

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Public Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, February 4, 2016



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, February 4, 2016 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV), **Councilmember Barbara McGuinness** (Ward I), and **Councilmember Dan Hurt** (Ward III).

Also in attendance were: Councilmember Barry Flachsbert (Ward I); Councilmember Bruce DeGroot (Ward IV); Harry O'Rourke, Interim City Attorney; Planning Commission Chair Stanley Proctor; Mike Geisel, Director of Public Services; Jim Eckrich, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; Jessica Henry, Project Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 21, 2016 Committee Meeting Summary

Councilmember McGuinness noted a correction to page 7 of the minutes whereby "Commissioner McGuinness" should be changed to "Councilmember McGuinness."

Councilmember Hurt made a motion to approve the Meeting Summary of January 21, 2016 with the above noted correction. The motion was seconded by Councilmember Fults and passed by a voice vote of 3-0.

II. OLD BUSINESS

A. Reimbursement of Expenses for Snow Removal on Private, Gated Streets

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, summarized by stating the Committee previously considered this topic. Staff was unsuccessful in obtaining an Attorney General opinion on this issue as the City does not have a "qualified" individual to ask for such an opinion. At this point, Staff is asking for further direction from the Committee on how to proceed.

Discussion

Councilmember Hurt stated he would still like to pursue reimbursement even after hearing both sides of the issue and is prepared to make a motion to change the policy to include gated private streets. He noted that residents in gated communities are taxpayers too and he thinks they should have the same benefit as residents living on non-gated, private streets.

Councilmember Hurt made a motion to extend partial reimbursement of expenses for snow removal to subdivisions with private, gated streets. The motion was seconded by Councilmember McGuinness.

Discussion on the Motion

In response to Mr. Eckrich's question, Councilmember Hurt stated he is willing to increase the annual allotment and asked what it should be. Mr. Eckrich explained that under the parameters of the current program, the City reimburses 45 subdivisions with 25.3 miles of non-gated private streets at an annual reimbursement of approximately \$162,000. There are 21 gated subdivisions with 14.9 miles of private streets. Based on the current formula, if these subdivisions were reimbursed, an additional \$101,000 would be needed.

In response to Councilmember McGuinness' question, Mr. Eckrich stated there are an additional 12.7 miles of non-gated private residential streets that are eligible for reimbursement but for some reason have not previously requested reimbursement. Councilmember Hurt suggested increasing the reimbursement pool by \$50,000 or \$70,000 instead of \$101,000 as not all eligible subdivisions participate in the reimbursement program. Mr. Eckrich stated that in his opinion, the Policy should account for all of the gated subdivisions as they all might request reimbursement. Otherwise, the formula for reimbursement must re-calculated to reflect the amount Council is willing to authorize. The City currently budgets a certain amount for reimbursement. If a non-participating eligible subdivision decides to participate, they may do so and the allocation is increased. Mr. Mike Geisel, Director of Public Services, pointed out that when the program was initiated, it was always "*subject to available funding.*" So regardless of whether the policy is changed to add gated, private streets, the Policy still says "*subject to available funding.*"

There was further discussion related to how and when to change the Policy and whether the annual allocation should be included in the Budget. After deliberating on the matter, it was the consensus of the Committee that this matter should be revisited when all four members of the Committee are in attendance. Mr. Geisel stated there was no immediate need to act now, as any change could not be incorporated until the next snow season. Councilmember Hurt withdrew his motion and Councilmember McGuinness withdrew her second.

Chair Fults and Councilmember Flachsbart expressed their concern as to whether the City can or should provide reimbursement for gated, private streets.

Since Councilmember Nations was not present for the discussion, the Committee agreed to hold this item until the next meeting.

III. NEW BUSINESS

- A. P.Z. 12-2015 Warwick on White Road (1050 and 1060 White Rd.):** A request for a zoning map amendment from a "NU" Non-Urban District to an "R-2" Residence District for an 8.31 acre tract of land located southeast of the intersection of White Road and Greentrails Drive (18R620266 and 18R340902).

STAFF REPORT

Jessica Henry, Project Planner, presented the project request for a zoning map amendment from the "NU" Non-Urban District to the "R-2" Residential District for an 8.31 acre tract of land that currently contains two single family homes. As this is a conventional zoning district, neither a preliminary plan nor an Attachment A are required. However, the Applicant did provide an Alta

Survey illustrating the existing improvements. If approved, permitted uses for the site will be as specified in "R-2" Residential District regulations.

A Public Hearing was held at the January 11, 2016 Planning Commission Meeting where the following issues were discussed:

1. Stormwater runoff;
2. Buffering/privacy for existing and adjacent residents; and
3. Tree preservation.

The above items were further discussed at the Planning Commission vote meeting on January 25th. Since the above concerns will be dealt with during Site Plan review, the change of zoning was unanimously approved by the Planning Commission.

Discussion

In response to Councilmember Hurt's question, Ms. Henry explained access to the site and stated that during the site survey, a 9.5 foot strip of land was found that belonged to the parcel adjacent to 1060 White Road.

PLANNING COMMISSION REPORT

Planning Commission Chair, Stanley Proctor, stated there were three main concerns discussed - 1) drainage, 2) loss of privacy, and 3) preservation of three Monarch trees and the grove of Walnut trees on the site. As discussed in the meeting, drainage will be in accordance with the City's standards and MSD's standards. The privacy issue will be addressed by the addition of landscape buffering. With regard to tree preservation, the Developer will make every possible effort to preserve the trees in question. Mr. George Stock, Stock and Associates, met with several of the property owners to discuss the proposed plan. Therefore, the Planning Commission unanimously approved the rezoning.

Chair Fults asked how many homes will be built on the two lots. Ms. Henry replied there is a minimum size of 15,000 sq. ft. in the "R-2" District. However, on the application, the Petitioner stated they are proposing 10 homes. Staff believes the property can accommodate approximately 10 to 14 homes while still meeting all requirements.

Chair Fults expressed her concern with lot 1048 becoming land-locked. Mr. George Stock stated that lot would not be land-locked. They will dedicate public right of way through the proposed site and there is also a 50-foot easement on that property that will tie into the public street.

Homeowners from the Conway Ridge subdivision had expressed concern with the stormwater drainage and Mr. Stock further explained how redevelopment of the property will alleviate their problem.

In response to Chair Fults' question, Mr. Geisel confirmed the Developer has to meet all of the City's standards.

Regarding keeping the residents informed, Ms. Henry stated residents are welcome to come into the office any time to review the plan with City Staff. Mr. Stock indicated he has been meeting with two of the residents in the Conway Ridge subdivision throughout the approval process.

Mr. Stock further discussed resident concerns regarding tree preservation and privacy issues. In response to Councilmember Flachsbart's question, he stated the so called "finger" of land along lot 1048, will become common ground.

Note: *Councilmember Bridget Nations (Ward II) arrived at 5:52 p.m.*

In response to Chair Fults' question regarding assurances that the residents' concerns are addressed, Ms. Aimee Nassif, Planning and Development Services Director, explained the review process and the Council's ability to call Power of Review for any project. If Power of Review is called for this project, it would then come before this Committee for review before being forwarded on to City Council for a final vote.

Councilmember McGuinness made a motion to forward P.Z. 12-2015 Warwick on White Road (1050 and 1060 White Rd.) to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed** by a voice vote of 4-0.

**Note: One Bill, as recommended by the Planning Commission, will be needed for the February 17, 2016 City Council Meeting.
See Bill #**

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on P.Z. 12-2015 Warwick on White Road (1050 and 1060 White Road.)]

B. City Representation on the Monarch-Chesterfield Levee Board

STAFF REPORT

Mike Geisel, Public Services Director, stated that at the previous Planning and Public Works Committee meeting, the Committee asked whether there was City representation on the Monarch-Chesterfield Levee District Board. There is not currently a Board position available, however, a position is expected to become available in the near future. If the City desires to have voting representation on the Board, then Council must designate an individual to represent the City.

Discussion

Councilmember Flachsbart commented that since St. Louis County owns most of the land within the Levee District and, therefore, has the most votes, he questioned why the City would want to appoint anyone. Mike Geisel, Director of Public Services, responded by saying currently the City can attend any Board meeting, but cannot vote and is excluded from any Executive Session. Even though the County has the most votes, he feels it would be advantageous for the City to be represented on the Board.

Further discussion ensued regarding whether it was best to designate a specific individual by name or designate a specific "position" within the City. It was decided to name Mike Geisel as City representative.

Councilmember Hurt made a motion to delegate Mike Geisel as a City representative on the Monarch-Chesterfield Levee District when a position becomes available. The motion was seconded by Councilmember McGuinness.

Discussion on the Motion

In order to allow the City some flexibility, Chair Fults suggested naming Mr. Geisel and adding “or his designee” to which the majority of the Committee agreed.

Councilmember Hurt amended his motion as follows: A motion to delegate Mike Geisel, or his designee, as a City representative on the Monarch-Chesterfield Levee District when a position becomes available. The motion was seconded by Councilmember McGuinness and **passed** by a voice vote of 4-0.

C. Municipal Boundaries at Ladue Road and Highway 141

Councilmember McGuinness asked for clarification on the municipal boundaries at the intersection of Ladue Road and Highway 141. Mike Geisel, Director of Public Services, stated that in 1992 when the City annexed the eastern border over to Woods Mill Road, the City adjusted borders with Town & County and Creve Coeur. At that point, it was agreed in concept that upon the completion of Highway 141, the municipalities would adjust their boundaries to the eastern boundary of Route 141. During that process, the adjacent municipalities agreed on where the mutual boundaries should be and which properties would be affected. While in the process of adjusting the boundaries, the legal proceedings became incredibly cumbersome and the effort was discontinued. Thus, the current boundary is very convoluted. In the meantime, construction of Highway 141 has been completed. The City entered into a contract with MoDOT to beautify and maintain the intersection of 141 and Ladue and the intersection of 141 and Olive. Currently when driving down Highway 141 and approaching Ladue Road, there are City of Chesterfield logos in the mechanically stabilized earth (MSE) walls which are actually located in the City of Town & Country. The City beautified and currently maintains the landscaped areas at that intersection but they too are actually located within Town & Country. At some point in the future, the adjacent cities will again attempt to readjust the boundaries.

D. City Gardens

Councilmember Flachsbart stated he was contacted by a resident questioning why the City is providing a garden plot to residents who have their own backyard. It was suggested that the City should restrict participation to those living in apartments, nursing homes, senior living centers, etc. He asked the Committee to reconsider this policy for a future year. Chair Fults indicated that this matter should be reconsidered at the Council level as it has already been approved at the Committee level.

Mike Geisel, Director of Public Services, stated that if the Committee is serious about restricting use, then it should be done before construction begins this spring on the newly designated garden area donated by Sachs Properties. He stated the construction estimate is \$30,000 and the \$30 garden rental fee does not offset the cost of construction nor maintenance of the garden. There was further discussion on the benefit of providing a community garden and how to determine which residents should be allowed to rent a plot.

It was decided to discuss this matter again at a future Planning & Public Works Committee meeting.

IV. PROJECT UPDATES

Due to time constraints, Ms. Aimee Nassif's Project Update will be emailed to the Committee members.

V. OTHER

VI. ADJOURNMENT

The meeting adjourned at 6:26 p.m.