

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD
COUNCIL CHAMBERS – CITY HALL
MONDAY, JUNE 17, 2019
1730 (05:30 PM)

CALL TO ORDER

The meeting was called to order by Chairman Steve Lichtenfeld at 1735.

ROLL CALL

Chairman Steve Lichtenfeld, Interim City Manager Janet Watson, Aldermanic Representative Richard Lintz, Ron Reim, answered roll call. Carolyn Gaidis arrived at 1737

Absent: William Liebermann and Brian Maguire

ALSO IN ATTENDANCE

Stephanie Karr, City Attorney
Susan M. Istenes, AIPC, Planning Director

CHAIRMAN REQUESTS

Chairman Lichtenfeld asked that all cell phones be turned off and that conversations take place outside the meeting room.

Chairman Lichtenfeld also asks that anyone who speaks please spell out their last name.

APPROVAL OF MINUTES

The minutes of the regular meeting of May 20, 2019, and June 3, 2019, were presented for approval

RON REIM – MOTION TO APPROVE MAY 20, 2019 MINUTES

RICHARD LINTZ – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD

RON REIM – MOTION TO APPROVE JUNE 3, 2019 MINUTES

JANET WATSON – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD. 4-0

CHAIRMAN LICHTENFELD – MOTION TO MOVE PUBLIC HEARING ITEMS TO THE END OF NEW BUSINESS

RON REIM – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD. 4-0

OLD BUSINESS

8011 BONHOMME AVENUE – ARCHITECTURAL REVIEW BOARD – SIGNAGE

Director Susan M. Istenes summarizes the following staff report: “This item was continued from the meeting of May 20 to allow the applicant to submit revised plans for the proposed blade sign per comments from the Architectural Review Board. The applicant has submitted a revised design with the following changes:

1. Reduced the overall size of the sign from 100 square feet to 24 square feet (per face)
2. Removed the text “Clayton on the Park” and “Kingside Diner”
3. Reduced the projection from the building from 24 inches to 18 inches

The subject property is located on the north side of Bonhomme Avenue, between South Brentwood Boulevard and South Meramec Avenue. The subject property contains a parking garage owned by the City of Clayton and is zoned HDC High Density Commercial. The parking garage is attached to the mixed used building known as Clayton on the Park, addressed 8025 Bonhomme Avenue. The parking garage includes public parking and parking for Clayton on the Park residents.

COTP LLC, owner of Clayton on the Park has modified their request from the May 20, 2019 meeting and is only requesting the proposed perpendicular sign near the entrance to the parking garage. The proposed perpendicular sign is double sided with each face measuring 24 square feet.

Per Section 425.040.A.3.d of the City’s Sign Regulations, parking garages are allowed “one (1) wall sign twelve (12) square feet in area or five percent (5%) of the front wall area up to a maximum of twenty-five (25) square feet.” Based on the front wall area, the maximum 25 square foot sign would be allowed. The City’s Sign Regulations also allow for a perpendicular sign measuring one square foot and an accessory directional traffic, parking or regulatory ground sign measuring six square feet. The proposed sign is larger than permitted by the Sign Regulations.

Staff believes more clear signage directing the public to the parking garage will support better wayfinding for patrons of nearby restaurants and park facilities

STAFF RECOMMENDATION APPROVE THE PERPENDICULAR SIGN AS PROPOSED, WITH THE FOLLOWING CONDITION:

1. REMOVE THE EXISTING GROUND SIGN IN THE PLANTER PRIOR TO INSTALLATION OF THE PERPENDICULAR SIGN.”
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JASON BRAIDWOOD (JB) – KOMAN GROUP – 8025 BONHOMME

JB – Thank you for considering this. I think it is 20 years in the making and we haven’t had this much pedestrian and vehicular traffic in all my years here as we do now. I think it is a great update and high time we get rid of the hotel signage. I’m happy to answer any questions you may have but we are looking forward to getting started.

CHAIRMAN LICHTENFELD – DO YOU UNDERSTAND AND AGREE WITH THE STAFF RECOMMENDATION?

JB – YES

RON REIM – MOTION TO APPROVE AS SUBMITTED BY THE APPLICANT WITH STAFFS RECOMMENDATION TO REMOVE THE GROUND SIGN PRIOR TO INSTALLATION.

RICHARD LINTZ – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD. 4-0

CONCEPTUAL REVIEW

CHAIRMAN LICHTENFELD NOTES THAT THIS IS FOR CONCEPTUAL REVIEW ONLY AND SO THE APPLICANT MAY GET FEEDBACK FROM THE BOARD AND THE PUBLIC.

8100 FORSYTH BOULEVARD – CONCEPTUAL REVIEW – NEW COMMERCIAL

Director Susan M. Istenes summarizes the following staff report: “The approximately 28,065 square foot site is located at the southwest corner of the intersection between Forsyth Boulevard and Parkside Drive. The property has a zoning designation of C-1 Neighborhood Commercial. The site currently contains a small bank building, drive-through ATM, drive-up teller stations and surface parking. Adjacent land uses include multi-family residential to the south and west, Shaw Park to the southeast and office to the north.

The proposed project consists of the demolition of the existing building and drive-through and the construction of a 4,515 square foot bank building with 19 parking spaces. The applicant notes that the intent for the Bank’s design is a “Folder Plane” concept, which uses a distinctive two-story panel element, defining the building’s horizontal and vertical edges. Below the roof plane will be glass storefront fenestration and brick masonry and wood materials will be used along Forsyth Boulevard. A full access curb cut is proposed at the north corner of the property along Forsyth Boulevard. An exit only curb cut is proposed at the south corner of the property along Parkside Drive.

The proposed development would not require a re-zoning and would go before the Plan Commission and Architectural Review Board for site plan and design review. The C-1 Zoning District does not allow drive-throughs for financial institutions and therefore, the existing bank drive-through and teller machines are non-conforming. Once removed, a new drive-through cannot be constructed on the property without approval of a use variance from the Board of Adjustment. The proposed building does not appear to include an ATM vestibule and does not include a drive-through.

The property is located in the Park View District as identified in the Downtown Clayton Master Plan. The vision of the Park View District is to create a “neighborhood along the park that takes advantage of the valuable views of Shaw Park and transforms the urban edge of the park into an active street life environment with sports, cultural and entertainment venues.”

STAFF CONSIDERATIONS:

A project of this scale requires a thorough staff review prior to a public meeting. The project will be reviewed and is subject to comments by the Planning, Public Works, and Fire Departments, and also the City’s contracted consultants for landscaping, stormwater management, traffic and parking. Staff recommends that the Plan Commission/Architectural Review Board consider the proposal and provide input. This is conceptual review only and therefore any comments made in this report or at the meeting, either by the applicant, staff, or the

Board/Commission members, are not binding. Staff offers the following comments based on the conceptual plans presented.

1. The proposed building does not maximize the commercial or retail potential of the site. Consider the addition of rentable commercial space.
 2. The front door location on Parkside Drive is oriented toward the park views; however, it makes Forsyth Boulevard the secondary frontage, reducing the commercial activity along a main Downtown street.
 3. The site layout and design represent more suburban approach that does not fit with the Downtown development to the north or the multi-family development to the southwest.
 4. City standard streetscape should be installed.
 5. A traffic analysis of the vehicle egress plan may be required.”
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JACK AUSTIN (JA) – NELSON ARCHITECTS

JA – Thank you for having us back. We heard your comments from the last meeting and here we are again to present our design for the new Bank of America building. We have added an additional entrance on the Forsyth side. Refers to the site plan to show where parking, tellers, atm machine, etc. are located. The folded plain concept we talked about is the idea of the front wall of the building reaching a height of 2 stories and then forming the roof across the top. It is a very bold concept, the benefit of it is it gives us that Forsyth edge that is important for that street scape. Then of course the open end faces the park with a 2 story open view of Shaw park across the street. We understand there were concerns about the Forsyth side and so we are offering an alternative to that.

Chairman Lichtenfeld – I’m intrigued by the folded plain concept and the alternate with more glass on Forsyth. Is the south side the folded plain as opposed to the north side

JA – Yes

Chairman Lichtenfeld – I think the glass along Forsyth will liven the street more but doesn’t answer retail or commercial issue. This is a lot of glass now. It does answer the second entrance and the more lively appearance on Forsyth. So I think it is going in the right direction.

Ron Reim – I think it is going in the right direction. I would be a little concern with it being very open on the inside so how the offices on the inside are designed and enclosed and what the interior lobby looks like will become a lot more important, as to how the building presents itself to the street edge. In the winter I think all that glass facing the street will look nice. It will not be retail space because it’s a bank. It is an improvement along the Forsyth streetscape.

JA – Our concern with moving the all glass side is that we are turning our back on Shaw Park which is what we would like to see. The view to the park becomes a part of the interior space so our preference and recommendation to the bank is to open that elevation to the park.

Chairman Lichtenfeld – Will there be another drive in within the City of Clayton – that was only out of curiosity. I assume you have seen the staff report – I think we have addressed all of them.

339 NORTH CENTRAL AVENUE – ARCHITECTURAL REVIEW BOARD – NEW SINGLE-FAMILY

Director Susan M. Istenes summarizes the following staff report: “On March 4, 2019 the proposed single-family residence received Site Plan and Architectural approval. According to the applicant, the client at that time has since decided not to build and the builders (Period Restoration) would now like to build the house as a spec home for sale. They wish to change the exterior of the home from painted brick to white Hardie board lap siding with stone accents at the areas near the ground to simulate a stone foundation; some windows have also moved. The footprint of the building will essentially remain unchanged.

The 6,545 square foot site is located on the west side of North Central Avenue between Kingsbury Boulevard and the northern city boundary. The property has a zoning designation of R-3 One- and Two-Family Dwelling District. The proposed project consists of the demolition of the existing home and the construction of a 3,880 square foot single-family residence. The height of the proposed residence is 32 feet as measured from the average existing grade to the mean height of the roof.

The basic massing of the proposed two-story home is articulated on all sides with windows, doors, and architectural details. The surrounding area contains a range of building heights from one and a half to four stories. The existing home to the north (341 North Central Avenue) was constructed in 2010 and is +/- 12 feet shorter than the proposed home (as measured from the mid-point of each roof). The existing home to the south (333 North Central Avenue) is 10 feet taller than the proposed home. The home features variations in the roof line that will help reduce the scale of the massing. The home is similar in height and design to most of the new construction homes in the surrounding area.

The surrounding area features many primary building materials including multiple colors of brick, stone, siding and shingles. The primary building material for the proposed home is white Hardie board cement siding with grey stone accents framing the below grade front entry garage and forming the base of one of the front porch pillars. Black wood shutters and black wood clad windows are proposed. The roof is clad in brown cedar shake shingles and a paver patio is proposed at the rear of the house. Staff is of the opinion that the proposed home is similar in design to homes in the surrounding area.

An 11-foot-wide exposed aggregate driveway is proposed leading to an attached, below grade, front entry garage with a brown carriage style garage door. Retaining walls are proposed on either side of the driveway to create the below grade garage. The southern wall, between the front walk and driveway, is proposed as grey stone with a metal railing and has a maximum height of 7 feet. The northern wall is proposed as grey stone and has a maximum height of 4.2 feet. The stone wall will match the stone accent material of the house. Landscape screening is proposed along the face of all retaining walls.

The project as proposed is in conformance with the requirements of the R-3 One- and Two-Family Dwelling District and the Architectural Review Guidelines. Staff is of the opinion that the house is compatible in terms of mass, height, and design with existing nearby homes.

STAFF RECOMMENDATION APPROVE AS SUBMITTED.”

DICK BUSCH (DB) – ARCHITECT

DB – Explains that the buyer backed out and now the client is going to build it as a spec home and scrap the painted brick with siding instead.

RON REIM – Is the color a prefinished color?

DB – It's white.

CHAIRMAN LICHTENFELD – Will there be accent colors around the windows and doors?

DB – The windows are black but no, we're going all white.

BOB MCCOOL – I want to make sure the stone is a full stone and not an applied veneer?

DB – It is.

RON REIM – MOTION TO APPROVE AS SUBMITTED

CAROLYN GAIDIS – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD.

200 SOUTH HANLEY – ARCHITECTURAL REVIEW BOARD – SPECIAL ANTENNA

Director Susan M. Istenes summarizes the following staff report: “Consideration of a request by Sprint for the review of the design and materials associated with the addition of 3 new telecommunications antennas on a building rooftop in Downtown Clayton. Article XXVI of the Zoning Regulations require Architectural Review Board approval of new telecommunications antenna applications which create a visible change to the property.

The 200 South Hanley roof top currently contains 3 existing antennas and 2 existing cabinets. On the south side of the roof, 2 additional panel antennas will be placed at the southeast and southwest corners and will be attached to the walls of an existing penthouse. The proposed antennas will be separated by the existing antennas by approximately 6 feet 6 inches. On the north side of the roof, one new panel antenna will be attached to what appears to be a sled mount on an existing Sprint equipment platform. New MIMO equipment will be installed in an existing RBS indoor rack. Additional wiring and cables will be located in a rooftop cable tray. The applicant indicates the dimensions of the antenna are 38.3” H x 20.5” W x 7.2” D. The height of the building is approximately 141 feet and 155 feet to the top of the penthouse.

The proposed location and design of the additional antenna is consistent with existing antennas. The proposed antenna location is setback from the edge of the roof, screening the antenna from view at street level and the height of the building will mitigate the view at street level.

STAFF RECOMMENDATION APPROVE AS SUBMITTED.”

LAURIE BRINKMANN (LB) – SPRINT

LB – Addresses the Board to answer questions but has nothing to add to the staff report.

RICHARD LINTZ – Are these going to hang out over the wall?

LB – No they won't. Two are setback and the other is on a sled mount both back from the edge. They are going right next to antennas that are already present.

RICHARD LINTZ – MOTION TO APPROVE AS SUBMITTED

CAROLYN GAIDIS – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD.

234 CRANDON DRIVE – SITE PLAN REVIEW – NEW SINGLE-FAMILY

Director Susan M. Istenes summarizes the following staff report: “The 13,297 square foot site is located on the east side of Crandon Drive, between University Drive and Kingsbury Boulevard. The property has a zoning designation of R-2 Single Family Dwelling District and is located in the Clayton Gardens Urban Design District. The proposed project consists of demolition of the existing house and the construction of a 5,240 square foot (not including basement) single-family residence. The height of the proposed residence is 29 feet 9 inches as measured from the average existing grade to the mean height of the roof.

The purpose of the site plan review process is to provide a review of the following criteria listed below:

1. *A project's compatibility with its environment and with other land uses and buildings existing in the surrounding area.*
 - >> The surrounding properties contain single-family homes. The project meets the setback, height, and impervious coverage requirements of the R-2 Zoning District and the Clayton Gardens Urban Design District.
2. *The location and screening of a project's air-conditioning units and other associated equipment.*
 - >> The plans show the HVAC units located along the northern elevation with a 4-foot-tall painted wood fence enclosure and vegetation screening.
3. *The location, adequacy and screening for trash.*
 - >> Trash will be stored in an approximately 40 square foot trash enclosure located east of the garage at the end of the driveway.
4. *Provisions for storm surface drainage shall be in accordance with the City's design standards. Stormwater drainage shall be connected to a storm sewer whenever one is available as determined by the City. Disposal of storm or natural waters both on and off the site shall be provided in such a manner as not to have a detrimental effect on the property of others or the public right-of-way.*

Impervious Coverage

- >> The Clayton Gardens Urban Design District limits impervious coverage to 40 percent of the total lot area and allows an increase in impervious coverage based on the garage placement. For this project, the allowable impervious coverage may be increased to 50 percent for the inclusion of an at-grade, side entry garage. The existing impervious coverage on site is 25.2 percent. The new plans increase the impervious coverage to 40.4 percent.
- >> Front yard impervious coverage is limited to 30 percent in the Clayton Gardens Urban Design District. The proposed front yard coverage is 19.1 percent.

Stormwater Runoff

>> The existing stormwater runoff, according to the MSD 15 year, 20 minute storm calculation is 0.66 cubic feet per second (CFS). The proposed runoff is 0.75 CFS, which represents a 0.09 CFS increase. The additional runoff will be piped to a dry well system in the rear yard. The stormwater plan has been reviewed and deemed acceptable.

5. *The applicant is required to submit a separate landscape plan showing existing trees, trees to be removed and trees to be replaced by canopy cover, species and condition. Such plans must reflect City of Clayton preservation standards.*

>> The proposed landscape plan provides an attractive planting design of trees, shrubs, perennials and groundcover. There are four street trees and 18,555 square feet of existing canopy coverage on site with 18,378 square feet being removed. The plan provides a surplus of 77 square feet of canopy coverage and meets the native tree requirement with 46.7 percent native.

6. *The site plan must state that all driveways, sidewalks, curbs and gutters are to be installed in accordance with the standards prescribed by the Public Works Department.*

>> The site plan states that all driveways, sidewalks, curbs and gutters are to be installed in accordance with the standards prescribed by the Public Works Department.

7. *Provision of hookups to public utilities connections shall be installed in accordance with the standards of the Public Works Department. All connections shall be shown on the site plan.*

>> The location of the gas, sewer and water connections from the main to the house are shown underground in the front yard. The electric line connection will run underground along the north side yard. The Public Works Department finds the utilities plan acceptable.

8. *All developments shall provide adequate lighting to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded and there shall be no spillover onto adjacent properties*

>> Exterior lighting is proposed at all exterior doors and at the garage. All exterior lights will be 75 watts or less.

In considering and acting upon site plans, landscape plans and other applicable plans, the Plan Commission shall take the following objectives into consideration:

1. Creation of a desirable environment.
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
3. Combination and coordination of architectural styles, building forms and building relationships.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features and the prevention of soil erosion.
5. Preservation of buildings which are architecturally or historically significant or contribute to the character of the City.
6. Use of design, landscape or architectural features to create a pleasing environment.
7. Inclusion of special features.
8. Elimination of deteriorated structures or incompatible uses through redevelopment or rehabilitation.

The height, setbacks and impervious coverage as proposed are in conformance with the requirements of the R-2 Single Family Dwelling District and the Clayton Gardens Urban Design District. Stormwater will be adequately

managed on site and the landscape plan features plantings that are appropriate for the size of the site and character of the neighborhood. Staff is of the opinion that the project meets the criteria for site plan approval.

STAFF RECOMMENDATION APPROVE WITH THE FOLLOWING CONDITION:

1. TO ENSURE THE FUTURE MAINTENANCE AND OPERATION OF THE DRY WELL, THE APPLICANT SHALL RECORD THE APPROVED SITE PLAN WITH ST. LOUIS COUNTY, AND SUBMIT PROOF OF RECORDING TO THE CITY PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

PAUL FENDLER (PF) - APPLICANT

PF – Addressed Board to answer questions, has nothing to add to staff report

GAIL AND CARL LANG 8330 KINGSBURY – WOULD LIKE TO DISCUSS THE AIR CONDITIONER LOCATIONS.

CL – The last time this house was in front of you it was approved that the HVAC be located on the south side of the garage. We have an outdoor patio that we use a lot and there are currently 3 HVAC on the east side and now with this we are going to have two more with this home to the south. It is going to affect the value of our home because the patio will be less useable. There is no rhyme or reason that the compressors that cause hardship for other neighbors shouldn't be relocated. This is not an appropriate place to put them. It was approved on the southside before it should be approved on the southside of the home now. I have photos of the current conditions. We would respectfully request you approve the compressors on the southside of the house which was the same location that was previously approved. Were going to have two compressors that were looking at and three to the left that will surround our patio. No one in the block has that many compressors surrounding their home.

CHAIRMAN LICHTENFELD – To move them they would be visible from the street and would need to be screened by landscaping. Where they are now they aren't and they are down in a well and enclosed by a fence and landscaping.

Carolyn Gaidis – The Yew trees are 4 feet, the compressors are 2 feet lower...

CHAIRMAN LICHTENFELD – So we would need to move the retaining wall and then lower them significantly to put them in the south corner. Unfortunately, when we get larger houses, they need more units. I understand your concern about the noise, but I think there is probably enough buffering on these units to minimize the noise.

RICHARD LINTZ – Have they picked the units yet?

PF – No they haven't

RICHARD LINTZ – I just put in two units and I cannot hear a thing. I use to hear them all the time and now I don't hear them at all. It shocked me.

CHAIRMAN LICHTENFELD – I replaced mine last summer and they face the home next to me and my neighbor thanked me for doing that because he no longer hears my units. They are landscaped and screened etc.

CL – Last time they were approved by staff but were still approved with the condition to move them to the south.

CHAIRMAN LICHTENFELD – I don't that is what happened.

CL – You can go back and see that's absolutely what happened.

CAROLYN GAIDIS – You can put a lot of various plants to really screen them that would allow for air flow still. Like when you do buffers for highways. If you did a taller evergreen you might be able to fix all of this.

GL – I want to add when we went through this with the home on the other side of us, we were told they didn't want to hear their own units and so they put them on our side and they are high efficiency and they are "very quite" but you can hear them all on the patio. They aren't so quite unless you are hard of hearing. Now we will have five, possibly six surrounding our patio. There is sound buffering fencing that they could install along with other measures. Wood slats do not help. You can all come sit on the patio and listen to the home next door with 3 compressors and listen. There is a fence and two layers of shrubbery.

CHAIRMAN LICHTENFELD – The architect may want to consider the sound buffering fence.

GL – Again you're all welcome to listen to the three and then imagine five, possibly six. I think moving it will disturb the cars far less than it will us.

CHAIRMAN LICHTENFELD – Thank you, other comments from the audience on site plan review? Further comments from the Commission.

CAROLYN GAIDIS – I understand what you are saying and appreciate it. It is your quality of life. I think everything they can do to make sure that the noise is not bothering you should be done. I'm not sure what this commission can do about it. But I do think there is sound barrier fences that are used on Forest Park Parkway (not that high) that could be used to buffer that sound more. If people want to be good neighbors and that is really irritating, you it should be considered. I appreciate your comments tonight.

RON REIM – MOTION TO APPROVE WITH STAFF RECOMMENDATION

RICHARD LINTZ – SECOND

CAROLYN GAIDIS – NAY

MOTION APPROVED BY THE BOARD 4-1.

234 CRANDON DRIVE – ARCHITECTURAL REVIEW BOARD – NEW SINGLE-FAMILY

Director Susan M. Istenes summarizes the following staff report: "The 13,297 square foot site is located on the east side of Crandon Drive, between University Drive and Kingsbury Boulevard. The property has a zoning designation of R-2 Single Family Dwelling District and is located in the Clayton Gardens Urban Design District. The proposed project consists of demolition of the existing house and the construction of a 5,240 square foot (not including basement) single-family residence. The height of the proposed residence is 29 feet 9 inches as measured from the average existing grade to the mean height of the roof.

The homes located along Crandon Drive are predominately one-story; however, most new construction infill homes in the area are two stories. Existing homes to the north and east of the subject property are two-stories. The basic massing of the proposed two-story home is articulated on all sides with windows, doors, variations in material and wall offsets. The proposed massing is similar to other new construction homes in the area.

The home to the north (8330 Kingsbury Boulevard) was constructed in 2015 and is +/- 2 feet taller than the proposed home (as measured from the mid-point of each roof). The existing home to the south (230 Crandon Drive) was constructed in 1951 and is +/- 18 feet 9 inches shorter than the proposed home. As required by Section 410.385 of the Clayton Gardens Urban Design District, to avoid tall, blocky building forms, new structures shall incorporate a transition in height and scale through one of six possible techniques. To mitigate height difference to the south, the proposed plan incorporates the strategy of increasing the side yard setback 1 foot for every 5 feet the height of the proposed structure exceeds the height of the adjacent structure. The required side yard setback is 8.7 feet and in order to comply with the mitigation strategy, the proposed house must be setback a minimum of 12.45 feet. The proposed house is setback 21.26 feet from the southern property line, exceeding the requirement.

The immediate area of Clayton Gardens surrounding the subject property features a variety of building materials including red brick, painted brick, stucco and stone. The proposed house features a primary building material of light grey taupe brick with limestone accent bands. Limestone will make up a maximum of 10 percent of the front façade, 5 percent of both side façades and will not be featured on the rear façade. The proposed roof is clad in dark grey fiberglass shingles. Black casement windows are proposed. Staff believes the proposed design and materials are compatible with the neighborhood character.

A 10-foot-wide exposed aggregate driveway is proposed on the south side of the home that leads to an at-grade garage with a stained wood carriage garage door. There is a four-foot-tall painted wood trash enclosure on the south elevation adjacent to the garage. There are two air conditioning units located on the north side of the house which will be screened with a four-foot-tall painted wood fence and five evergreen shrubs.

Retaining walls are proposed along portions of the driveway beginning in the front yard and extending to the side yard. The proposed walls vary in height from 2 inches to 2.5 feet. The proposed brick walls will match the primary building material of the house.

The project as proposed is in conformance with the requirements of the R-2 Single Family Dwelling District, the Clayton Gardens Urban Design District and the Architectural Review Guidelines. Staff is of the opinion that the proposed house is compatible in terms of mass, height, and design with existing nearby houses.

STAFF RECOMMENDATION APPROVE AS SUBMITTED.”

PAUL FENDLER (PF) - APPLICANT

PF – Addresses Board to answer questions and shows samples of the materials.

CHAIRMAN LICHTENFELD – Its very nice and fits the neighborhood.

RON REIM – MOTION TO APPROVE AS SUBMITTED

CAROLYN GAIDIS – SECOND

MOTION UNANIMOUSLY APPROVED BY THE BOARD.

10 NORTH BEMISTON AVENUE – TEXT AMENDMENT – PLANNED UNIT DEVELOPMENT

Director Susan M. Istenes summarizes the following staff report: **“This is the third public hearing to review and consider changes suggested by the public and the Plan Commission at the June 3 Plan Commission and the June 11 Board of Aldermen meeting. Changes to the text are outlined in purple and will be verbally summarized by staff at the June 17 meeting. A sample of the suggested point system for public benefits is included as an attachment for discussion purposes.**

This is a public hearing to solicit input regarding a staff-initiated amendment to Chapter 405 (Zoning Regulations) Article X. Planned Unit Development District. Staff and the City Attorney’s office have identified areas of the regulations that are unclear, contradictory to other code required processes and in general, need updating.

The strikethrough - underline format for proposed code changes is usually preferable in order to be able to easily review and understand proposed changes, however given the number of changes, that format would have made it too difficult for the proposed changes be easily understood. The proposal is to repeal the current Article X. and adopt the new, revised code, a copy of which is provided herein. Note – there are other areas of the Land Use Regulations that will need to be amended to be consistent with the proposed changes. Those will follow this amendment, at a future date.

Staff set out the following goals for the amendment, based on advice from the City Attorney and their own experience in trying to apply the existing PUD regulations.

GOALS:

1. Eliminate the requirement to rezone to a specific zoning district in order to be eligible to rezone to PUD.
2. Clearly identify the permitted uses in a PUD district.
3. Eliminate the need to get an additional Conditional Use Permit for those uses that are allowable only by CUP in the zoning districts once they are identified and thus allowable in the PUD zoning district.
4. Ensure that the PUD rezoning, Site Plan and Architectural Review approval processes are separate and distinct. Detailed site plans are reviewed and approved through the site plan review process and the architectural review process against the standards established by the PUD zoning district.
5. Modify provisions in overlays which require PUDs where the minimum site areas can’t be established (*not part of this amendment*).
6. Eliminate duplicate references to PUDs in each eligible zoning district (*not part of this amendment*).
7. Separate zoning regulations from process requirements.
8. Clarify the minimum eligibility for commercial building size.
9. Distinguish between residential PUDs and Non-residential PUDs (including mixed use).

10. Enhance public benefits section to bring up to date, include references to sustainable practices. Require that a minimum of 5 categories of public benefits are provided.
11. Establish the requirement for a PUD document which will serve as the text for the newly formed PUD district.
12. Enhance the approval criteria section to more closely align with the purpose.

What's new? (new text or requirements does not include relocated text or combined text or minor changes that did not affect the code)

Page 1, Purpose Statement, Section 405.1360.

Number 3 – new - added reference to more greenspace or natural resource protection

Number 6 – new - added greater mix of housing types and mixed use

Number 7 – new - added creating or contributing to neighborhoods that more pedestrian and public transit oriented

Number 9 – new - added reference to the Clayton Master Plan and Downtown Master Plan

Page 2 and 3 General Requirements, Section 405.1370 (section renamed)

B. Renamed Commercial PUD to Mixed Use PUD. A commercial PUD could include a residential component; therefore, it was confusing to have two districts that could have a residential component while identifying one as commercial PUD and one as residential

D. New - added no single use of a mixed-use PUD can consume more than 80 percent of the gross floor area of the principle structure

E. New - added requirement to identify the allowable uses in the PUD by cross referencing the uses allowable in the underlying zoning district

F. New - added for non-residential uses that require a conditional use permit, the applicant for a PUD may apply for a CUP to allow the use in the PUD at the time of rezoning and not have to repeatedly file separate conditional use permit applications after the PUD is approved

G. New- added reinforcing language that a PUD must provide public benefits and cannot be used as a method to avoid existing zoning and subdivision regulations

H. New – clarified the Board has authority to approve the PUD to alter zoning, subdivision and overlay and urban design zoning districts

Page 3 and 4 Public Benefit, Section 405.1380

Combined A and B to make public benefits applicable to all properties instead of those specific to the downtown.

2. New – added benefit to provide or enhance public parks, and park or trail access

4. Added – language allowing for greater housing density as a benefit

5. Enhanced- to identify what is meant by sustainable building design and construction

6. Added/enhanced – specific reference to Green Globes and LEED and noted that participation is satisfactory as opposed to achieving a certification

8. New – added identified property dedication as a public benefit

11. New – added street level garden or plaza as a public benefit
12. New – added access features to public transit facilities as a public benefit
14. New – added open spaces such as patios, grassed areas for the public as a public benefit

Page 4-6 Application Procedure and Plan Requirements, Section 405.1390

- A. New – added requirement for pre-application conference with City staff
- B. New – added requirement that applicant hold a community conference prior to application. Also added new Section 405.1400 outlining the requirements for conference.
- C. New – changed way of how the application is submitted and how the development standards and plans are structured
- D.i. New- enhanced – require applicant coordinate with City at least 6 weeks prior to application for PUD rezoning pursuant to required traffic study
- D.o. New – clarifies that the application submittal shall be in a form prescribed by the City
- E. New – added the city will establish a model PUD document and the applicant’s project information shall comply with the format and content established by the model

Page 7-9 Criteria for PUD Rezoning Approval

Listed criteria were re-written combining some together and eliminating those specific to design standards or review.

3. Added- reference to public access to green areas preserved on site
12. New – added requirement to meet at least 5 categories of public benefits as identified in Section 405.1380 (1-14)
13. New – added

Removed references to architecture and building materials (former number 6). Those items are considered in the Architecture Review Board phase of the project review; not the PUD rezoning.

STAFF RECOMMENDATION IS TO RECOMMEND APPROVAL OF THE TEXT AMENDMENT REVISING THE PLANNED UNIT DEVELOPMENT DISTRICT TO THE BOARD OF ALDERMEN.”

PLEASE REQUEST DRAFT REGULATIONS AS THEY ARE ONLY AVAILABLE IN .PDF FORMAT IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT.

DIRECTOR SUSAN M. ISTENES – GOES OVER REDLINED CHANGES AND ASKS FOR INPUT STARTING WITH LEED CERTIFICATION REQUIREMENTS. (PLEASE REQUEST DRAFT REGULATIONS AS THEY ARE ONLY AVAILABLE IN .PDF FORMAT IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT.

RON REIM – I think we might leave the door open to an equivalent standard because these things are changing to some extent. LEED is the most widely understood and applied currently, but there are other standards out there. I think two Globes is the equivalent to the LEED Silver or in that range. If someone was to come forth and say we propose doing another certification I think we should give them that option but the standard should be the same.

SI – The current Building Codes almost get us there so this isn't much of a leap to accomplish. The BOA is the final decision on the equivalent scale.

CAROLYN GAIDIS – I think having the requirements side by side will help figure out the equivalent.

RICHARD LINTZ – Make sure to clarify that LEED Silver IS the minimum requirement.

STEPHANIE KARR – Given the title “Minimum Standards to Apply for PUD Rezoning”, I would add in the reference to providing the one public benefit as set forth in 405.1380. It sounds like the minimum standards to even apply is that you have to at least the Silver Certification but then I think that you also, before you even apply, need to have the one public benefit.

CAROLYN GAIDIS – Yes, I agree.

JANET WATSON – What we are saying is that to apply for the PUD you must meet LEED Silver Certification, it is not one of the benefits?

SI – Yes, that is correct. There would really be no benefit unless this Board decided to have them get the Certification. So yes, that would be removed as a public benefit.

JANET WATSON – So if they had many public benefits but did not meet that, they could not apply?

SI – Correct.

RON REIM – I'm ok with that.

SI – It would never even come before you if they didn't meet the minimum qualifications for application.

CAROLYN GAIDIS – Will we see the lists you develop for Silver and Green Globes? Will we review that?

SI – Yes, it would become part of the application, so we would forward all of that to you as apart of your packet that you would receive.

Further on down page 3 item G. One of the discussions at the BOA was concerns over that it was abundantly clear that the entertainment district overlay, when new uses came in that they would always have to apply for a CUP even if the location is in a PUD.

Down to Public Benefits – Here is where I changed the text to reflect the discussion of a point system and I would ignore the number (10 pts. 5 pts.) until we decide on what the point system is going to look like. I'm going to leave that for a second because we will get to the point system soon. If we go down the list of public benefits (405.1380) number 4, this came up as a result of conversation at the BOA. Greater housing density and if it is appropriate in certain areas. The Boarded wanted me to make it clear that greater housing density would be a benefit as long as it is appropriate in the location and had greater design standards and results in more affordable housing.

Page 5 numbers 6 (requirement to apply) and 11 (discussion at BOA level, they felt 11 and 2 covered the same thing), 15 (requirement for LEED Silver to apply) were marked out.

Page 7 Item Q was added to make it clear that LEED checklists and documentation would have to be submitted at the time of application.

Page 8 under F and G, Kevin O'Keefe suggested that we want to ensure the site plan and architecture plans are submitted at the time of rezoning so you can see what is proposed overall for development as opposed to doing the rezoning separately and someone coming back later with different site plan and architectural plans

Page 11, number 12 that was to clarify that we will be using the point system for public benefits.

Page 14, D under number 2 major amendments, some discussion at the BOA there was a request to ensure that significant changes to the outside appearance to the building including lighting materials and colors would be considered a major amendment and would have to go back through the Public Hearing process as opposed to being administratively approved.

Going back to the point system, I provided a sample point system. This is a community in Minnesota, they call them amenities instead of public benefits but what they require is that you have to at a minimum at least 10 points. And then for substitutions you need to also provide at least 5 per substitutions. So what I read is if you're asking for a reduction in the front yard setback you have to provide one amenity if you're asking for a reduction in the side yard you have to provide an additional amenity. Each setback would be attached to an amenity.

PUBLIC COMMENTS:

CYNTHIA METCALF – THE PLAZA

I've been here before because I am a member of the committee which has followed Centene from day one. The interest in the development has done nothing but increase. The consequence of the development doesn't bear a resemblance to what we were originally proposed and described by the developer to us. When I read this I read it with that in mind and how can we improve this to make sure the public expectations are met and the developer matches them.

Green Space – The importance of true green space, the psyche and health of people is now well accepted research has proven that it makes a difference if people live near green space. To be very specific on page 2 under definitions open space isn't doing enough. I'm concerned about consistency in definition of open space and what people mean when they say that. Under D all of the examples are green – landscaped areas, parks, play grounds, lawns/yards – in reality, it says plaza or courtyard and those, in the development we've followed, we've seen things called green and they turn out to be hardscaped. What exactly qualifies and doesn't qualify – it needs to be specified. Word matter and people's words and expectations can be different and I think we need to be specific in what is green space. I'm asking for clarity.

CAROLYN GAIDIS – I appreciate your comments. What is open space, what is green space is a conversation I have with my students all the time. Open space is NOT a parking lot which is an argument I get a lot from students, so clarification would be nice.

TERRY CURLY – 139 NORTH CENTRAL

I urge you to proceed carefully and slowly. This is a flurry with all these meetings and changing things and changing agendas. This is a big deal. Page 3, under D, retail restaurant and other non-residential uses shall be located on the ground floor and public entrances of these uses shall front along a major street. My question is when the Entertainment District overlay was approved it was decided that there would be no entrances on Maryland and I am asking to be sure that this is what you told us and this will apply under this new part of this text amendment.

SI – Yes, this doesn't really have anything to do with that. They are two different things. The standards adopted for the Entertainment overlay would be reviewed when a CUP for approval they would have to meet all the requirements in that process. So this doesn't effect that at all.

PETER BARKOFSKE – GRAYBAR ELECTRIC

I think the community conference provision is important. The boundary of the neighbors should be extended I don't think 300 ft. is realistic in a PUD setting. I would ask the boundary be expanded

SI – We've had 300 all along. Our notice requirements are 200. I'm open to a suggestion.

PB – I think 1000 feet would be significant enough. The other comment I would make is that a public benefit – any other public benefit that is determined by the BOA to meet the purpose and objects set forth in 405.1360 which seems to me pretty much do away with the other itemized benefits and gives the board absolute digression to do whatever it wants and I see no reason for that category to be there.

SI – Its not a concise list it's a list of examples. Ultimately there are public benefits we don't think about that could be site specific and that someone could suggest and that you and the BOA would have the opportunity to contemplate and make a decision on if it falls under the intent of public benefit. The it would be also the BOA responsibility to determine how many points it will be worth. That goes to the flexibility to the PUD Ord. We need to retain that flexibility and provide the opportunity that they think might be a public benefit and to be allowed to show that to the BOA and explain why they think it meets our definition of a public benefit. It's not really changing much from what they can do now. Its up to the applicant to come up with public benefits and convince the boards that it meets the intents of the ordinance.

MR. CURLY

My concern it about the new document, the new PUD you're looking at is a much more dynamic document than the PUDs in the past. If we apply to the block just west of here the PUD in place has strict requirements. As a citizen I'm concerned who makes the determination of what is right or wrong in this new document.

SI – The process says the same. Anyone can apply for a PUD and meet the criteria and that hasn't changed other than the addition of the LEED Silver that we added. They still will have to request deviations from our standards and in exchange provide public benefits and the Board will still have to consider their requests for deviations from the standards and line them up with the public benefits and make a determination as to whether or not the project is compatible with surrounding development, meets the intent of the ord, is consistent with master plan and all other ords. In the city. So none of that is really changing. There is a multitude of documents, the mater plan, zoning regs, compatibility analysis, all of the PUD regulations that would have to apply, the public benefit. None of that is changing. There isn't anything different. Under our current regs of the PUD process you're allowed to modify regulations. This doesn't change that it's the same in this as it is in the current. This will more clearly identity those standards that are being modified because they will need to be called out in the PUD document as opposed to plaster3ed onto a site plan that is difficult to read and understand. There will be a table that has what is being requested in lieu of the required standards, these are public benefits, these are what we are requesting deviation from, etc. Relaxation of development standards for overall benefit to the general public is the point of a PUD. It is the responsibility of the developer to do notifications so as long as we set the standard they are required to follow it.

RON REIM – MOTION TO CONTINUE TO THE NEXT MEETING

CAROLYN GAIDIS – SECOND

ALL - AYE

HAVING NO FURTHER BUSINESS BEFORE THE COMMISSION, THE MEETING WAS ADJOURNED AT 8:00 (20:00).

Recording Secretary