

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM:  Aimee Nassif, Planning and Development Services Director
James Eckrich, Public Works Director/City Engineer

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, January 5, 2017



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, January 5, 2017 in Conference Room 101.

In attendance were: **Chair Dan Hurt** (Ward III), **Councilmember Barbara McGuinness** (Ward I), **Councilmember Bridget Nations** (Ward II) and **Councilmember Nathan Roach** (Ward IV).

Also in attendance were: Mayor Bob Nation; Planning Commission Chair Stanley Proctor; Jim Eckrich, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; Jessica Henry, Senior Planner; Todd Ohmes, Civil Engineer; 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 December 8, 2016 Committee Meeting Summary

Councilmember McGuinness made a motion to approve the Meeting Summary of **December 8, 2016**. The motion was seconded by Chair Hurt and **passed** by a voice vote of 3-0 with Councilmember Roach abstaining.

II. UNFINISHED BUSINESS

- A. **P.Z. 04-2016 US Ice Sports Complex & Valley Gates (Topgolf USA Chesterfield LLC)**: A request for a zoning map amendment from an existing "PC" Planned Commercial District to a new "PC" Planned Commercial District for 22.22 acres located north of North Outer 40 Road and east of Boone's Crossing (17T510041, 17T520062, 17T520095, 17T520084).

STAFF REPORT

Jessica Henry, Senior Project Planner, explained that the Committee forwarded this project to the September 7, 2016 City Council meeting for first reading. Prior to the second reading scheduled for September 19, the Petitioner requested that the project be held. The Petitioner has since submitted a revised Preliminary Plan and Staff has updated the Attachment A to reflect those changes. The revised plan includes two new lots, three new buildings, and a new curb cut. The maximum height for the three proposed ancillary buildings is 60 feet. Staff has reviewed the revised proposal and has no concerns.

Ms. Henry then outlined the changes in the Attachment A, as follows:

- **Addition:** The total building floor area within this development shall not exceed 150,000 square feet. *It was noted that the proposed square footage is substantially under the maximum F.A.R. of 0.55.*
- **Change:** Maximum height changed from 45 feet to 60 feet. *It was noted that the proposed height meets City Code.*
- **Addition:** A minimum of thirty-five percent (35%) open space is required for **each lot within** this development.
- **Additions pertaining to Access:**
 - Access to Lot A shall be as shown on the Preliminary Plan. *It was explained that access will be off of Taubman's shared drive and a secondary access will utilize cross access from Taubman's parking lot.*
 - No direct access to Lot A from North Outer 40 Road shall be permitted.
 - Access to Lot B shall be as shown on the Preliminary Plan.
 - Lot C shall be permitted one access point from North Outer 40 Road as shown on the Preliminary Plan and as directed by the City of Chesterfield and St. Louis County Department of Transportation. *Ms. Henry stated that the access is spaced to meet the City's Access Management Guidelines. In addition, cross access is being provided to the tract to the east.*
 - Adequate sight distance shall be provided as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
 - Provide public access easements **through Lot B of the development** as needed such that access is provided from North Outer 40 Road to the adjoining property to the north for trail access.
 - Cross access shall be provided to serve the development **as shown on the Preliminary Plan attached hereto as Attachment B and as directed by the City of Chesterfield and the St. Louis County Department of Transportation.**

Ms. Aimee Nassif, Planning & Development Services Director noted that the distance from the Graeler tract to the curb cut is approximately 350 feet; from that point to the center of Lot B, the distance is approximately 550 feet; and from that point forward onto the other lot, the distance is 600 feet. Each of these distances meets the City's Access Management requirements.

PLANNING COMMISSION REPORT

Planning Chair Stanley Proctor stated that if the Planning & Public Works Committee is agreeable to the proposed changes, he does not see the need to return the petition to the Planning Commission for review.

DISCUSSION

Chair Hurt asked the Petitioner to address the need for two curb cuts on the eastern portion of the site and the proposed height of the buildings.

Access

Mr. Mike Doster stated that when the petition was first filed, the entire property was under contract to be acquired by Topgolf. However, after further review of the development cost associated with such an acquisition, the Board of Topgolf determined it did not meet their economic model. Consequently, the contract was re-negotiated and only that portion of the property needed by Topgolf for its facility (*Lot B*) will be acquired by Topgolf, leaving Lots A and C under separate

ownership. A new plan was then submitted in order to accommodate the three parcels on the property.

Mr. Doster stated that he has contacted Mr. Graeler's legal counsel regarding cross access, but to-date no response has been received.

Mr. George Stock explained that the gravel driveway along the east property line of the site serves the Graeler property. Because the Graelers are not interested in granting cross access to Lot C, a new plan was prepared with a proposed access 350 feet away from the existing access. St. Louis County was in agreement to allowing the second access immediately adjacent to the gravel road, but this did not meet the City's access management requirements. Mr. Stock indicated that they would not have a problem with moving the proposed access further east if an exception from the required 350 feet is granted. Mr. Stock also stated that once either Lot C or the Graeler property is developed, it is anticipated that only one access point will be permitted in this area of the site.

Ms. Nassif clarified that the City wanted a single, shared drive but the proposed plan showed a second access with only an approximate 20-foot distance between the two access points. When County asked that the proposed access be moved 50 feet, it resulted in a spite strip, leaving un-useable land and an access which does not meet the City's access management requirements. Once Lot C is developed, the Attachment A is written so as to allow the flexibility to move the access in order to have one single drive to the site.

After further discussion, the Committee agreed with the proposed access points as presented.

Building Height

Mr. George Stock stated that the plan originally submitted to the Planning Commission included a maximum 60-foot building height and felt the 45-foot maximum building height was an error. He added that other buildings on the site are also requesting a 60-foot height maximum.

Ms. Henry clarified that originally Topgolf buildings were the only buildings shown on the plan and they had a maximum height of 60 feet. The Attachment A had included language that said any other structures utilized in conjunction with the Recreation Facility would be limited to a maximum height of 45 feet.

Chair Hurt noted his preference of keeping the 45-foot maximum height for buildings not related to the Topgolf development.

Mr. Scott Rees, of Summit Development Group which is the owner of the ice rink and adjacent ground, stated that they need the flexibility of matching Topgolf's 60-foot maximum height since they do not know what will be developed on the other two parcels.

Councilmember Nations stated she is comfortable with allowing a 60-foot maximum for all buildings on the site and does not see a need to return the petition to the Planning Commission.

Chair Hurt stated he is in agreement of not sending the petition back to the Planning Commission if the maximum building height for Lots A and C is kept at 45 feet. It was noted that once these lots come in for development, the owners could request an amendment to the maximum building height. Chair Hurt indicated he is uncomfortable removing the 45 foot requirement because it was specifically implemented by the Planning Commission.

Mayor Nation and Councilmember McGuinness agreed with allowing a 60-foot maximum building height for all buildings on the site.

Chair Hurt made a motion to accept all the proposed changes to the Attachment A with one exception: to restrict the maximum building height to 45 feet for buildings on Lots A and C. The motion was seconded by Councilmember Roach.

Discussion on the Motion

Councilmember Nations stated her concern that she feels the restriction on the building height is making it needlessly difficult for the petitioner to do business in the City of Chesterfield.

Mr. Doster pointed out that requesting an amendment to an ordinance is a difficult and time-consuming process involving a Public Hearing and numerous meetings. In addition, once an ordinance is opened up, all conditions and uses are subject to review and possible change – something that most petitioners try to avoid.

Since the motion includes two separate items, Mr. Doster suggested that they be voted on separately. It was pointed out that the motion cannot be withdrawn, so Chair Hurt called for a vote.

The original motion, without a recommendation, moved forward to City Council with a voice vote of 2-2 with Councilmembers McGuinness and Nations voting no.

Chair Hurt made a motion to accept all the proposed changes to the Attachment A except for the wording related to the maximum height. The motion was seconded by Councilmember McGuinness and **passed** by a voice vote of 4-0.

Councilmember Nations made a motion allowing a maximum building height of up to 60 feet for all buildings on the site. The motion was seconded by Councilmember McGuinness. The petition, without a recommendation, moved forward to City Council with a voice vote of 2-2 with Chair Hurt and Councilmember Roach voting no.

Ms. Nassif advised that Staff will prepare a report and Green Sheet amendment for Council's review.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the January 18, 2017 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. 04-2016 US Ice Sports Complex & Valley Gates (Topgolf USA Chesterfield LLC).]

B. River Valley Drive Closure Redesign

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, advised that recently a meeting was held between Staff and representatives from the River Valley Drive subdivision to discuss the redesigned cul-de-sac as it was presented at the previous Planning and Public Works (PPW) Committee meeting. The property owner at 76 River Valley Drive has agreed to eliminate the requirement for the concrete fence (\$28,000) and the landscaping allotment (\$10,000), thereby

reducing the overall cost of the project by \$38,000. It was also determined that the property at 178 River Valley Drive could not be utilized for grading associated with the project.

Mr. Eckrich stated that Staff can either present a revised presentation to the PPW Committee at the next meeting, or the Committee can vote to move the project forward to City Council with the cost reduction. To further clarify, Mr. Eckrich stated the original redesign cost was estimated to be \$245,000. Based upon the meeting with area residents, the cost of the project has been reduced by an amount in excess of \$38,000. The revised cost estimate has not been calculated, but will not exceed \$217,000.

DISCUSSION

Councilmember McGuinness stated that she believes the redesigned configuration is actually a much better design than the original plan.

Councilmember McGuinness made a motion to authorize a transfer from the General Fund – Fund Reserves, above the 40% Policy, in an amount not to exceed \$217,000 for the River Valley Drive Closure Redesign project. The motion was seconded by Councilmember Nations and passed by a voice vote of 4-0.

Chair Hurt requested that the final cost estimate be calculated and be given to City Council when the project is presented to City Council.

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on the River Valley Drive Closure Redesign project.]

III. NEW BUSINESS

A. Establishment of Sewer Easement for Watermark Development

STAFF REPORT

Aimee Nassif, Planning and Development Services Director, stated that as part of the development requirements for Watermark at Chesterfield Village, Watermark is required to provide the necessary infrastructure and public improvements including storm water improvements. For this development, a storm water pipe must be installed with a portion of the pipe located on the adjacent property, which is owned by the City. Therefore, a sewer easement must be established on City property. The City and the developer have agreed that all costs and responsibilities for the storm sewer pipe installation, construction, maintenance and/or repair will be the sole responsibility of the developer and not the City.

Councilmember McGuinness made a motion to approve the establishment of a Sewer Easement for the Watermark development and to forward the Ordinance, Easement Agreement, and Plat to City Council with a recommendation to approve. The motion was seconded by Councilmember Nations and passed by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the January 18, 2017 City Council Meeting. See Bill #

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on establishment of a Storm Sewer Easement for the Watermark development.]

B. Ameren Missouri Franchise Agreement and Streetlight Agreement

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, stated the existing Franchise Agreement and Streetlight Agreement between Ameren and the City both expired in 2012. Therefore, new Agreements and corresponding ordinances have been prepared and reviewed by the City Attorney.

Councilmember McGuinness made a motion to forward both the Ameren Missouri Franchise Agreement and Streetlight Agreement to City Council with a recommendation to approve. The motion was seconded by Councilmember Nations and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the January 18, 2017 City Council Meeting. See Bill #

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on Ameren Missouri Franchise Agreement and Streetlight Agreement.]

C. Public Works and Parks Policies 18 and 23-29

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, stated that in a continuing effort to review all City Council policies to ensure those policies are current and accurate, Policies 18 and 23-29 are being presented for review.

Mr. Eckrich presented the following recommendations:

Policy 18 Maintenance of Storm Sewers, Detention Basins and Open Channels: At the direction of the Committee, the City Attorney reviewed the proposed policy. He does not believe the proposed policy would prevent the Public Works Department from addressing concerns caused by flooding or storm sewer blockages. He did recommend that the existing policy be replaced as soon as possible because it is clearly outdated and inaccurately indicates that the City is responsible for storm water and not MSD.

Councilmember Nations made a motion to approve Public Works and Parks Policy 18, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Chair Hurt and **passed** by a voice vote of 4-0.

Policy 23 Stop Signs: The existing Policy conflicts with Public Health and Safety Policies #12 and #13. The existing Public Works Policy #23 allows trustees to request a stop sign on a subdivision street with a *majority* of support, while the Public Health and Safety Policies #12 and #13 require *90 percent* support. After consulting with the

Police Department, Staff recommends that the Public Health and Safety Policies #12 and #13 be repealed and that a new policy covering stop signs and yield signs be implemented in the Public Works section. This new policy requires that subdivision trustees obtain 75 percent support for a sign.

Councilmember Nations made a motion to repeal Public Health and Safety Policies #12 and #13 and to approve Public Works and Parks Policy 23, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Councilmember Roach and **passed by a voice vote of 4-0.**

Policy 24 Sprinkler Systems in Right of Way: The existing policy is appropriate, therefore, no change is recommended.

There was no action taken on Public Works and Parks Policy 24.

Policy 25 Stop Bars: Recommend expanding the existing policy to clarify that stop bars are only used in conjunction with crosswalks where it is necessary to define the point of stopping to ensure motorist/pedestrian safety and where specifically required by the Manual of Uniform Traffic Control Devices.

Councilmember Nations made a motion to approve Public Works and Parks Policy 25, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Councilmember McGuinness and **passed by a voice vote of 4-0.**

Policy 26 Driveway Apron Replacement: The existing policy is appropriate, therefore, no change is recommended.

There was no action taken on Public Works Policy 26.

Policy 27 Stormwater Standards: The requirements of Policy #27 are now contained within Section 31-04-12 of the City's Municipal Code, and therefore, can be repealed.

Councilmember Nations made a motion to forward Public Works and Parks Policy 27 to City Council with a recommendation to repeal, as recommended by Staff. The motion was seconded by Councilmember Roach and **passed by a voice vote of 4-0.**

Policy 28 Street Grade: The existing Policy is appropriate except that a minor change has been made to more appropriately refer to Hydraulic Engineering Circular #22 instead of #12.

Councilmember Roach made a motion to approve Public Works and Parks Policy 28, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Councilmember Nations and **passed by a voice vote of 4-0.**

Policy 29 Donations for Park Improvements: Recommend no change at this time. Tom McCarthy, Director of Parks, Recreation and Arts, will be submitting this Policy to the Parks, Recreation, and Arts Committee for review.

There was no action taken on Public Works and Parks Policy 29.

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on Public Works and Parks Policies 18 and 23-29.]

Item E of New Business was discussed next.

E. Wildhorse Parkway Drive

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, stated that Wildhorse Parkway Drive is a collector road that originates at Wild Horse Creek Road and dead ends in the City of Wildwood. Wildhorse Parkway Drive provides access to Wild Horse Creek Road from a number of subdivisions and properties in both Chesterfield and Wildwood. There is approximately 2,510 feet of roadway between Wild Horse Creek Road and the bridge.

Based on City Council's directive, Mr. Eckrich stated that City streets are to be primarily constructed of concrete. However, there are times when asphalt can be effective and even more appropriate than concrete. He then provided a PowerPoint presentation depicting the pros and cons of utilizing concrete versus asphalt overlay and explained the uniqueness of Wildhorse Parkway Drive.

Mr. Eckrich stated that Staff believes a properly constructed asphalt overlay is warranted from Wildhorse Creek Road to the bridge just north of Bridgeway Circle Drive. Wildhorse Parkway is in partly good and fair condition with sections of deteriorated concrete pavement that have been patched with asphalt. These patches require regular maintenance and are unsightly to area residents. One way to address this is to perform selective slab replacement and remove and replace only the deteriorated sections of concrete. If the City were to proceed in this manner, the selective slab repair required would be substantive enough that it would cause damage to the remaining slabs. The result would be new concrete slabs surrounding older concrete slabs disturbed and damaged by construction. Those older slabs would begin to show signs of further distress and failure, and a cycle would be created whereby the City would be regularly addressing small sections of slabs on Wildhorse Parkway Drive. For this reason, selective slab replacement is not recommended.

Staff recommends a two-inch asphalt overlay with a geotextile fabric interlayer. Such an overlay will cost approximately \$450,000 and will increase the pavement life by approximately 15 years. Another advantage of an asphalt overlay is that it will reduce pavement noise and during construction will have a much smaller impact to area motorists. The cost for an asphalt overlay is substantively less than a concrete reconstruction, which is estimated at \$1,100,000.

In summary, Mr. Eckrich recommended incorporating Wildhorse Parkway Drive into the five year plan for 2018 with an asphalt overlay at an estimated cost of \$450,000. There is no financial allocation or commitment required at this time. Staff will advise the City of Wildwood and Chesterfield Trustees of the plan to overlay the road in 2018.

Discussion

Chair Hurt stated there may be some opposition from residents on the use of asphalt instead of concrete. Councilmember Roach concurred, but also stated that the road is in obvious need of improvement. Mr. Eckrich responded that Staff will engage the trustees to let them know that the City is considering an asphalt overlay. Wild Horse Creek Road is an asphalt roadway and Wildhorse Parkway Drive is in many ways more similar to Wild Horse Creek Road than it is to the connecting subdivision streets.

The Committee agreed that it had no objection to Mr. Eckrich incorporating Wildhorse Parkway Drive into the five-year plan as an asphalt overlay, as presented. No further action is necessary at this time, and the matter does not need to be forwarded to City Council.

D. Schoettler Road

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, provided a history of Schoettler Road. It is a 2.4 mile minor arterial roadway from Clayton Road to South Outer 40. Schoettler Road was maintained by St. Louis County until 2010 at which time the City accepted maintenance. There are a number of deficiencies including lack of center/left turn lanes, tight horizontal curves, missing sections of sidewalk, and sections of roadway with inadequate sight distance.

In 2013, HR Green developed a Concept Plan that included three lanes with a sidewalk and bike lane on both sides of the road. The estimated cost of implementation was \$24 million not including right of way acquisition. The City hoped to implement this plan through the Surface Transportation Program (STP) which would have funded up to 80% of the construction costs. However, for the past three years, the City has been unsuccessful in obtaining an STP grant. Staff has concluded that Schoettler Road will not qualify for STP funding until the condition of the road deteriorates. Therefore, Staff has investigated Schoettler Road to determine what can be done to improve the roadway incrementally and recommends the following plan of action:

- Discontinue the annual submittal of the STP grant application. Instead concentrate on a grant submittal for another qualifying road, such as Old Chesterfield Road.
- Funding for sidewalks is available through the Transportation Alternatives Program (TAP). Study the sections of Schoettler Road with missing sections of sidewalk and submit TAP applications.
- Consider designing and constructing center lanes/left turn lanes in areas that are adjacent to side streets. Staff analyzed four sections of Schoettler Road for possible left turn lanes. Of the four intersections, only the Georgetown Road intersection contains the necessary right of way to allow for a center lane/left turn lane. Adding lanes at other intersections would require the acquisition of right of way and easements, both permanent and temporary. Staff estimates the cost of the turn lane at Georgetown to be \$75,000, which does not include any right of way or easement acquisition.

Discussion

There was further discussion regarding right of way acquisition at the intersection of Westerly Place and 2290 Schoettler Road. Chair Hurt indicated that the affected resident was not likely to grant additional right of way, but he would like to at least attempt right of way acquisition again. Mr. Eckrich stated that if funds are going to be budgeted for a left turn lane at Georgetown or Westerley Place, Staff will renew discussions with the property owner at 2290 Schoettler Road. If Staff is successful and if needed, more money can be requested at a later date.

The Committee, as a whole, directed Staff to include \$100,000 in the 2018 budget for construction of a left turn lane at Georgetown Road and to acquire the necessary right of way at 2290 Schoettler Road.

IV. OTHER

Councilmember McGuinness inquired as to the status of the Committee's request that Staff amend UDC Article 04-01 of the Architectural Review Standards to require "siding to grade." Ms. Aimee Nassif, Planning and Development Services Director, stated that Staff is working on the project and when the draft is complete, it will be placed on the agenda under Unfinished Business.

Councilmember McGuinness stated that she recently attended a meeting at St. Louis County and noticed next to each item on their agenda that the corresponding district number was listed. She is requesting that Staff also include the corresponding Ward numbers for agenda items on future PPW meetings. There was a brief discussion regarding this and the Committee agreed to request Staff to include Ward numbers on future agenda items.

V. ADJOURNMENT

The meeting adjourned at 7:08 p.m.