes shown in **bold**): *"Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing **on the proposed plan.**"*

It was City Attorney Heggie's suggestion that the Planning Commission not deal with this language but allow it to be reviewed by Council.

3. Section I.1 of the Attachment A regarding "Access/Access Management":
The issue of the number of allowed access points has been resolved.

Commissioner Grissom made a motion to approve P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village Inc.). The motion was seconded by Commissioner Nolan.

DISCUSSION ON THE MOTION:

Commissioners Watson and Geckeler agreed with keeping the 30-foot setback on the eastern boundary as they did not feel that the riparian corridor should be used as part of the buffer.

Mr. Doster stated that they intentionally drew the legal description line for the zoning district to circumvent the riparian corridor. In hindsight, they feel this may not have been a good decision. They probably should have drawn the zoning line where the property line is, which is within the riparian corridor. If that had been done, the setback would not be an issue. The original ordinance did not list a building setback or a parking setback for the eastern boundary, and they expected that this would not be changed.

Upon review of the plans, Staff determined that the property line extends about 150 feet into the riparian corridor at its narrowest point.

Chair Hirsch made a motion to amend the motion by amending the Attachment A as follows:

Sections I.C.1.c regarding "Structure Setbacks":
~~Thirty (30)~~ Zero (0) feet from the eastern boundary of the "C8"
District.

The motion was seconded by Commissioner Banks. Commissioners Grissom and Nolan accepted the amendment.

Mr. Seymour then reminded the Commission that by removing the 30-foot setback they are approving a variance to the Tree Manual, which would typically be done by the Planning & Development Services Director.

Upon roll call, the motion to approve, as amended, was as follows:

**Aye: Commissioner Grissom, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Banks, Chairman Hirsch**

Nay: Commissioner Geckeler, Commissioner Watson,

The motion passed by a vote of 6 to 2.

B. P.Z. 03-2009 Four Seasons, Lot 3, Plat 6 (Schuyler Corporation):

A request for a change of zoning from "C8" Planned Commercial to "PC" Planned Commercial for a 2.35 acre shopping center located at 13700-13732 Olive Boulevard, on the south side of Olive Boulevard, directly across from the intersection of Olive Boulevard and River Valley Drive. (LOCATOR NUMBER 16Q230260)

Ms. Annissa McCaskill-Clay, Lead Senior Planner, stated that the Public Hearing was held on April 27, 2009 at which time two issues were left open for discussion:

1. Access at the northernmost point of the site: There are currently three access points to the site. At the Public Hearing, the Petitioner advised that the Missouri Department of Transportation was prepared to revise their requirement to close the first entrance due to concerns raised by the Fire Protection District. Since that time, the Fire Protection District has agreed that their concern can be alleviated during the site plan process. They have no further concerns with the language in the Attachment A, which indicates that the northernmost entrance can be no closer than 100 feet to the intersection of Olive Boulevard, and that improvements may be made as directed by the City of Chesterfield.
2. Location of drive-thru facilities on the easternmost portion of the building: Staff feels it is best not to have a specific location on the building with respect to the placement of a drive-thru facility. The Attachment A allows for drive-thru facilities and the requirement that they be of a low-impact use, such as financial institutions or bakeries.

The Petitioner is agreeable with the proposed Attachment A.

If approved, Commissioner Proctor asked if the northernmost access point would be closed with no other access points needing to be opened. Ms. McCaskill-Clay stated that the Attachment A doesn't stipulate that the site cannot have three access points. As clarification, it was noted that the northernmost access point could be moved.

If not approved, Commissioner Proctor asked if the northernmost access point would still be closed because it doesn't meet the City's requirements. Without having the site design, Ms. McCaskill-Clay indicated that she couldn't verify this. However, the current layout does not meet the City's access management ordinance and it is a hazard.

Commissioner Banks asked how the Attachment A addresses how many ATM's would be allowed on the site. Ms. McCaskill-Clay replied that they would have to be able to park the site to accommodate any ATM.

Commissioner Banks made a motion to approve P.Z. 03-2009 Four Seasons, Lot 3, Plat 6 (Schuyler Corporation). The motion was seconded by Commissioner Grissom.

Upon roll call, the vote was as follows:

**Aye: Commissioner Grissom, Commissioner Nolan,
Commissioner Watson, Commissioner Banks,
Commissioner Geckeler, Chairman Hirsch**

Nay: Commissioner Proctor, Commissioner Puyear

The motion passed by a vote of 6 to 2.

- C. P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.):** A request for an Ordinance Amendment to City of Chesterfield Ordinance 2133 to modify the permitted uses within a "R1A" Residence District with a Planned Environmental Unit (PEU) Procedure for part of a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovian Commons Parkway and west of Old Riverwoods. (17R5300582, 17R5300593, 17R5300607, 17R5300616, 17R5300625, 17R5300634, 17R5300643, 17R5300652, 16R210333, 16R210342, 16R210351, 17R530681, 17R5300692, 17R4400184, 17R4400195, 17R4400205, 17R4400214, 17R4400241, 17R4400250, 17R4400283, 17R4400294, 17R4400342, 17R4400351, 17R4400360, 17R4400371, 17R4400382, and 17R4400393)

It was noted that there are no outstanding issues on this petition.

Commissioner Grissom made a motion to approve P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.). The motion was seconded by Commissioner Puyear.

DISCUSSION ON THE MOTION:

Commissioner Grissom asked for clarification on the language in Section I.A.1.a. of the Attachment A, which states: *"Single Family attached or detached residential units for Lots 9, 10, 11, 12, 13, 14, 15, 16, 19, 64, 65 66 ,67, 68, and 69 as recorded in Plat Book 355 Pages 14-17."*

He was of the understanding that once a section was declared "attached" or "detached", all the other lots in the same section had to be built as "attached" or

“detached” depending on how the section was declared. He feels that the above language would allow both attached and detached units in the same section.

Ms. Mara Perry, Senior Planner, stated that this language was developed prior to the Petitioner speaking with the residents. City Attorney Heggie advised holding this petition to the next meeting in order for him to prepare revised language for Section I.A.1.a.

Commissioner Proctor made a motion to table the motion to approve until the June 8th meeting. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0.**

IX. NEW BUSINESS

A. Appointment of Nominating Committee

Chair Hirsch announced the appointment of the Nominating Committee consisting of Commissioners Grissom, Perantoni, and Watson. Election of Officers for the Planning Commission will be held at the June 8th meeting.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:36 p.m.

Michael Watson, Secretary