PLANNING COMMISSION OF THE CITY OF CHESTERFIELD AT CHESTERFIELD CITY HALL October 13, 1997



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

PRESENT

ABSENT

Mr. Fred Broemmer

Mr. Michael Casey

Mr. Dave Dalton - arrived later

Mr. Charles Eifler

Mr. Robert Grant

Mr. Dan Layton, Jr.

Ms. Linda McCarthy

Mr. Allen Yaffe

Chairman Rick Bly

Mr. Douglas R. Beach, City Attorney

Mayor Nancy Greenwood

Councilmember Mary Brown (Ward IV) - Council Liaison

Teresa J. Price, Director of Planning

Laura Griggs-McElhanon, AICP, Assistant Director of Planning

Ms. Patricia Detch, Planner I

Mr. Timothy Reed, Planning Technician

Ms. Sandra Lohman, Executive Secretary

<u>Chairman Bly</u> noted the order of the agenda will be changed tonight in order allow people who have business that can be dealt with more quickly to leave earlier. He also noted the Planning Commission does not make any judgements on the TIF issues pertaining to the Wal-Mart development; this is something the Council decides.

INVOCATION - City Attorney Douglas R. Beach

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS: Chairman Bly read the first portion of the "Opening Comments."

A. P.Z. 25-97 John J. and Caroline A. Williams (West County Motor Sports); a request for an amendment to an existing "C-8" Planned Commercial District for a 3.0 acre tract of land located on the north side of North Outer Forty Road, 3,000 feet east of Boone's Crossing Street. (Locator Number: 17U51-0051) Proposed Use: The sale, service and storage of motorcycles, motor scooters, all-terrain vehicles, personal watercraft boats, jet boats and trailers.

Tim Reed, Planning Technician, gave a slide presentation of the subject site and surrounding area.

Mr. Cliff Heitmann, Bax Engineering Company, spoke on behalf of the petitioner (Mr. and Mrs. John Williams) noting the following:

- described the subject site and surrounding area:
- the primary activity on the proposed site would be for sales and service, storage of motorcycles, motor scooters, all terrain vehicles, personal watercraft boats, jet boats and trailers;
- he presented a colored rendering of the proposed development:
- the entrance would be located off of the North Outer Forty Drive;
- the main building would be 11,000 square feet in size, located along the front of the site;
- parking would be to the rear of the main building;
- a secondary building (8,000 square feet in size) would be located to the rear of the main building, and utilized for storage and services;
- additional services are planned to the east side of the main building and would be screened by a concrete block wall;
- the site would be landscaped and developed in accordance with all City regulations;

COMMENTS/DISCUSSION BY COMMISSION

- The petitioner has been in communication with Mr. Nichols, Chesterfield Fire Protection District, and are working-out the turning radius concerns previously stated.
- Nothing will be left out overnight. Vehicles/equipment may be brought out during the day for display purposes, similar to how Outdoor Equipment handles their business displays.

SPEAKERS - IN FAVOR:

Mr. John Williams, owner and developer, noted the following:

- he would operate West County Motor Sports on a full-time basis, if this project is approved by the City;
- the development would be designed to create a pleasant view from Highway 40 (i.e., parking in the rear and masonry block wall on the eastern side of the main building to hide any equipment, etc.);

- the entire building would be constructed of masonry;
- there will be nothing kept outside, except during business hours;

COMMENTS/DISCUSSION BY COMMISSION

- There will be a showroom (approximately 6,000 square feet in size) inside the building.
- Everything will be kept in the storage facility or main building nothing will be left outside overnight.
- The masonry wall to the east is u-shaped and ties in to the building. This will hide the electrical service, propane tank, and heating and air conditioning equipment.
- The developer will work with the City regarding signage.
- A few vehicles may be parked outside, during business hours, on the grassy area.

REBUTTAL - Waived

<u>Chairman Bly</u> read the next portion of the "Opening Comments." He requested a motion to move the public hearings for <u>P.Z. 26-97 and P.Z. 27-97</u> to the end of tonight's meeting.

A motion to move these two (2) public hearings was made by <u>Commissioner Layton</u>, seconded by <u>Commissioner Yaffe</u> and <u>passes</u> by a voice vote of 8 to 0.

<u>Chairman Bly</u> noted the next petition to be heard tonight is P.Z. 28-97 City of Chesterfield Planning Commission, amendment to the City of Chesterfield Zoning Ordinance relative to balloons.

D. P.Z. 28-97 City of Chesterfield Planning Commission; a proposal to amend Section 1003.168 of the City of Chesterfield Zoning Ordinance relative to balloons.

<u>Assistant Director Laura Griggs-McElhanon</u> summarized the information given to the Planning Commission regarding the proposed revisions to the Sign regulation section of the Zoning Ordinance.

COMMENTS/DISCUSSION BY COMMISSION

- Pennants and flags are a separate issue, and will be brought back to the Commission for clarification at a future date.
- The definition of balloons in Ordinance 1269 was read aloud.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

SPEAKERS - NEUTRAL - None

REBUTTAL - Waived

Chairman Bly read the next portion of the "Opening Comments."

APPROVAL OF THE MINUTES:

A motion to <u>approve</u> the minutes of September 22, 1997, was made by <u>Commissioner Casey</u>, as amended. The motion was seconded by <u>Commissioner Grant</u> and <u>passes</u> by a voice vote of 8 to 0.

A motion to <u>approve</u> the minutes of September 29, 1997, was made by <u>Commissioner Layton</u>, seconded by <u>Commissioner Grant</u> and <u>passes</u> by a voice vote of 8 to 0.

PUBLIC COMMENT

- 1. <u>Ms. Betty Hathaway</u>, 112 High Valley Drive, Chesterfield, MO 63017, spoke in opposition to P.Z. 24-97 THF (Wal-Mart), noting the following:
- Wal-Mart is not a good citizen (i.e., she noted several locations where they have vacated);
- the Wal-Mart layout is very unimaginative, and a poor idea for a strip shopping center in the Valley.

COMMENTS/DISCUSSION BY COMMISSION

- When asked what Ms. Hathaway would choose in place of the proposed Wal-Mart, she said she doesn't want anything there. She further stated the Valley is a flood plain, will continue to be a flood plain, and we don't need things like this in the Valley.
- 2. <u>Mr. John Puricelli</u>, Trustee for Chesterfield Farms Subdivision, 16751 Deveronne Circle, Chesterfield, MO 63017, spoke in favor of P.Z. 24-97 THF (Wal-Mart) noting the following concerns:
- do everything possible to make the rear portion of the proposed development attractive, as it will be visible from homeowners in Chesterfield Farms Subdivision;
- keep trash in receptacles;
- screen building from homes on hill (i.e., solid surface wall and plantings on berm both down in the project and up on the hill);
- delivery times should be regulated;

- lights should face down, rather than upward facing, and have some type of light diffusion, as they will be visible from residents on the hill overlooking the proposed development; and
- as a subdivision, they are completely opposed to this being a twenty-four (24) hour Wal-Mart.

COMMENTS/DISCUSSION BY COMMISSION

- The residents of Chesterfield Farms would like the hours of operation limited to the typical 9:00 a.m. to 9:00 p.m. time frame, with deliveries at the back of the building limited accordingly.
- Berms with pine trees (approximately 20 feet in height) was discussed for screening of trash areas; however, the main concern is that trash is contained within the trash receptacles.
- 3. Mr. Jerry Duepner, Sachs Properties, 400 Chesterfield Center, Suite 600, Chesterfield, MO 63017, spoke in favor of P.Z. 20-96 Chesterfield Village, Inc. noting the following:
- The Site Plan Committee met earlier this evening to review the site development plan submitted and noted concerns about landscaping for the site. The concerns were duly noted, and the developer will seek to address those concerns when they submit the landscape plan.
- The setback area, as depicted on the plan, that would be future landscaped areas, are in compliance with the governing ordinance on the site.
- The ordinance allows both access to Wild Horse Creek and Baxter Roads, as reviewed by MoDOT and St. Louis County Department of Highways and Traffic. The MoDOT asked the County to look at the access, since it is anticipated that, at a future date the County would assume responsibility for Wild Horse Creek Road.
- The Landscape Plan and Architectural Elevations will be submitted to the Planning Commission at a future date.
- Sachs is requesting approval of the Site Development Plan presented to the Commission this evening.

Commissioner Dave Dalton arrived at the meeting at this time.

NEW BUSINESS:

P.Z. 24-97 THF Chesterfield Development, L.L.C., (Chesterfield Commons); "M-3" Planned Industrial District and "NU" Non-Urban District to "C-8" Planned Commercial District; north and south sides of Chesterfield Airport Road, east of the intersection of Boone's Crossing Street.

<u>Director Price</u> noted the Department recommends this matter be <u>held</u>, and asked if the Commission had issues to add.

The following issues were added to the list:

- Delivery times need to be addressed, and all other issues mentioned by residents of Chesterfield Farms (Mr. Puricelli and Ms. McElroy).
- The height of the lighting for the project.

A motion to <u>hold P.Z. 24-97 THF Chesterfield Development until the meeting of October 27</u>, 1997, was made by <u>Commissioner Casey</u>, seconded by <u>Commissioner Layton</u> and <u>passes</u> by a voice vote of 9 to 0.

C. Approval of 1998 Planning Commission Meeting Schedule.

No action was taken on this item.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. P.C. 38-87 Geriatric Management and Union Electric (Brooking Park Village); Conditional Use Permit (CUP) in the "R-1" One Acre, "FPR-1" Flood Plain One Acre and "R-3" 10,000 square foot Residence Districts Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations; west side of Old Woods Mill Road, north of Conway Road.

<u>Commissioner Grant</u>, on behalf of the Site Plan Committee, made a motion to <u>approve</u> the Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations. The motion was seconded by <u>Commissioner Casey</u> and <u>passes</u> by a voice vote of 9 to 0.

B. P.Z. 20-96 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse/Baxter Center); "C-8" Planned Commercial District Site Development Plan; southwest corner of the intersection of Wild Horse Creek Road (State Highway CC) and Baxter Road Extension.

<u>Commissioner Grant</u> noted there was no recommendation by the Site Plan Committee on this matter. The matter is limited to the Site Development Plan. There were questions about the setback which was designated in the ordinance, and the desirability of having the landscape plans and architectural plans at this time. He asked the City Attorney to address this situation.

<u>City Attorney Beach</u> noted it is the function of the Site Plan Committee to make sure the Site Development Plan request is in conformance with the ordinance. If this is the case, and setbacks are in accordance with the ordinance at this time, the process today does not require the landscape plan be brought forward at this time.

A motion to <u>approve</u> the Site Development Plan for P.Z. 20-96 was made by <u>Commissioner Casey</u> and seconded by <u>Commissioner Grant</u>.

COMMENTS/DISCUSSION BY COMMISSION

- If the site plan meets setback requirements, that's all they have to do to comply. The landscaping plan is not required at this time.
- The impact of the landscape plan could affect the Site Development Plan.
- Concerns were expressed as to the safety of the egress on Wild Horse Creek Road.
- The Planning Commission cannot change required setbacks without an ordinance amendment; however, will request maximum landscaping.

Upon a roll call the vote was as follows: Commissioner Broemmer, no; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Eifler, no; Commissioner Grant, yes; Commissioner Layton, no; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 6 to 3.

C. <u>Highland Forest Subdivision</u>; Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District Record Plat; located at the terminus of Squires Way Drive, east of Schoettler Valley Drive.

<u>Commissioner Grant</u>, on behalf of the Site Plan Committee, made a motion to <u>approve</u> the requested Record Plat. The motion was seconded by <u>Commissioner Eifler</u> and <u>passes</u> by a voice vote of 9 to 0.

D. Highland on Conway (40 West Office Building); Resubdivision Plat for Plat 1, Lots 3 and 10, U.S. Survey 366, Township 45 North, Range 4 east; "C-8" Planned Commercial District; north side of North Outer 40 Road, east of the intersection of Chesterfield Parkway North.

<u>Commissioner Grant</u>, on behalf of the Site Plan Committee, made a motion to <u>approve</u> the Resubdivision Plat 1, Lots 3 and 10. The motion was seconded by <u>Commissioner Layton</u> and <u>passes</u> by a voice vote of 9 to 0.

NEW BUSINESS - (Continued)

A. <u>P.Z. 23-97 City of Chesterfield Planning Commission</u>; a proposal to establish a requirement for disclosure information relative to future land use and local noise impact. (In addition, the proposed Tree Protection criteria and revisions to the Comprehensive Plan will be discussed.)

Mr. Skip Kincaid summarized the information (revisions and high points of the ordinance) submitted to the Commission relative to the Tree Ordinance and Tree Manual.

COMMENTS/DISCUSSION BY COMMISSION

- The Letter of Credit has been taken out of the ordinance, at the direction of City Attorney Beach.
- The primary intent of the Committee was to try and find a reasonable way to protect some of the canopy coverage that exists in the City, and do it in a way that has a minimal amount of impact on the majority of homeowners and landowners.
- The wording in the ordinance needs to be clear regarding who is affected/responsible/impacted (i.e., homeowners, landowners or developers).
- The definition of Woodland needs to be clarified to indicate (canopy coverage).
- Section 3. General Items B & D: conflicting regulations.
- Utility companies have control over their easements.
- Page 5, Section 5., paragraph 7: specify what happens if contour intervals exceed 4 to 1.
- Page 6, Section 7: adjacent areas are those areas where the City has looked at a plan and directed which trees must remain; therefore, adjoining property gets the benefit of the prior action of the City.
- Page 7, c.: add the word "root" before zone area...
- We need to make sure we have built-in procedures for escrow receipts.

<u>City Attorney Beach</u> noted a Letter of Credit letter has only been allowed once, with a specific window of time, and wasn't a concern of the City. Use of the Surety or Cash Escrow is common practice.

Director Teresa Price stated that Staff has noted the changes recommended tonight.

Assistant Director Griggs-McElhanon noted that, since there was some concern about the "Whereas" clauses, the Commission could approve the language in the ordinance as directed by City Attorney.

<u>Commissioner Grant</u> noted he would feel more comfortable if that language would be broadened to include all situations in which trees were being removed, not just for new residential subdivisions.

A motion to <u>approve</u> the proposed Tree Protection Ordinance, subject to alterations proposed by Commissioner Grant and wording approved by the City Attorney was made by <u>Commissioner Layton</u> and was seconded by <u>Commissioner Broemmer</u>.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

Assistant Director Griggs-McElhanon summarized the Special Items Panel item (P.Z. 23-97) as regarding the proposed ordinance requiring information about the City's Comprehensive Plan and the noise impact zones from the Spirit of St. Louis Airport in sales offices.

COMMENTS/DISCUSSION BY COMMISSION

• The wording in <u>Section 3</u>, will be revised by the City Attorney.

A motion to <u>approve</u> P.Z. 23-97 proposed ordinance "Relating to a requirement to disclose information relative to future land use and local noise impact," and subject to re-wording of Section 3 by the City Attorney, was made by <u>Commissioner Casey</u> and seconded by <u>Commissioner Layton</u>.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

Assistant Director Griggs-McElhanon noted that Staff is asking for support from the Planning Commission on revisions recommended to the Comprehensive Plan. She further noted that this will have to move on to City Council, and they will have to budget money (i.e., the Traffic Issues Panel has recommended several changes that would require the assistance of a traffic engineering firm, more traffic counters and people to operate same).

COMMENTS/DISCUSSION BY COMMISSION

- Both Mike Geisel, Public Works Director and Teresa Price, Planing Director, have discussed the issue of traffic studies, and feel the City does not have the capability, at this time, to provide these studies in-house. It would have to be consulted out.
- Concern was expressed that the traffic counters already owned by the City are not being utilized.

Assistant Director Griggs-McElhanon suggested that, since we don't have all the specific information (i.e., no proposals from traffic engineering firm for any of the work being proposed; don't know how much it would cost, or what would be involved), the Commission could approve, in concept, the Traffic Issues Panel recommendations.

A motion in support of the proposals by the Traffic Studies Panel, as contained in the report, was made by <u>Commissioner Casey</u> and seconded by <u>Commissioner Broemmer</u>.

COMMENTS/DISCUSSION BY COMMISSION

- The staff is looking for overall support of the recommendations from the Traffic Issues Panel regarding the Comprehensive Plan, which City Attorney Beach spoke on the night of the public hearing.
- An affirmative vote by the Commission would show support for making some changes to the Comprehensive Plan, in conformance with the Traffic Issues Panel recommendations.

City Attorney Beach noted the Traffic Issues Panel recommended the following:

- an update, on a regular basis, of our traffic studies;
- find and identify areas we see now as having traffic issues and, perhaps, have a traffic study done of those issues;
- the Commission is being requested to support the Panel's recommendations so that it can go to the Council who will have to make the decision as to whether to hire consultants, etc. and
- we felt there has been a lack of appropriate information available to the Commission on traffic issues, and felt they were identified by the Traffic Panel.

It was noted that the motion being voted on only endorses the recommendation of the Street Issues Panel and Traffic Panel, not Mr. Geisel's comments and specifics.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Eifler, yes; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Bly, yes.

The motion passes by a vote of 9 to 0.

A motion to begin public hearings for P.Z. 26-97 and P.Z. 27-97 (Items IV-B and IV-C) was made by <u>Commissioner Casey</u>, seconded by <u>Commissioner Yaffe</u> and <u>passes</u> by a voice vote of 9 to 0.

PUBLIC HEARINGS - (Continued):

B. P.Z. 26-97 City of Chesterfield Planning Commission; a proposal to amend the City of Chesterfield Subdivision Ordinance relative to work being done by the Character of Neighborhoods Moratorium Panel of the City of Chesterfield.

C. P.Z. 27-97 City of Chesterfield Planning Commission; a proposal to amend the City of Chesterfield Zoning Ordinance relative to work being done by the Character of Neighborhoods Moratorium Panel of the City of Chesterfield, which includes creation of the following new zoning districts: E-1 Residence District (2 acre); E-2 Residence District (1 acre); E-3 Residence District (1/2 acre); LLR Large Lot Residential (3 acre); and, AG Agriculture.

Ms. Mary Domahidy, 15553 Golden Ridge Court, Chesterfield, MO 63017, Chairman of the Character of Neighborhoods Panel, noted the following:

- Recognized and acknowledged other members of the Committee Michael Casey, Jerry Duepner, Barry Flachsbart, Theo Korakianitis, Charles Scheidt and Mark Teitelbaum (served as an alternate).
- She thanked Mayor Greenwood and Councilmembers and the Homebuilders Association.
- She gave the overview of what the Panel was charged to do, the Panel's goals, and their response relative to:
 - Two Acre Zoning/West Area Study
 - Performance Zoning
 - Minimum lot sizes (PEU & Straight Zoning)
 - Setbacks (PEU & Straight Zoning)
 - Infill Development
 - Density Calculations
 - Minimum lot sizes adjacent to arterials
 - Agricultural District
 - Large lot residence district
- She noted the Goals of the Panel as follows:
 - To preserve and enhance character of neighborhoods in Chesterfield.
 - To provide more predictability in rezoning issues for developers and residents, thereby enhancing the development process.
- She summarized the Panel's response regarding the following:
 - Two Acre Zoning/West Area Study
 - Performance Zoning
 - PEU
 - Infill Development

Councilmember Barry Flachsbart, 347 Ridge Meadow Drive, Chesterfield, MO 63017, noted the following:

- Each of the new districts provides three (3) possible options for developments 1) the standard procedure (very much like the "R" Districts today); 2) the PEU procedure (somewhat like the revised "PEU" procedure, with lots on the periphery held at the nominal lot size of the district, and only the interior lots allowed to be only one (1) size smaller); and 3) the Performance Zoning procedure where landscape borders are required and interior lots are much smaller than allowed.
- Summary of Section 1003.106(6) Development Procedure Options.
- Summary of Section 1003.106(7) Community Character Development Standards.
- Summary of the stand-alone PEU Procedure and modifications proposed.
- The Panel tried to protect the Character of Neighborhoods by ensuring that the developers are treated fairly and the citizens know, up-front, what is going to happen.

SPEAKER - Neutral

- 1. <u>Mr. Jerry Duepner</u>, #8 Glen Cove, Chesterfield, MO 63017, spoke on behalf of the Homebuilders Association noting the following:
- The Homebuilders Association received their copies of the draft recommendation late this afternoon, are in the process of reviewing those, and may have comments to submit to the Commission prior to the issues meeting (October 22, 1997).
- He commended the members of the Panel for their efforts.

<u>Commissioner Casey</u> said Ms. Domahidy did an outstanding job of chairing a very complex moratorium panel. He thanked Mr. Flachsbart for his creative ideas; Jerry Duepner for keeping us focused; and Barry Hogue for listening to everyone on the Panel.

COMMENTS/DISCUSSION BY COMMISSION

- After the proposed recommendations are adopted, once a petition goes through the staff process and applicable provisions of the ordinance are applied to the petition, the Planning Commission and Council will not be in the middle of controversies between adjacent property owners and developers, etc.
- The Panel believes their recommendation has put together something that is fair to both developers and residents. There may be some controversy in the future, but probably not as severe as in the past.
- The recommendations apply to the West Area Study Area and existing areas in the City.

• The uses (i.e., greenhouses, nurseries, riding stables, kennels, etc.) in the residential areas were discussed.

Mr. Barry Hogue, consultant, noted for permitted uses in some of the "E" Districts, they have the cultivation or greenhouse itself. In order to do sales in those areas, would require a Conditional Use Permit. Within an estate character you may be able to have a greenhouse for growing plants; but, if you are going to sell to the public, that falls into the Conditional Use Permit requirement.

- The Panel was requested to clarify their definitions.
- Performance Zoning Procedures were discussed.
- Concern was expressed regarding loop holes in tax laws as they apply to the proposed "E-2" and "E-3" Districts (i.e., allowing a 5' variation in side easement when trading off 1 lot to another).
- Concern was expressed regarding "E-3" page 9, (a), (b) and (c).
- Section 1003.105(1) Intent and Purpose was discussed. The Planning Commission and City Council will determine whether or not provision of community infrastructure is desirable or feasible. The goal is to eliminate "NU" and anything that could be construed as a holding district (i.e., it will either be residential or agricultural). Everything presently zoned "NU" will be rezoned in the future.
- Concern was expressed about changing a large area of "NU" to residential, and someone decides it can't be Large Lot Residential because it is perfectly feasible to put streets and sewers in this tract, and you can only use it for "LLR" if infrastructure is neither desirable nor feasible. (In Section 1003.105(A) Intent and Purpose: the word "neither" was changed to "not" and "nor" was changed to "or.")
- Section 1003.105(4) Accessory Land Uses: conditional uses having business signs will be checked for consistency.
- Clarification of wording regarding residential and non-residential setbacks and uses was requested.
- There were some minor text changes: page 2, LLR-2, (j) and page 3, 1003.105(5) regarding mortuaries Staff will clarify wording; page 4, iii), LLR-4 and page 5, iv) LLR-4 add wording "has to be protected."
- Clarification was requested on page 9, E-1, Performance Zoning Procedure regarding provision of open space. Open space could be provided anywhere on the site; but, in order to get the density bonus for any of the "E" Districts under Performance Zoning, you at least have to have those buffers around the periphery.

- Open space would not be allowed in the middle in lieu of having some of the open space buffer on the periphery. The Lane Kendig Study was discussed regarding preservation of the character of neighborhoods standard regulations.
- The Panel's goal is to make any density contractions interior to each individual's site.
- The 30% Woodland (tree mass) calculations/procedures were worked into the zoning categories.
- There was discussion regarding the wording about grading and slopes from right-of-way from the curb. Approval would be subject to the approval of the Public Works Department.
- The Performance Option implies the ability to cluster homes. Significantly smaller lot sizes would be allowed; but, a buffer would need to be provided to protect anyone on the peripheral of the site.

Commissioner Grant thanked members of the Panel for their hard work.

Commissioner Broemmer concurred.

<u>Commissioner Casey</u> thanked the Staff - Ms. Griggs-McElhanon for her help with the Panel. He also thanked Mr. Hogue.

Chairman Bly read the final portion of the "Opening Comments."

IX. <u>COMMITTEE REPORTS:</u>

- A. Ordinance Review Committee No report
- B. Architectural Review Committee No report
- C. Site Plan/Landscape Committee No report
- D. Comprehensive Plan Committee No report

<u>Director Price</u> noted there will be a Comprehensive Plan Update on the next Planning Commission agenda.

E. Procedures and Planning Committee - No report.

A motion to adjourn was made by <u>Commissioner Eifler</u>, seconded by <u>Commissioner Broemmer</u> and passes by a voice vote of 9 to 0.

The meeting adjourned at 9:35 p.m.

Michael J. Casey, Secretary

[MIN10-13.097]

PLANNING COMMISSION MINUTES 10-13-97

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