

**MEETING MINUTES OF THE
PLANNING & ZONING COMMISSION
TWIN OAKS, ST. LOUIS COUNTY, MISSOURI
MONDAY, NOVEMBER 7, 2016**

The Planning and Zoning Meeting was called to order at 6:32 p.m. in the Twin Oaks Village Hall, 1393 Big Bend Road, Suite F, Twin Oaks, Missouri. Roll call was as follows:

Members: Roger Loesche, Chairman - yea Dan Wheeler-yea
 Frank Venturella - yea Pat Kelley - yea
 Ray Slama - yea April Milne - yea
 Lisa Eisenhauer –Board Liaison - yea

Also Present: Kathy A. Runge, Village Clerk/Administrator
 Paul Rost, Village Attorney
 John King, Attorney, Lathrop & Gage
 Paul Stefanski – Project Architect (Zwick and Gandt)
 Stephen Cullum – Propper Construction Services
 Gene Holtzman – Hutkin Development

APPROVAL OF THE AGENDA

Chairman Loesche asked for a motion to approve the agenda. Member Venturella made the motion to approve the agenda seconded by Member Kelley. Motion passed with the unanimous consent of the Commission.

OLD BUSINESS

- A. Consideration of Application by Haley Holdings Seven LLC for Rezoning of property known and numbered as 1310-1366 Big Bend Square Shopping Center from “C” Commercial to a Mixed Use Planned Development (“PD-MxD”) pursuant to Article IX “PD-Planned Development District” of the Twin Oaks Zoning Code and approval of a Preliminary Development Plan submitted thereunder.**

Chairman Loesche stated that there had been quite a bit of information to digest from the last meeting. He stated that he had thought about the pros and cons of the project and wanted to ask the commission for their opinion.

Member Slama stated that the Village had been looking at this site for many years. He stated that the increase in population was a big factor to many people; with an increase in population, there could be an increase in expenses, such as police calls, etc. He added that he didn't feel there would be much impact on the fire department or school district. He stated that he felt traffic was not an issue. He liked the idea of the lighting extension and to

him, the parking looked sufficient. He stated that he regretted that there would not be a change to the detention area but was hoping it would be upgraded and filtered properly. He stated he was happy to go forward.

Member Eisenhower stated that the 1.5 car parking allotment did not seem realistic because it left nothing for visitor or staff parking. She felt with the cost of the units, there would be two persons, not one, in a single apartment. She added that 5 stores seemed too tall for the building. She also wondered if the additional revenues from the retail would cover the police contract sufficiently if additional officers were needed. She stated she had an issue with doubling the population with normally transient-type people who rented; she would prefer a development that would appeal to people staying for a longer time. She stated that overall she was uncomfortable.

Member Milne stated that the empty Schnucks building was a blight on the community. She stated that if the Village missed this momentum, it could be left behind. She stated that she thought the development was attractive and enhanced the area; she liked the walkability and the town center feel. She stated she had been concerned about doubling the population before but Mr. Breece had responded to her initial concerns. She added that it would be different if the rents were comparable to the surrounding area but this development was attracting more young professionals.

Member Kelley stated that he was glad to see the upgrade of what existed in the Village - it couldn't get much worse than what it was. He stated that the size was less of a concern as it would be located in a depressed area next to Big Bend. He stated that traffic was not an issue. He stated that increasing the population was an issue. He stated he liked the additional retail and liked the local aspect and the walkability but what he didn't like was that there was no tie-in to the other residential areas in the Village and no planning for safety for walkability from the residential areas. He ended by saying that he felt the developer was well prepared and it was well presented.

Member Wheeler stated that he felt at a disadvantage not being at the last meeting and wanted to know if the questions he submitted were answered. Clerk Runge stated the minutes would reflect the answered questions and she would send the draft to Mr. Wheeler to review. He asked if the fire district approved the plan. Paul Stefanski, stated that the fire department had already approved it. He asked about permeable asphalt. Chairman Loesche stated that the surface footprint had not changed. Member Milne added was added green space and less hard surface. Member Wheeler stated that he was not excited about tall buildings but he felt it was an opportunity the Village should take advantage of.

Member Venturella stated he had concerns but questions were answered. He stated he liked the walkability of the project. He stated that the fact they were investing 43 million into the project was a plus. He stated that the population increase was not a concern to him as apartment residents usually didn't get involved in government. He also didn't see that the extra population would warrant an additional officer. He stated that he felt it was a positive for the Village and community.

Chairman Loesche stated that he was convinced this decision was the single most important issue the village had faced since he had lived in Twin Oaks. He stated he was not concerned about more population and crime was not a worry. He stated that the walkability was nice but only to those that would live within the complex. He stated he did not like the traffic impact nor a 5-story building. He also stated he didn't like the "take it or leave it" attitude; no options, no choice, and no input. He stated that there were no concessions and that left him cold. Lastly, he stated that there was a rush for this type of apartments but later the rents could go lower bringing lower quality renters and lower retail.

Gene Holtzman stated that he never meant to give the impression of "take it or leave it". He stated that Hutkin had tried to take information from the Village through the years to bring something economically viable.

After discussion, Member Wheeler made a motion to recommend approval of the request by Haley Holdings Seven LLC for Rezoning of property known and numbered as 1310-1366 Big Bend Square Shopping Center from "C" Commercial to a Mixed Use Planned Development ("PD-MxD") pursuant to Article IX "PD-Planned Development District" of the Twin Oaks Zoning Code and the Preliminary Development Plan submitted thereunder, with the following conditions:

1. Provide the Board of Trustees with evidence of parking ratios for similar mixed use developments to ensure the 1.5 spots per residential unit is sufficient parking for tenants and guests;
2. Bond or Letter of Credit insuring completion of public and quasi-public improvements (landscaping, "park," stormwater system (unless MSD requires bond), internal drives, sidewalks, removal of curb cut at northwest corner, etc.) (per §400.355(C)(3));
3. Village should have BFA review proposed design of the storm water system for any recommendations and Village shall require developer to have an agreement with MSD for ongoing maintenance of water quality and control systems;
4. To allow pedestrian access to the sidewalks along Big Bend from the development, install a sidewalk connection at removed curb cut at northwest corner and install new sidewalk along Big Bend where entrance area was removed;
5. Remove and replace chain-link fence along Big Bend on north side of property along wall – wrought iron other ornamental fence (preferably match fencing on DESCO development across the street); provide a copy of maintenance agreement with St. Louis County if in right-of-way;
6. Continue along north property line ornamental lamp posts matching Big Bend-141 intersection;
7. Include irrigation for all landscaping associated with development;

8. Establish a separate property maintenance fund in favor of the tenants with a sufficient balance that shall be kept in the fund which will be used only for annual maintenance of all “common elements” and provide Village annually a financial report showing fund balance;
9. Sight-proof fence along southern boundary shall be a high-quality materials and appearance and shall be kept in good repair at all times;
10. Any future buildings on or re-development of the “Future Outparcel Building” in the northeast corner of the site shall be subject to the development plan approval process and architecture, design and appearance shall be compatible with that approved by this redevelopment plan AND shall be labeled “future retail or restaurant” and limited in use to those uses;
11. Add dedicated drive lane behind the retail for access to Meramec Station Road for apartments with appropriate signage for direction and consider possible use of PNC site for direct access to Meramec Station Road for residents; and,
12. Landscaping should be consistent with Village’s offsite landscaping improvements at Big Bend and 141 and should be reviewed by Village’s landscaping consultant for recommendations for cohesive design and plantings.

The motion was seconded by Member Milne, and motion passed 6-1 as follows: Chairman Loeshe – yea, Members Slama-yea, Eisenhauer-nay, Milne-yea, Wheeler-yea, Kelley-yea, Venturella-yea.

Member Eisenhauer made a motion to recommend to the Board of Trustees that (1) the applicant Haley Holdings Seven LLC submit a request pursuant to §400.355.E.2 for modification to the underlying zoning regulations requiring “[a]ll uses ... shall be conducted entirely within an enclosed building or structure” (§400.310) to allow outdoor seating and dining for restaurants within the development AND that (2) the Board approve such modification. The motion was seconded by Member Milne and motion passed 7-0 as follows: Chairman Loeshe -yea, Members Slama-yea, Eisenhauer-yea, Milne-yea, Wheeler-yea, Kelley-yea, Venturella-yea.

B. Consideration of Application by Haley Holdings Seven LLC for a Conditional Use Permit pursuant to §400.390 of the Twin Oaks Zoning Code for property known and numbered as 1310-1366 Big Bend Square Shopping Center to allow Apartments as a permitted use on the Property.

After the above discussion and based on the recommendation for approval under Item A above, Chairman Loesche made the motion to recommend approval of the application for a Conditional Use Permit pursuant to §400.390 of the Twin Oaks Zoning Code to allow Apartments, seconded by Member Slama, and motion passed 6-1 as follows: Chairman Loeshe - yea, Members Slama-yea, Eisenhauer-nay, Milne-yea, Wheeler-yea, Kelley-yea, Venturella-yea.

NEW BUSINESS

There was no new business to consider.

MISCELLANEOUS

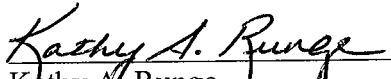
There were no miscellaneous subjects to discuss.

ADJOURNMENT

Member Slama motioned to adjourn the meeting at 8:25 pm, seconded by Member Eisenhauer. Motion passed with the unanimous consent of the Commission.

Date of Approval: 1-24-17

ATTEST:


Kathy A. Runge
Village Administrator/Clerk


Roger Loesche, Chairman
Planning & Zoning Commission