



AGENDA
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
WEDNESDAY, SEPTEMBER 8, 2021
6:30 PM

Pursuant to Section 610.022 RSMo, the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. and/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

This meeting will be held in-person at the Creve Coeur Government Center, 300 North New Ballas Road, Creve Coeur MO 63141. Due to the COVID-19 pandemic, masks are required to be worn for all attendees. Reports, documents, plans, and related materials are available for examination at the Creve Coeur Government Center, 300 North New Ballas Road, prior to the meeting.

Special disabled service may be arranged by contacting the Office of the City Administrator in advance.

CALL TO ORDER

ROLL CALL

Mr. Gene Rovak (Chair)
Ms. Muriel Hall
Mr. James Myers
Mr. Larry Potashnick
Mr. Todd Streiler
Ms. Julie LaBonte
Mr. AJ Wang

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, Director of Community Development
Ms. Jessica Stutte, Planning Assistant/Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES**1. August 16, 2021 Planning and Zoning Draft Meeting Minutes****PUBLIC COMMENT**

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

(None)

NEW BUSINESS**1. Application #21-024: Minor Site Plan for a Six-Foot Tall Sight-Proof Wood Fence Within the Front Yard Setback Equivalent Along Emerson Road for the Property Addressed 11982 Emerald Green Drive**

Katie Tuttle, homeowner of 11982 Emerald Green Drive, has submitted an application for a six (6) foot tall sight-proof wood fence to replace the existing wood fence in the same location and style. The proposed fence will be located within the area equivalent to the front-yard setback and adjacent to the Emerson Road right-of-way. The subject property is zoned B Single Family Residential which has a front yard setback of 45 feet. The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless approved by site development plan by the Planning and Zoning Commission.

WORK AGENDA

(None)

DEPARTMENT REPORTS

Director of Community Development

ADJOURNMENT

Posted: _____

Jason W. Jaggi
Director of Community Development



DRAFT MINUTES
PLANNING AND ZONING COMMISSION MEETING
CITY OF CREVE COEUR, MISSOURI
MONDAY, AUGUST 16, 2021
6:30 PM

CALL TO ORDER

Mr. Gene Rovak called the meeting to order at 6:31 PM.

ROLL CALL

AJ Wang	Commission Member
Julie LaBonte	Commission Member
Gene Rovak	Chair/Commission Member
Muriel Hall	Commission Member
Larry Potashnick	Commission Member
James Myers	Commission Member
Todd Streiler	Commission Member

The following staff were also present: Stephanie Karr, Acting City Attorney; Jason Jaggi, Director of Community Development; and, Jessica Stutte, Planning Assistant/ Recording Secretary.

ACCEPTANCE OF THE AGENDA

Mr. Potashnick made motion to accept the agenda. Ms. LaBonte seconded. All in favor.

APPROVAL OF MINUTES

1. August 2, 2021 Planning and Zoning Commission Draft Meeting Minutes

Mr. Potashnick made a motion to accept the minutes. Ms. LaBonte seconded. All in favor.

PUBLIC COMMENT

Mr. Kartas requested the volume be turned up so all could hear.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Application #21-023: a Preliminary Plat for the Subdivision of a 0.74 Acre Lot at 629 Graeser Road into Two Lots

Mr. Eric Vietmeier, of Volz Inc., explained the request to split the lot and build two homes. He explained why both driveways would not be located on Graeser Lane.

Mr. Jason Jaggi went over the request. He said both lots meet the minimum zoning requirements for the C-single family residential district. He said there would be a stormwater plan put in place to mitigate water. He spoke about the tree removal ordinance. He spoke to sidewalks and said as there is currently no sidewalk, one would not be put in. He said the applicant was providing a 10-foot easement in the event sidewalks were installed in the future.

Mr. Rovak asked if the runoff was being looked at together or separately.

Mr. Jaggi said they would be looked at separately and again in the building permit review process.

Mr. Tony Kartas said it had been 40 years since he last stood before the committee. He said he had a history of environmentalism. He asked how much carbon dioxide was being added as a result of this proposal. He asked the commissioners to consider the environment.

Ms. Lynn Berry said she was speaking for herself and her husband Henry Clouse. She said she has two issues with the proposals and showed a slide showing where the proposed homes were in relation to hers. She said she was concerned about the garage and car lights that would hit her home. She gave some suggestions on how to address the lights from the garage. She said Graeser Rd was dangerous as was the proposed drive on Graeser Lane. She said there was not enough room for cars to pull in and out of the driveways safely.

Mr. Rovak asked Mr. Jaggi if they were dealing with more than a lot split. Mr. Rovak said he was not sure they could address the issues brought forward as that was not what was under review.

Mr. Jaggi said the proposal was to review the lot split, tree conservation, etc. He said they reviewed the curb cut with the Public Works department and they did not have any concerns.

Mr. Streiler asked about site distance for the driveway.

Mr. Jaggi said they did not have a requirement because there was not an ordinance prohibiting access. He gave some examples of other nearby lots that had driveway access from Graeser Rd.

Mr. Rovak said the time to talk about the tree ordinance is when the tree ordinance is under review. He said they cannot change it for each property or proposal.

Mr. Henry Clouse said he was concerned about the topsoil. He wants to ensure the trees are not compromised.

Mr. Kartas spoke to the curb cut. He said the house Mr. Jaggi was referring to was there prior to the curb cut.

Mr. Potashnick made a motion to approve subject to the conditions in the staff report, Mr. Wang seconded. All in favor.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Potashnick, Commission Member
SECONDER:	AJ Wang, Commission Member
AYES:	Wang, LaBonte, Rovak, Hall, Potashnick, Myers, Streiler

WORK AGENDA

None

DEPARTMENT REPORTS

Mr. Jaggi said the next meeting will be Wednesday, September 8th.

ADJOURNMENT

Mr. Potashnick made a motion to adjourn. All in favor.



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO PLANNING AND ZONING COMMISSION
#21-024: MINOR SITE PLAN FOR A FOR A REPLACEMENT SIX-FOOT
TALL SIGHT-PROOF WOOD FENCE WITHIN THE FRONT-YARD
SETBACK EQUIVALENT ALONG
EMERSON ROAD FOR THE PROPERTY ADDRESSED AS 11982 EMERALD
GREEN DRIVE

FOR THE MEETING OF: Wednesday, September 8, 2021

SUBJECT PROPERTY LOCATION: 11982 Emerald Green Drive., zoned B Single Family Residential.

REQUEST: Katie Tuttle, homeowner of 11982 Emerald Green Drive, has submitted an application for a six (6) foot tall sight-proof wood fence to replace the existing wood fence in the same location and style. The proposed fence will be located within the area equivalent to the front-yard setback and adjacent to the Emerson Road right-of-way. The subject property is zoned B Single Family Residential which has a front yard setback of 45 feet.

ADDITIONAL INFORMATION: The City of Creve Coeur's Zoning Ordinance Section 405.640 (C) *Fences Within The Front Yard Section And Along Street Right-Of-Way* states that no fence shall be located within the front yard setback or along street right-of-way, within the area equivalent to the front yard setback of the applicable zoning district, unless approved by site development plan by the Planning and Zoning Commission. City Council action is not required.

Key Issues:

- Does the request integrate with the existing surrounding uses?
- Does the request further or implement the goals of the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

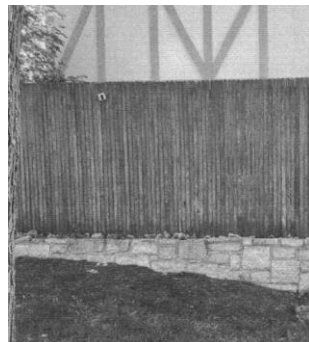
Creve Coeur 2030 References

- Estate Neighborhood 1 (ER1)
- Design Guidelines

Zoning Code References

- Section 405.260: B-Single Family Residential
- Section 405.640: Fences and Walls
- Section 405.1080: Site Concept, Site Development, and Minor Site Plan Approval

APPLICANT/ Katie Tuttle
PROPERTY OWNER: 11982 Emerald Green Drive
 Creve Coeur, MO 63141



REPORT PREPARED BY: Jason W. Jaggi, AICP, Director of Community Development

DATE: 9/1/2021

ATTACHMENTS: Applicant's Materials received 8/6/2021

Attachment: 21-024.11982 Emerald Green Fence.Staff Report.9-8-2021 (11982 Front Yard Fence)

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Single family residence	B Single Family Residential	Emerald Green Drive
South	Single family residence	B Single Family Residential	NA
East	Single family residence	B Single Family Residential	Emerald Green Court
West	Emerson Road R-O-W	N/A	NA

BACKGROUND

The Applicant submitted a fence permit application on July 30, 2021 to replace an existing 6-foot-tall solid wood fence that encloses the backyard and also serves as a pool safety barrier. The fence is adjacent to the Emerson Road right-of-way and would be replaced in its entirety. As such, the homeowner was notified that Planning and Zoning Commission review and approval is required prior to the issuance of a fence permit. A minor site plan application for P&Z review was submitted on August 2, 2021.

FENCE PLACEMENT AND DESIGN

The proposed fence will replace the existing fence in the same location and will represent a similar style. The fence will be 6-feet in height and a sight-proof wood design. The placement of the fence will project slightly beyond the front of the existing house and detached garage on the north side within the yard area adjacent to Emerald Green Drive and portions of it are placed on top of a small retaining wall. On the side facing Emerson Road, the fence will be placed near the property line parallel to the roadway and will continue along the south property line terminating at the back corner of the house. There is extensive landscaping on the outside of the fence along Emerson Road consisting of mostly mature pine trees. The subdivision was originally platted in 1962 and is zoned B Single Family Residential with a 45-foot front yard setback along the street frontages.

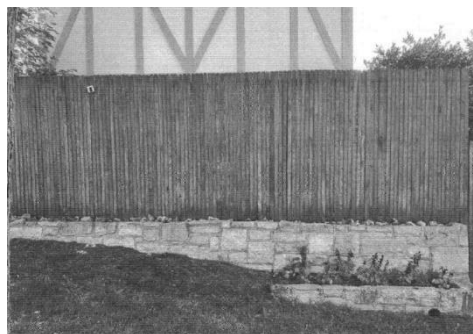
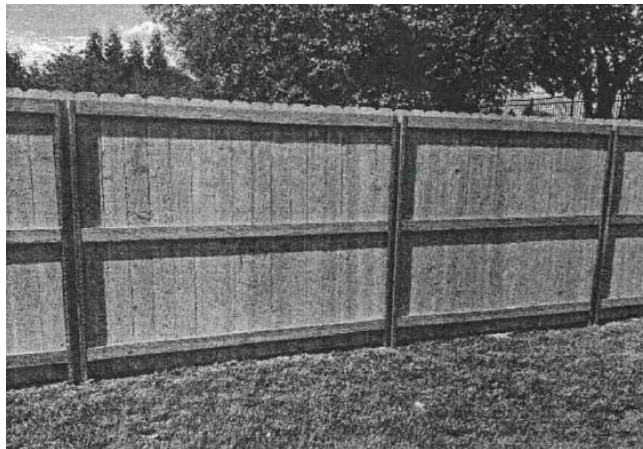


Figure 1: Images of Applicant's existing fence and Site Plan



Figure 2: View of pine trees which screen the fence from Emerson Road (Google Maps, 2014).

ANALYSIS

The Zoning Code provides standards for evaluating requests for fences within the front setback under Section 405.640 Fences and Walls:

- A. *Height Of Fences And Walls.* No fence or wall shall exceed six (6) feet in height unless specifically approved by the Planning and Zoning Commission in consideration of a unique screening problem.
- C. *Fences Or Walls Within The Front Yard Section And Along Street Right-Of-Way.* A fence may project within the area equivalent to the front yard setback of the applicable zoning district, when clearly to the side or rear of the home, provided that such fence is setback at least fifteen (15) feet from the property line, no more than four (4) feet in height, and is an open slatted decorative metal fencing, similar in style for swimming pool enclosures as provided in Subsection (D).
Walls, entry columns, gates and [other] fence designs within the front yard setback or the area equivalent to the front yard setback shall be subject to site development plan approval in accordance with Section 405.1080.
- F. *The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view. Fences with a shadowbox design shall be considered to hide support posts.*
- G. *Fence materials shall be wood or metal style fencing. The design, color and material of the fence shall be complementary or shall match the principal structure on the property. Solid sight-proof, white vinyl fences are prohibited; Vinyl fencing may be permitted provided it maintains a natural wood color and/or dark color or style. Except as otherwise provided herein, raw metal chain link fencing is prohibited for all residential development, but dark coated fencing is allowed.*

The *Creve Coeur 2030* Comprehensive Plan includes general recommendations for residential neighborhoods to preserve the character and property values of existing neighborhoods (p. 64). The subject property is within the Estate Neighborhood 1 (ER1) where the vision is of medium-sized lots with stately homes in quiet enclaves. Homes should be architecturally harmonious and built to a consistent setback from the street. Streets should be short and terminate in cul-de-sacs or circles to create small, secluded neighborhoods, and sidewalks should be built on one side. Curvilinear streets can be used to preserve geographic features and views.

The Design Guidelines provide further direction for review of fences with the following:

Design Review Guidelines: F. Screening (Fences and Walls)

1. All new sound walls, masonry walls or fences are to be designed to minimize visual monotony through changes in plane, height, material, texture or significant landscape massing.
2. The design of fencing, sound walls, trash enclosures, and similar site elements is to be compatible with the architecture of the main buildings and should use similar materials.
3. All fencing should be designed as an integrated part of the site, rather than as a separate fence, such as a planter wall or continuation of an architectural wall feature.
5. In highly visible public areas where fencing is needed, decorative fencing is encouraged. (p.18-19)

Further, the Design Guidelines recommend the use of natural “green” materials, and discourage the use of synthetic, and highly reflective materials. The style of the fence is consistent with the City’s Design Guidelines in that it is a natural wood material. The fence at 6-feet in height would replace an existing fence with the same design and height as existed previously. In this setting, adjacent to Emerson Road and also Interstate 270, staff finds that the 6-foot height privacy fence to be a reasonable request and consistent with prior approvals by the Commission. Further, the existing mature pines and other vegetation is proposed to remain and is effective at “softening” the appearance of the fence from the roadway. Staff recommends that the fence should be constructed to comply with the design regulation that requires the finished side to face outward and that the existing vegetation be maintained and if removed in the future, that replacement trees be provided with approval by staff.

CONCLUSION AND ACTION

If the members of the Planning Commission find the applicant's reasons for the fence location, height, and design sufficient, it can be approved as proposed. If the Commission has concerns with this request further direction to the applicant would be appropriate. Staff recommends the following conditions be included with any approval of this request:

1. The Applicant is required to obtain approval of a fence permit from the Department of Community Development prior to installation of the fence.
2. The horizontal and vertical support posts must be inside of the fence area or otherwise hidden from both the neighbor's and general public's view as required by Section 405.640.F.
3. The existing vegetation adjacent to Emerson Road shall be maintained in association with the construction of the replacement fence. Any future removal of these trees shall require replacement to be approved by the Zoning Administrator.

MOTION

The motion for the fence along the street right-of-way of Emerson Road and Emerald Green Road as shown in the submitted site plan will be in the form of approval, approval with conditions, or deferral. City Council action is not required.

The following is an example motion for this application:

"I move to approve the site plan for a 6 foot-tall, solid wood fence to be located adjacent to the street right-of-way of Alden Lane and Emerald Green Drive for the property addressed as 11982 Emerald Green Drive subject to the conditions contained in the Staff Report for the meeting of September 8, 2021." (Modification or revisions may be included by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL MAP



Attachment: 21-024.11982 Emerald Green Fence.Staff Report.9-8-2021 (11982 Front Yard Fence)

APPENDIX 4: SITE PHOTOGRAPHS		Photo Dates: 09/01/2021
		Description: View looking south along Emerson Green Rd. from the side of the home
		Description: View looking East at the existing vegetation along Emerson Road.

	Description: The side yard portion of the existing fence as viewed from Emerson Road.
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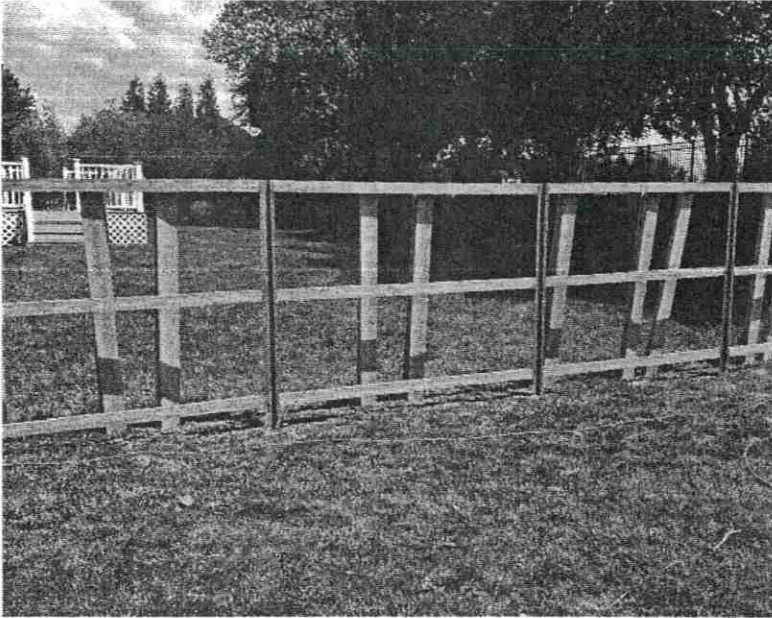
Fence to
replace
existing privacy
fence.
It will be placed
in the same
location.

Attachment: Applicants Material (11982 Front Yard Fence)

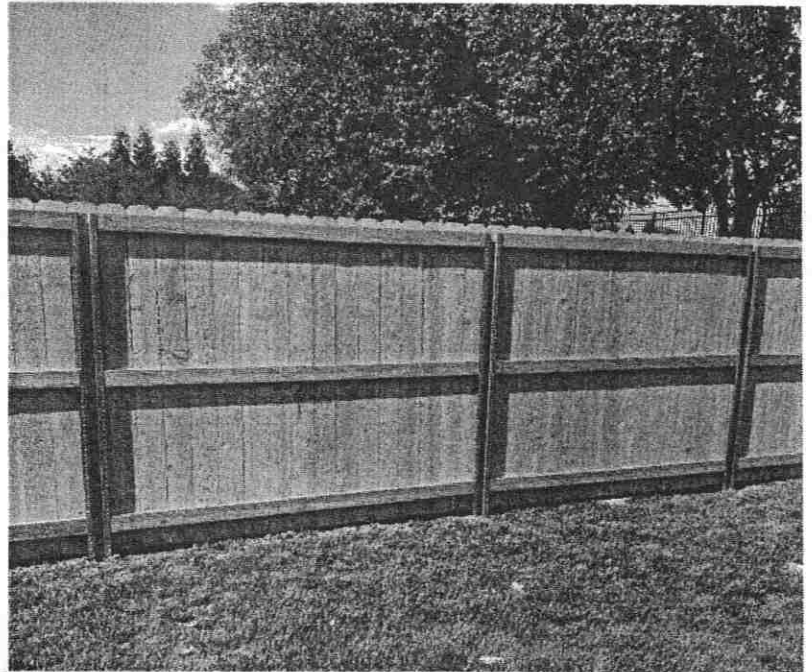
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JUL 30 2021

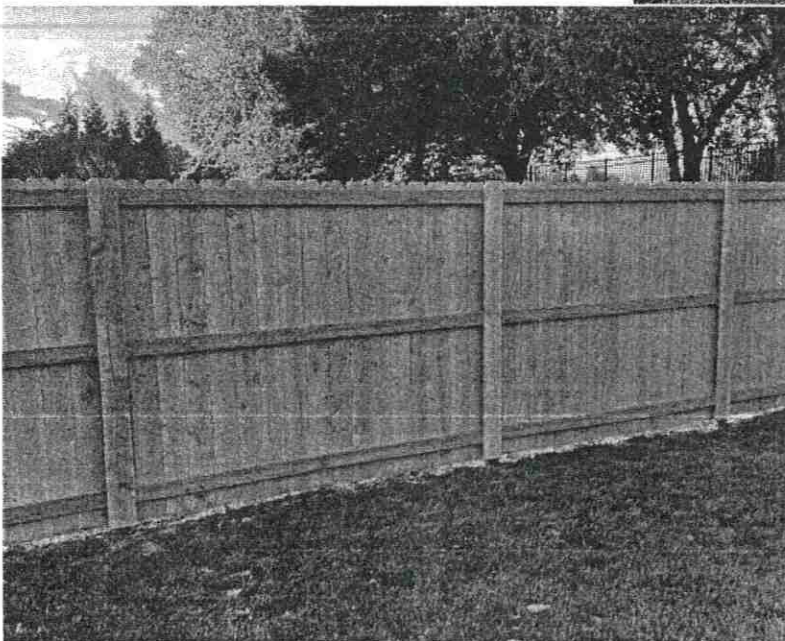
C.C. Public Works



Fence will
replace existing
fence that
goes around the
pool area/backyard.



Attachment: Applicants Material (11982 Front Yard Fence)



Douglas Fir 6'
privacy fence

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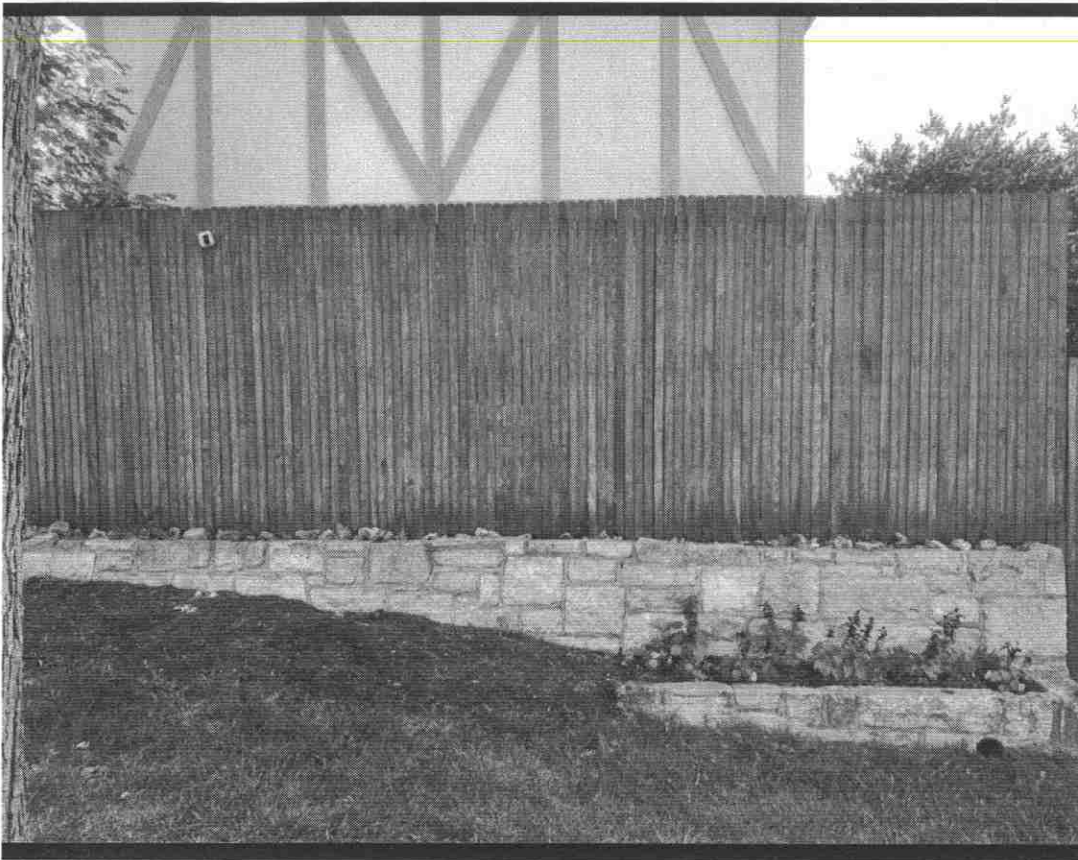
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C.C. Public Works



Attachment: Applicants Material (11982 Front Yard Fence)

Views from inside the fence



View from
Emerald
Green
Dr.



View
from
Emerson
Rd

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AUG 06 2021
PLANNING DEPT.

Attachment: Applicants Material (11982 Front Yard Fence)



Trustee Approval

Address: 11982 Emerald Green Drive

Subdivision: Emerald Green Estates

I confirm that I have seen the proposed plans for the aforementioned address and they meet our Subdivision guidelines and have my approval as a Trustee.

A handwritten signature in black ink, appearing to be "RJ [unclear]", written over a horizontal line.

Trustee Signature

Trustee Signature

Attachment: Applicants Material (11982 Front Yard Fence)

RECEIVED

JUL 30 2021

C.C. Public Works