



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Wednesday, October 23, 2019
6:45PM**

- I. Planning and Public Works Committee** – Chairperson Mary Ann Mastorakos, Ward II
 - A. Bill No. 3260 - P.Z. 04-2019 13559 Olive Blvd. (McDonald's)**
An ordinance repealing St. Louis County Ordinance 14,846 to establish a new “PC” Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road. **(P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471). (First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended. Green Sheet Amendments recommended by PPW Committee.**
 - B. City Policy No. PW-40 – Damage to Mailboxes**
 - C. City Policy No. PW-41 – Water on Sidewalks**
 - D. Next Meeting – October 24, 2019 (5:30pm)**
- II. Finance and Administration Committee** – Chairperson Michael Moore, Ward III
 - A. Next Meeting – October 29, 2019 – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)**
- III. Parks, Recreation and Arts Committee** – Chairperson Tom DeCampi, Ward IV
- IV. Public Health and Safety Committee** – Chairperson Mary Monachella, Ward I
- V. Report from the City Administrator & Other Items Requiring Action by City Council** – Mike Geisel
 - A. Bid Recommendation – 2019 Crack Sealing Project (Roll Call Vote)**
 - B. Liquor License Request – Desi Vibes (Voice Vote)**
 - C. Budget Amendment – Parks (Roll Call Vote)**

VI. Other Legislation

A. Bill No. 3261 - 805 Chesterfield Center (Lots C109 and C208) –

Boundary Adjustment Plat An ordinance providing for the approval of a Boundary Adjustment Plat for one tract totaling 8.2 acres, zoned “UC” Urban Core District (18s110148). **(First & Second Readings) Department of Planning & Development Services recommends approval.**

B. Bill No. 3262 - Wild Horse Heights (226 Fick Farm Rd.) – Vacation of

Easement An ordinance vacating a portion of two ten-foot wide easements on Lots 3, 4, and 5 of Wild Horse Heights Subdivision as recorded in Book 319, Page 7 of the St. Louis County records, City of Chesterfield, St. Louis County, Missouri **(First & Second Readings) Department of Planning & Development Services recommends approval.**

VII. Unfinished Business – Mayor Bob Nation

VIII. New Business – Mayor Bob Nation

IX. Adjourn –

NOTE: *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City’s representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3)1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.



AGENDA
CHESTERFIELD CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Wednesday, October 23, 2019
7:00PM

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. City Council Meeting Minutes** – October 7, 2019
- VI. INTRODUCTORY REMARKS (items not requiring action by City Council)** – Mayor Bob Nation
 - A. Thursday, October 24, 2019** – Planning & Public Works Committee (5:30pm)
 - B. Monday, October 28, 2019** – Planning Commission (7pm)
 - C. Tuesday, October 29, 2019** – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)
 - D. Monday, November 4, 2019** – Next City Council Meeting (7pm)
- VII. COMMUNICATIONS AND PETITIONS**
- VIII. APPOINTMENTS** – Mayor Bob Nation

IX. STANDING COMMITTEE OF COUNCIL COMMITTEE REPORTS & ASSOCIATED LEGISLATION

A. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

1. Bill No. 3260 - P.Z. 04-2019 13559 Olive Blvd. (McDonald's)

An ordinance repealing St. Louis County Ordinance 14,846 to establish a new “PC” Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road. (P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended. Green Sheet Amendments recommended by PPW Committee.**

2. City Policy No. PW-40 – Damage to Mailboxes

3. City Policy No. PW-41 – Water on Sidewalks

4. Next Meeting – October 24, 2019 (5:30pm)

B. Finance and Administration Committee – Chairperson Michael Moore, Ward III

1. Next Meeting – October 29, 2019 – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)

C. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

D. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

X. REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL – Mike Geisel

A. Bid Recommendation – 2019 Crack Sealing Project (Roll Call Vote)

B. Liquor License Request – Desi Vibes (Voice Vote)

C. Budget Amendment – Parks (Roll Call Vote)

XI. OTHER LEGISLATION

A. Bill No. 3261 - 805 Chesterfield Center (Lots C109 and C208) –

Boundary Adjustment Plat An ordinance providing for the approval of a Boundary Adjustment Plat for one tract totaling 8.2 acres, zoned “UC” Urban Core District (18s110148). **(First & Second Readings)**

Urban Core District (18s110148). **(First & Second Readings)**
Department of Planning & Development Services recommends
approval.

- B. Bill No. 3262 - Wild Horse Heights (226 Fick Farm Rd.)** – Vacation of Easement An ordinance vacating a portion of two ten-foot wide easements on Lots 3, 4, and 5 of Wild Horse Heights Subdivision as recorded in Book 319, Page 7 of the St. Louis County records, City of Chesterfield, St. Louis County, Missouri **(First & Second Readings)** **Department of Planning & Development Services recommends approval.**

XII. UNFINISHED BUSINESS – Mayor Bob Nation

XIII. NEW BUSINESS – Mayor Bob Nation

XIV. ADJOURNMENT

NOTE: *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3) 1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.

AGENDA REVIEW – Wednesday 10/23/2019 – 6:45 PM

An AGENDA REVIEW meeting has been scheduled to start at **6:45 pm, on Wednesday, October 7, 2019.**

Please let me know, ASAP, if you will be unable to attend this meeting.



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 690 CHESTERFIELD PARKWAY WEST

OCTOBER 7, 2019

The meeting was called to order at 7 p.m.

Mayor Bob Nation led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Bob Nation
Councilmember Mary Monachella
Councilmember Barbara McGuinness
Councilmember Ben Keathley
Councilmember Mary Ann Mastorakos
Councilmember Dan Hurt
Councilmember Michael Moore
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the September 16, 2019 Executive Session were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the September 16, 2019 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the September 16, 2019 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the September 16, 2019 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced that the next meeting of City Council is scheduled for Wednesday, October 23, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mr. Ron Cawood, 16992 Riverdale Drive, spoke against a City County merger and expressed concern about the Board of Freeholder appointees.

Mr. Michael Kane, 1292 Stillhouse Creek, spoke about recent Chesterfield Historic and Landmark Preservation Committee (CHLPC) events.

APPOINTMENTS

Mayor Nation nominated Mr. Robert Puyear for re-appointment to the Police Personnel Board. Councilmember Hurt made a motion, seconded by Councilmember Moore, to re-appoint Mr. Robert Puyear to the Police Personnel Board for a term of three years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nation nominated Ms. Laura Houck for re-appointment to the Police Personnel Board. Councilmember Hurt made a motion, seconded by Councilmember Moore, to re-appoint Ms. Laura Houck to the Police Personnel Board for a term of three years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Councilmember Mary Ann Mastorakos, Chairperson of the Planning/Public Works Committee, announced that the next meeting of this Committee is scheduled for Thursday, October 10, at 5:30 p.m.

Finance and Administration Committee

Councilmember Michael Moore, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Ohley, to approve proposed

revisions to City Council Policy No. 10 (Speakers – City Council Meetings) as directed by the Finance and Administration Committee of the Whole. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Moore announced that the next meeting of this Committee is scheduled for Tuesday, October 29, at 5:30 p.m., as a Committee of the Whole. This is the final of three scheduled Budget Workshop meetings.

Parks, Recreation & Arts Committee

Councilmember Tom DeCampi, Chairperson of the Parks, Recreation & Arts Committee, indicated that he had no report this evening.

Public Health & Safety Committee

Councilmember Mary Monachella, Chairperson of the Public Health & Safety Committee, made a motion, seconded by Councilmember Moore, to approve a proposed resolution authorizing adoption of the St. Louis Regional Hazard Mitigation Plan. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The successful resolution became Chesterfield Resolution No. 455.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that Syberg's Chesterfield, 17416 Chesterfield Airport Road (formerly Fox and Hound) has requested a new liquor license, for retail sale of all kinds of liquor by the drink, to be consumed on premise and packaged, and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Ohley made a motion, seconded by Councilmember Keathley, to approve issuance of a new liquor license to Syberg's Chesterfield. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Geisel reported that the City engages special counsel on specific legal matters on an as needed basis. We currently have special counsel agreements with Harris, Dowell, Fisher & Young LLC, who we consult with for labor related issues; and we also contract with Armstrong Teasdale LLP for development, financing and economic development related issues. Staff has previously committed to review these on a bi-annual basis and periodically request re-authorization.

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, to authorize execution of the special counsel agreements with Harris, Dowell, Fisher & Young LLC (Michael Harris) for labor related issues and Armstrong Teasdale LLP (Rob Klahr) for development, financing and economic development related issues.

Councilmember Keathley made a motion, seconded by Councilmember DeCampi, to amend the motion by requiring Staff to notify Council within 24 hours of any engagement with Armstrong Teasdale LLP. After further discussion Councilmember Hurt made a motion, seconded by Councilmember McGuinness, to amend the motion by requiring Staff to notify Council within one month of incurring expenses with Armstrong Teasdale under the terms of the Miscellaneous Legal Services Contract. City Administrator Geisel suggested that staff simply forward any monthly invoices from Armstrong Teasdale associated with the miscellaneous services contract, and Council unanimously expressed their acceptance of this process. A voice vote was taken on the second motion to amend with a unanimous affirmative result and the second motion to amend was declared passed. A voice vote was then taken on the first motion to amend with a unanimous negative result and the first motion to amend was declared failed.

A roll call vote was taken on the main motion to authorize execution of the special counsel agreements with Harris, Howell, Fisher & Young LLC and Armstrong Teasdale LLP, as amended, with the following results: Ayes – McGuinness, DeCampi, Moore, Hurt, Keathley, Ohley, Mastorakos and Monachella. Nays – None. Whereupon the motion, as amended, was declared passed.

OTHER LEGISLATION

Councilmember McGuinness made a motion, seconded by Councilmember Moore, to approve a proposed resolution calling on St. Louis County Council to hold public hearings and publicly vet the County Executive's slate of nominees to the Board of Freeholders/Electors. After substantial discussion, a roll call vote was taken with the following results: Ayes – Monachella, McGuinness, Moore, Mastorakos and Hurt. Nays – DeCampi, Ohley and Keathley. Whereupon the motion was declared passed. The successful resolution became Chesterfield Resolution No. 456.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:17 p.m.

Mayor Bob Nation

ATTEST:

Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

- A. Thursday, October 24, 2019** – Planning & Public Works Committee (5:30pm)
- B. Monday, October 28, 2019** – Planning Commission (7pm)
- C. Tuesday, October 29, 2019** – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)
- D. Monday, November 4, 2019** – Next City Council Meeting (7pm)

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Mastorakos

Vice Chair: Councilmember Hurt

The Planning and Public Works Committee has the following action items for the October 23, 2019 City Council Meeting.

Bill No. 3260 - P.Z. 04-2019 13559 Olive Blvd. (McDonald's)

An ordinance repealing St. Louis County Ordinance 14,846 to establish a new "PC" Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road. (P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471).

(First Reading) Planning Commission recommends approval.

Planning & Public Works Committee recommends approval, as amended. Green Sheet Amendments recommended by PPW Committee.

City Policy No. PW-40 – Damage to Mailboxes

Establishes procedures for the repair/replacement of mailboxes damaged by street trees or City operations.

Planning & Public Works Committee recommends approval.

City Policy No. PW-41 – Water on Sidewalks

Establishes procedures for addressing instances of water ponding on sidewalks for more than 48 hours after a rain event.

Planning & Public Works Committee recommends approval, as amended.

NEXT MEETING

The next meeting of the Planning & Public Works Committee is scheduled for Thursday, October 24, 2019.

If you have any questions, please contact Director of Public Works/City Engineer Jim Eckrich, Director of Planning and Development Services Justin Wyse, or me prior to Wednesday's meeting.

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: James Eckrich, Director of Public Works/City Engineer 

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, October 10, 2019



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, October 10, 2019 in Conference Room 101.

In attendance were: **Chair Mary Ann Mastorakos** (Ward II), **Councilmember Mary Monachella** (Ward I), and **Councilmember Dan Hurt** (Ward III). Councilmember Tom DeCampi (Ward IV) was absent.

Also in attendance were: Planning Commission Chair Merrell Hansen; Jim Eckrich, Director of Public Works/City Engineer; Mike Knight, Planner; Chris Dietz, Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:32 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the August 22, 2019 Committee Meeting Summary

Councilmember Monachella made a motion to approve the Meeting Summary of August 22, 2019. The motion was seconded by Councilmember Hurt and passed by a voice vote of 3-0.

II. UNFINISHED BUSINESS – None.

Councilmember Hurt made a motion to postpone discussion on New Business Item A until after discussion of New Business Items B and C. The motion was seconded by Councilmember Monachella and passed by a voice vote of 3-0.

III. NEW BUSINESS

B. Proposed City Policy - Damage to Mailboxes

STAFF PRESENTATION

Jim Eckrich, Public Works Director/City Engineer, advised that it has been the informal policy of the Public Works Department that when a mailbox is damaged during construction activity or snow plowing, the mailbox is repaired or replaced with a standard mailbox stocked by the Public Works Department. However, in recent years, mailboxes have become more ornate and more expensive. There have been incidences where residents would not accept a standard mailbox necessitating the City to pay substantially more to replace the mailbox.

Staff is proposing a formal City Policy whereby when a resident's mailbox is damaged by the City, it will be repaired or replaced by the City with a standard mailbox. If the resident is not agreeable to this, then the City will reimburse the resident up to \$300 to repair or replace their mailbox. If that is still not acceptable, then the resident can submit an insurance claim against the City's insurance.

DISCUSSION

Councilmember Hurt made a motion to forward Public Works Policy 40–Damage to Mailboxes to City Council with a recommendation to approve. The motion was seconded by Councilmember Monachella.

Discussion after the Motion

In response to Councilmember Monachella's question regarding how the \$300 was calculated, Mr. Eckrich stated that it is based upon the standard cost to replace a mailbox which is \$150 in material and \$150 in labor. He further stated that the City's insurance deductible is \$500.

Chair Mastorakos inquired about where the reimbursement money comes from and the number of incidents per year. Mr. Eckrich replied that there is an existing account from which reimbursements are made and the City addresses approximately 10 mailboxes per year.

In response to Councilmember Monachella's question, Mr. Eckrich stated that when the \$300 no longer seems practical, the policy will be brought back to Committee for consideration of a modification.

The above motion was **passed** by a voice vote of 3-0.

[Please see the attached report prepared by Jim Eckrich, Director of Public Works/City Engineer, for additional information on Public Works Policy 40 - Damage to Mailboxes.]

C. Proposed City Policy - Water on Sidewalks

STAFF PRESENTATION

Jim Eckrich, Director of Public Works/City Engineer, stated that due to the very wet year we have experienced, the City has received a high number of concerns regarding drainage and water on sidewalks. In some cases, this is just water that drains from the yard, downspouts and overflow. In other cases, residents have caused the problem by re-routing their sump pump to drain toward the sidewalk. There are many reasons for water on the sidewalk, but there seems to be different sentiments as to what is acceptable.

The proposed policy clarifies that ponding water on the sidewalk within 48 hours of a rain event is considered acceptable. In any case where there is a hazard or problem with the sidewalk, algae, ice, etc., the City will determine if there is any practical way to alleviate the problem. The policy also clarifies that residents are responsible for ensuring that conditions of their property are not contributing to any nuisance on the sidewalk. In those instances, the City will work with the resident to address those types of problems where possible. However, in some cases, the sidewalk will need to be replaced.

Councilmember Hurt made a motion to amend Public Works Policy 41 to replace “and” with “and/or” in the fourth paragraph as follows:

“In cases where water ponds longer than 48 hours and/or creates a public nuisance of some kind (i.e., ice or slick algae), the City will investigate the problem to determine whether corrective action can or should be taken by the City.”

The motion was seconded by Councilmember Monachella.

Discussion after the Motion

Chair Mastorakos asked if there has ever been a policy that addresses this. Mr. Eckrich replied that there has not been a formal policy, but there are Code requirements and internal policies which Staff adheres to regarding sidewalks. The proposed Policy will give Staff direction on how to proceed in the future regarding problems specifically related to water on sidewalks.

The above motion was passed by a voice vote of 3-0.

Councilmember Monachella made a motion to forward Public Works Policy 41 to City Council, as amended, with a recommendation to approve. The motion was seconded by Councilmember Hurt and passed by a voice vote of 3-0.

[Please see the attached report prepared by Jim Eckrich, Director of Public Works/City Engineer, for additional information on Public Works Policy 41 - Water on Sidewalks.]

- A. P.Z. 04-2019 13559 Olive Blvd (McDonald's):** A request for a zoning map amendment from a “C8” Planned Commercial District to a “PC” Planned Commercial District for a .86 tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Rd. (16Q241471) (Ward 1)

STAFF PRESENTATION

Mike Knight, Planner, presented the project request for a change in zoning from the current C8 – Planned Commercial District, to a new PC – Planned Commercial District for a McDonald's fast food restaurant. The primary purpose of the request is to allow for interior/exterior renovations and also to construct a double drive-thru lane.

A Public Hearing was held on July 8, 2019 at which time five issues were raised regarding sound, cross-access, parking, trash location, and hours of operation. Following the Public Hearing, the neighboring Woodsmill Pointe Condominiums submitted a letter to the City stating their concerns.

On September 23, 2019, the petition was brought forward to the Planning Commission. At this meeting, a representative of the Woodsmill Point Condominiums stated that all of their concerns had been resolved. The Planning Commission recommended approval of the request by a vote of 8-0 with the following modifications:

1. Amend the west parking setback from 75' to 17'.
2. The trash enclosure is to be located as shown on the Preliminary Development Plan.

PLANNING COMMISSION REPORT

Planning Commission Chair Merrell Hansen stated that there was extensive discussion regarding the following: the location of trash enclosure relative to parking, possible congestion with double lanes of traffic, hours of operation and onsite lighting.

The applicant did agree to grant cross access to the commercial property to the east for any future redevelopment.

There was also discussion regarding the requirement of a sidewalk along Olive Boulevard. Staff had originally stated that a sidewalk would be required. However, it was noted that MoDOT has planned improvements budgeted in the future to include a sidewalk along Olive Boulevard at this location.

Chair Mastorakos made a motion to forward P.Z. 04-2019 13559 Olive Blvd (McDonald's) to City Council with a recommendation to approve. The motion was seconded by Councilmember Monachella.

DISCUSSION

Councilmember Hurt noted that the only reference to cross access is to the east for any future redevelopment. He stated that the City typically asks for cross access on all borders to accommodate future redevelopment. He recommends that this requirement be included in the Attachment A. He noted that this requirement will not affect the current development plan in any way.

Councilmember Monachella stated that she had reviewed the site with the other Ward 1 Councilmember, and they have a number of recommended modifications.

Councilmember Monachella made a motion to amend P.Z. 04-2019 13559 Olive Blvd (McDonald's) as follows:

A six foot tall screening fence shall be installed along the full width of the northern property line of this development. The fence shall be of a color and design to blend into the surroundings. The final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.

The motion was seconded by Chair Mastorakos and **passed** by a voice vote of 3-0.

Councilmember Monachella made a motion to amend P.Z. 04-2019 13559 Olive Blvd (McDonald's) as follows:

A six foot tall screening fence shall be installed along the western property line of this development for a distance of approximately 140 feet from the northern property line. The fence shall be of a color and design to blend into the surroundings. The final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.

The motion was seconded by Chair Mastorakos and **passed** by a voice vote of 3-0.

Councilmember Monachella made a motion to amend P.Z. 04-2019 13559 Olive Blvd (McDonald's) as follows:

Prior to approval of plans that necessitate modification of the minimum setbacks from residential properties, confirmation that the existing, non-conforming pole sign will be removed is required. Final occupancy for these

improvements, including occupancy for renovation of the existing structure, shall not be granted until signage is in compliance with the UDC.

The motion was seconded by Chair Mastorakos and **passed** by a voice vote of 3-0.

Councilmember Monachella made a motion to amend P.Z. 04-2019 13559 Olive Blvd (McDonald's) as follows:

Non-security lighting shall not be on earlier than 30 minutes prior to opening, as defined in Section I.A.2., and non-security lighting shall not be on past 11:30 p.m.

Discussion after the Motion

There was some discussion regarding hours of operation and the use of security and non-security lighting. Mr. Knight pointed out that Attachment A currently states that lighting must meet Code. It was agreed that before the next Council meeting, Staff will review the Code to see if interior lighting is addressed.

The motion was seconded by Chair Mastorakos and **passed** by a voice vote of 3-0.

Councilmember Hurt made a motion to amend P.Z. 04-2019 13559 Olive Blvd (McDonald's) as follows:

Cross-Access shall be provided at all exterior property lines if redevelopment occurs.

The motion was seconded by Councilmember Monachella and **passed** by a voice vote of 3-0.

The vote on the original motion to approve, as amended, **passed** by a voice vote of 3-0.

Note: One Bill, as recommended by the Planning and Public Works Committee, will be needed for the October 23, 2019 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 04-2019 13559 Olive Blvd (McDonald's).]

D. Public Hearing Signs – Chair Mastorakos

Chair Mastorakos led a discussion on simplifying the current Public Hearing signage. She felt that the signs are too small, too hard to read, and contain too much information. Most residents are not familiar with how the planning or zoning process works. They need clear information on who to contact to find out more about the Public Hearing. She would like to see the signs more user-friendly and possibly larger. There was further discussion on what information should be included on the signs.

Chair Mastorakos made a motion to direct Staff to provide suggested changes to the Public Hearing signage. The motion was seconded by Councilmember Monachella and **passed** by a voice vote of 3-0.

IV. OTHER

Since Chair Mastorakos will not be able to attend the Thursday, November 7 Planning & Public Committee meeting, it was decided to reschedule the meeting to Wednesday, November 6.

V. ADJOURNMENT

The meeting adjourned at 6:43 p.m.

DRAFT

City Council Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services

JW

CC Date: October 23, 2019

RE: **P.Z. 04-2019 13559 Olive Blvd (McDonald's)**: A request for a zoning map amendment from a "C8" Planned Commercial District to a "PC" Planned Commercial District for a .86 tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Rd. (16Q241471)

Summary

McDonald's USA LLC is requesting a change of zoning from the current C8 - Planned Commercial District to a PC - Planned Commercial District. The site is roughly 0.86 acres in which a one story McDonald's fast food restaurant currently operates. **The primary purpose of this request is to allow for an update for both interior/exterior renovations of the existing McDonald's building and also to construct a double drive-thru lane.** The current governing ordinance has one permitted use which is a restaurant with drive-up window. The one use being requested in this petition is restaurant - fast food, which is the same use within the current language of the City of Chesterfield Unified Development Code.

The site has two curb cuts with one dedicated entrance and one dedicated exit off of Olive Blvd. Within the perimeters of the subject site are two telecommunication tower/facilities that were both re-zoned to PC-Planned Commercial in 2011. The two telecommunication facilities total 465 square feet in area and the approximate locations are identified as "C1" and "C2" in Figure 1 on page 3.

The Preliminary Development Plan and coinciding narrative include two requests for modification of standards within the PC-Planned Commercial District. The UDC has a minimum standard of no structure shall be permitted within thirty-five (35) feet of a property line adjoining a residential designation and no parking area shall be permitted within twenty-five (25) feet of a property line designated residential. The applicant is requesting that the trash enclosure to be just over 20 feet from the northern property line and parking 17 feet from the western property line which are both designated residential within the City's Comprehensive Land Use Plan. Said modification required a two-thirds vote of the Planning Commission.

A Public Hearing was held on July 8, 2019, at which time five issues were raised regarding sound, access/cross-access, parking, trash location, and hours of operation. After the Public Hearing, a letter was submitted to the City from the neighboring residential Woodsmill Pointe condominiums stating a list of concerns.

On September 23, 2019, the petition was next brought forward to the Planning Commission. At this meeting a representative of the Woodsmill Pointe condominiums stated that all of their concerns have been resolved. After discussion, all of the issues formalized from the Public Hearing have been addressed by the applicant.

Planning Commission recommended approval of the request on September 23, 2019 by a vote of 8 – 0 including both modifications.

The Planning and Public Works Committee met and discussed the petition on October 10, 2019. A motion to recommend approval was passed by a vote of 3-0 with five amendments:

1. A six foot tall screening fence shall be installed along the full width of the northern property line of this development. The fence shall be of a color and design to blend into the surroundings and the final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.
2. A six foot tall screening fence shall be installed along the western property line of this development for a distance of approximately 140 feet from the northern property line. The fence shall be of a color and design to blend into the surroundings and the final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.
3. Prior to approval of plans that necessitate modification of the minimum setbacks from residential properties, confirmation that the existing non-conforming pole sign will be removed is required. Final occupancy for these improvements, including occupancy for renovation of the existing structure, shall not be granted until signage is in compliance with the UDC.
4. Non-security lighting shall not be on earlier than 30 minutes prior to opening and non-security lighting shall not be on past 11:30 p.m.
5. Cross-Access shall be required to all adjacent properties.

Attached to this report please find the draft legislation, green sheet, Attachment A, Preliminary Development Plan, and Public Correspondence.

Attachments: Legislation
Green Sheet
Attachment A
Preliminary Development Plan
Public Correspondence



Figure 1: Subject Site Aerial

BILL NO. 3260

ORDINANCE NO. _____

AN ORDINANCE REPEALING ST. LOUIS COUNTY ORDINANCE 14,846 TO ESTABLISH A NEW “PC” PLANNED COMMERCIAL DISTRICT FOR A .86 ACRE TRACT OF LAND LOCATED NORTH OF OLIVE BLVD., WEST OF ITS INTERSECTION WITH NORTH WOODS MILL ROAD. (P.Z. 04-2019 13559 OLIVE BLVD [MCDONALD’S] – 16Q241471).

WHEREAS, the petitioner, McDonald’s USA, LLC, has requested a zoning map amendment from the current C8 - Planned Commercial District to a PC – Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Rd; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 8, 2019; and,

WHEREAS, the Planning Commission having considered said request, recommended approval of the amendment by a vote of 8-0; and

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the request with five amendments by a vote of 3-0; and,

WHEREAS, the City Council, having considered said request, voted to approve the change of zoning request.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a “PC” Planned Commercial District designation for a .86 acre tract located north of Olive Blvd., west of its intersection with North Woods Mill Rd and as described as follows:

A Tract of land being part of Lot 1, Share 1, Partition of Missouri Stevens Estate in U.S. Survey 207, Township 46 North, Range 5 East of the Fifth Principal Meridian, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the point of intersection of the eastern line of Forum West Section One, as per plat recorded in Plat Book 126, Page 90 of the St. Louis County Records, with the northern right of way line of Olive Blvd.; thence along the eastern and southern lines of said Forum West Section One, North 9 degrees 27 minutes 41 seconds West 158.20 feet and North 62 degrees 25 minutes 09 seconds East 194.86 feet; thence leaving said lines of Forum West Section One, South 9 degrees 27 minutes 46 seconds East 241.67 feet to a point on the aforesaid right of way of Olive Blvd.; thence along said right of way line South 82 degrees 23 minutes 42 seconds West 7.08 feet to a point

on a curve to the right, whose Chord bears North 83 degrees 9 minutes 27 seconds East 48.69' feet from the last described point; thence along the arc of said curve 48.70 feet; thence North 89 degrees 34 minutes 20 seconds West 125.61 feet; thence South 69 degrees 9 minutes 41 seconds West 5.85 feet to the point of beginning and containing 37,313 square feet or 0.86 acres more or less.

Exempting the following parcel; Commencing at the northwesterly corner of a tract described in Book 7755 Page 1660; Thence, S09 27'41"E 138.57 Feet; Thence N80 32'19"E 15.59 Feet, to the point of beginning; Thence, N81 48'19"E 10.00 Feet; Thence, S08 30'07"E 21.66 Feet; Thence S89 34'20"W, 10.13 Feet; Thence, N08 30'07"W, 20.14 Feet; to the point of beginning. Containing 220 square feet, more or less.

Also exempting the following parcel; Commencing at the northwesterly corner of a tract described in Book 7755 Page 1660; Thence, N62 25'09"E, 37.14 Feet; Thence, S27 34'51"E, 26.44 Feet, to the point of Beginning; Thence, S46 28'39"E, 15.00 Feet; Thence, S43 31'21"W, 15.00 Feet; Thence, N46 28'39"W, 15.00 Feet; Thence, N43 31'21"E, 15.00 Feet; to the point of beginning. Containing 225 square feet, more or less.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the "Attachment A" and the preliminary development plan indicated as "Attachment B" which is attached hereto as and made part of.

Section 3. The City Council, pursuant to the petition filed by McDonald's USA, LLC in P.Z. 04-2019, requesting the rezoning embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 8th day of July 2019, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 8 of the City of Chesterfield Unified Development Code.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 10/23/2019

GREEN SHEET AMENDMENTS

The Planning and Public Works Committee recommended that the following change be made to the Attachment A by a vote of 3-0:

AMENDMENT 1:

Section I. Specific Criteria, E. Landscape and Tree Requirements, page 3.
Add the following language:

3. A six foot tall screening fence shall be installed along the full width of the northern property line of this development. The fence shall be of a color and design to blend into the surroundings and the final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.

The Planning and Public Works Committee recommended that the following change be made to the Attachment A by a vote of 3-0:

AMENDMENT 2:

Section I. Specific Criteria, E. Landscape and Tree Requirements, page 3.
Add the following language:

4. A six foot tall screening fence shall be installed along the western property line of this development for a distance of approximately 140 feet from the northern property line. The fence shall be of a color and design to blend into the surroundings and the final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.

The Planning and Public Works Committee recommended that the following change be made to the Attachment A by a vote of 3-0:

AMENDMENT 3:

Section I. Specific Criteria, F. Sign Requirements, page 3. Add the following language:

3. Prior to approval of plans that necessitate modification of the minimum setbacks from residential properties, confirmation that the existing, non-conforming pole sign will be removed is required. Final occupancy for these improvements, including occupancy for renovation of the existing structure, shall not be granted until signage is in compliance with the UDC.

The Planning and Public Works Committee recommended that the following change be made to the Attachment A by a vote of 3-0:

AMENDMENT 4:

Section I. Specific Criteria, G. Light Requirements, page 3. Add the following language:

2. Non-security lighting shall not be on earlier than 30 minutes prior to opening, as defined in Section I.A.2.
3. Non-security lighting shall not be on past 11:30 p.m.

The Planning and Public Works Committee recommended that the following change be made to the Attachment A by a vote of 3-0:

AMENDMENT 5:

Section I. Specific Criteria, I. Access / Access Management, page 4. Add the following language:

2. Cross-Access shall be provided to all adjacent property lines.

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this “PC” Planned Commercial District shall be:
 - a. Restaurant-fast-food
2. Hours of Operation.
 - a. Use shall have restricted hours of operation from Monday – Saturday 5:30 AM to 11:00 PM and Sunday 6:00 AM to 11:00 PM.
 - b. All deliveries and trash pick-ups shall be limited to the hours from 7:00 AM to 10:00 PM.

B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. Floor Area
 - a. Total building floor area shall not exceed 2,900 square feet.
2. Height
 - a. The maximum height including parapets and other similar features, rooftop equipment, and lighting structures of all buildings shall not exceed twenty-two (22) feet.
3. Building Requirements
 - a. A minimum of thirty-five percent (35%) open space is required for this development.

C. SETBACKS

1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, light standards, flag poles, or trash enclosures will be located within the following setbacks:

- a. Eighteen (18) feet from the southern boundary of the “PC” District.

- b. Sixty (60) feet from the eastern boundaries of the “PC” District.
- c. Fifty (50) feet from the western boundaries of the “PC” District.
- d. Sixty Five (65) feet from the northern boundary of the “PC” District.

2. Parking Setbacks

No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress, will be located within the following setbacks:

- a. Ten (10) feet from the southern boundary of the “PC” District.
- b. Five (5) feet from the eastern boundaries of the “PC” District.
- c. Seventeen (17) feet from the western boundaries of the “PC” District.
- d. Twenty-Five (25) feet from the northern boundary of the “PC” District.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep Olive Blvd. clear of mud and debris at all times.
- 3. Provide adequate off-street stabilized parking area(s] for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- 4. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- 5. No construction-related parking shall be permitted within the Olive Blvd right-of-way or on any existing roadways. All construction-related parking shall be confined to the development unless a parking agreement can be obtained with a surrounding property owner.
- 6. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. The development should adhere to the following landscape buffer requirements.
 - a. Ten (10) feet from the southern boundary of the “PC” District.
 - b. Five (5) feet from the eastern boundaries of the “PC” District.
 - c. Seventeen (17) feet from the western boundaries of the “PC” District.
 - d. Twenty Five (25) feet from the northern boundary of the “PC” District.

F. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. Installation of a Landscaping and Ornamental Entrance Monument or Identification Signage construction, if proposed, shall be reviewed by the City of Chesterfield, and MoDOT, for sight distance considerations and approved prior to installation or construction.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Amended Site Development Plan.

3. A screening fence is required on the north side of the trash enclosure for an approximate length of 30 ft with the location as depicted on the Preliminary Development Plan.

I. ACCESS/ACCESS MANAGEMENT

1. A cross access easement shall be dedicated to the property to the east to allow for future vehicular and pedestrian cross access. The location of the cross access easement shall be as recommended by the Developer's Traffic Engineer, shall meet City Access Management requirements, and shall be shown on the Amended Site Development Plan. This cross-access easement must be secured prior to Improvement Plan approval.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Olive Blvd. frontage. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within MODOT right-of-way, if permitted by that agency, or on private property within a 6 foot wide Sidewalk, Maintenance and Utility Easement dedicated to the City of Chesterfield.
2. Construct improvements as required by the Missouri Department of Transportation and the City of Chesterfield, as directed by the City.
3. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation and the City of Chesterfield.
4. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. The scope of the study shall include internal and external circulation, the inclusion of any parking

modification request, and shall evaluate the point of future cross-access if the development to the east should re-develop.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed, the Mayor, or any two (2) City Council members from any Ward may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than seventy-two (72) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

1. Formal MSD review, approval and permits are required prior to construction.
2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system
3. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
4. Emergency overflow routes to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
5. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.

N. SANITARY SEWER

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
2. A sampling manhole will be required with this development.

O. GEOTECHNICAL REPORT

1. Prior to Amended Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Services. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

P. MISCELLANEOUS

1. All utilities will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
3. Prior to any record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
4. The developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.

II. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the Amended Site Development Plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

III. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include, but not be limited to, the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.

15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

IV.RECORDING

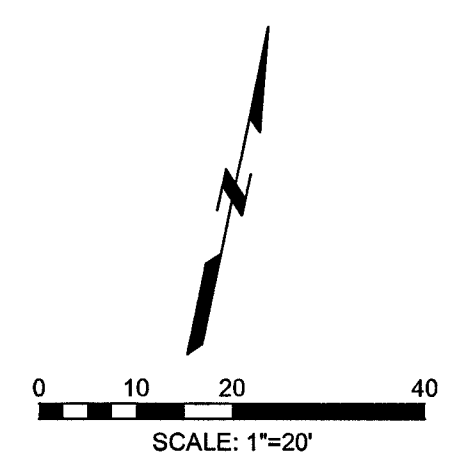
Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

V. ENFORCEMENT

- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.

- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- E.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

CITY OF CHESTERFIELD
PLANNED DISTRICT ORDINANCE
ATTACHMENT B



Open space. A provision for common open space shall be provided in the district at a minimum of thirty-five percent (35%) of the total site acreage. Open space should be integrated into the development to provide aesthetic, recreational, or other public benefit.

Setbacks.

No structure shall be permitted within thirty-five (35) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

No parking area, internal drive, loading space, or structure shall be permitted within twenty-five (25) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

All other setbacks shall be established by the conditions of the planned district ordinance.

Hours of operation. The hours of operation, including hours open to the public and hours for the loading and unloading of deliveries, shall be established in the planned district ordinance.

MSD Formal review and approval will be required prior to any permits for construction.

A sampling manhole will be required by MSD.

Monarch Fire Protection District has no comments at this time.

SYMBOLS

LIGHT STANDARD

STREET LIGHT

SIGN

ANTENNA

BOLLARD

HANDICAP STALL MARKER

FIBER OPTIC CABLE MARKER

MAIL BOX

ROCK

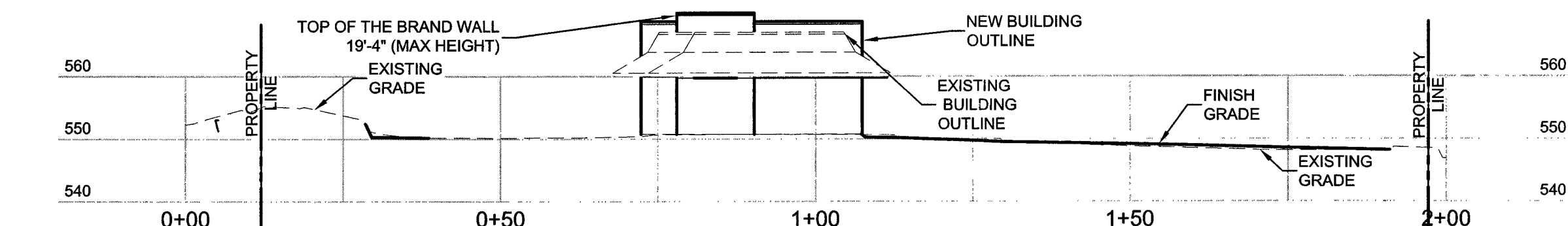
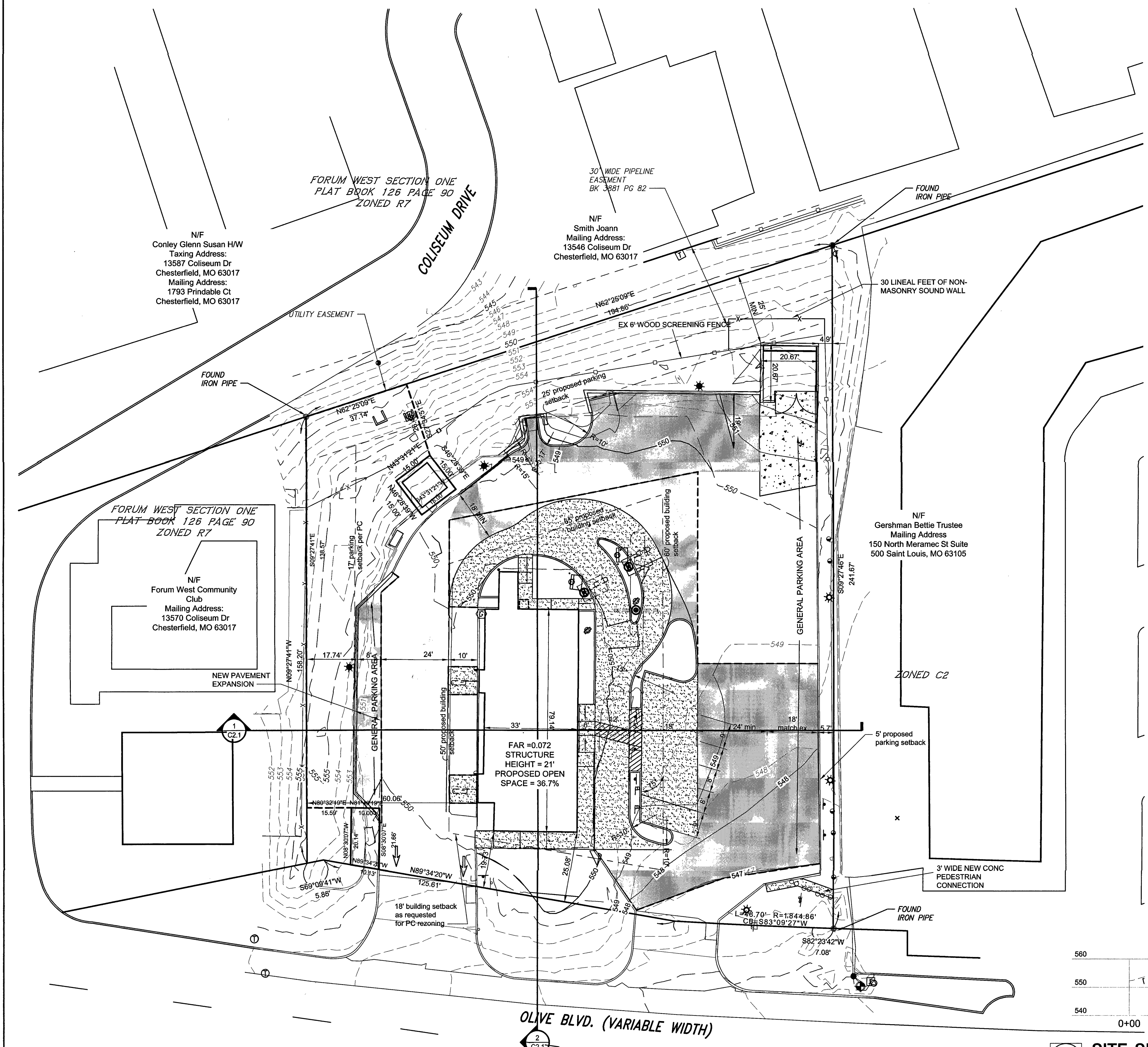
TRAFFIC SIGNAL

LEGEND

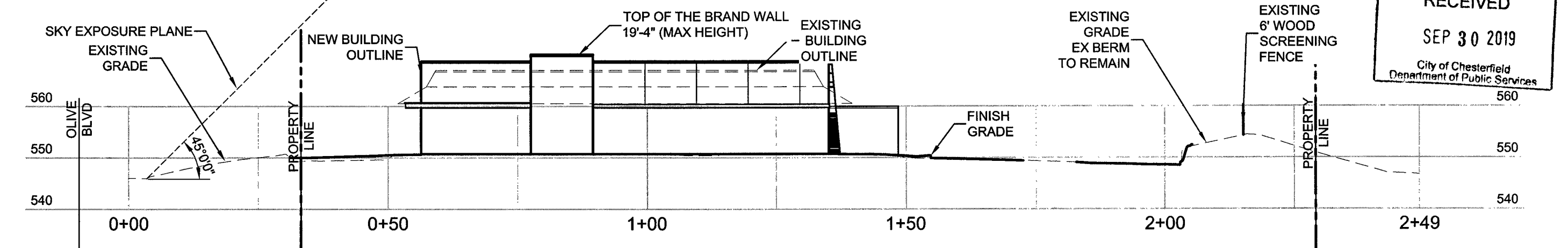
ABBREVIATIONS

(TR)	TO REMAIN
ASPH	ASPHALT
BLDG	BUILDING
COR	CORNER
CONC	CONCRETE
CO	CLEANOUT
DB	DEED BOOK
FL	FLOW LINE
MH	MANHOLE
PB	PLAT BOOK
PG	PAGE
PB	PLAT BOOK
P.O.B.	POINT OF BEGINNING
P.U.M.I.	PRIVATE, UNDER MSD INSPEC.
R.O.W.	RIGHT-OF-WAY
SF	SQUARE FEET
ST	STORM
TC	TOP OF CONCRETE/CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
TYP	TYPICAL
UTIL	UTILITY
W	WIDE
N	NORTH
S	SOUTH
E	EAST
W	WEST
SA	SANITARY
ME	MATCH EXISTING
G	GUTTER

LINEWORK



1 SITE SECTION (EAST-WEST)
Scale: 1"=20'



2 SITE SECTION (NORTH-SOUTH)
Scale: 1"=20'

ISSUE REF	BY	DESCRIPTION	DATE	REV
	JPB	CITY COMMENTS	1-15-19	1
	JPB	CITY COMMENTS	5-20-19	2
	JPB	PARKING COUNT	8-14-19	3

ROBERT E. POLK & ASSOCIATES, INC.
10801 WASH. BLVD., SUITE 400, OVERLAND PARK, KS 66210
ADDRESS: 18559 OLIVE BLVD CHESTERFIELD MO 63017

PLAN APPROVAL	DATE	SIGNATURE (2 REQUIRED)
REGIONAL MGR.		
CONST. MGR.		
PROJECT MANAGER		
REAL ESTATE MGR.		
CONTRACTOR		
OWNER		

STATUS	DATE	BY
PRELIMINARY	11-1-18	FG
FINAL PLAN	-	FG
AS-CONST.		

PDP-1
PRELIMINARY DEVELOPMENT
PLAN

FG JOB NO 0180691.00



Mike Knight, Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

July 20, 2019

Subject: Homeowner Review of PZ 04-2019 13559 Olive

Dear Mr. Knight,

After attending the initial July 8 hearing and reviewing the details of PZ 04-2019 13559 Olive outlined in the document 07-08-2019_PC_1V.A-1 the homeowner board is writing to outline our concerns and requests. Listed below is what we feel are issues that this re-zoning will negatively impact our community in order of importance.

1) Primary Concern

The primary concern is how the proposed changes will increase the amount and proximity of sound (noise) on the property. The change is intended to allow more cars to be on the property in the drive through – more sound. The change will add a second drive through ordering station. Both of these changes increase the amount of activity and brings it closer to our property. The movement of the trash dumpster closer to our property also will bring more sounds of disposal and trash pick-up closer to our homeowners.

Requested Solution

At present a 6' high picket fence provides a barrier between McDonald's and Woodsmill Pointe. It covers the western perimeter (between our pool and clubhouse) and northwest and part of northern perimeter (between McDonald's and condominium units). This fence provides a fairly good light barrier but is not a sufficient sound barrier now.

We would like to see the fence replaced with a sound barrier style wall on the northwest and northern sides of the property. This type of wall will reduce the increased level of sound. This is shown on Exhibit 1

Typical sound barrier wall systems can be seen at:

<https://eco-flex.com> , <https://www.ailsoundwalls.com/> , <https://soundwalls.com/>

Woodsmill Pointe (Forum West), 1357 Coliseum Dr., Chesterfield, MO 63017 (314) 514-8004

www.woodsmillpointe.com



2) Secondary Concern

The hours of activity at late hours even with a sound barrier could become disruptive.

Requested Solution

We would like to see the hours of sales limited to 6:00 AM – 11:00 PM

We would like to see the hours of trash pick-up limited to 7:00 AM – 10:00 PM

We would like to see the hours of product deliveries also limited to 7:00 AM – 10:00 PM

3) Lighting

We would ask that parking lot lighting be modified to a shaded style lamp. Below on Exhibit 2 is picture of the current lamps. Exhibit 3 is a better approach with lights focused down rather than out (this picture taken at the Chesterfield McDonalds on Clarkson).

We feel these concerns and requests are very reasonable and protect the livability and the property values of those homeowners near McDonald's operations.

Board of Trustees

Bill Burns

Judy Griffin

Mike Keister

Lily Levin

Dave Meyer

Susan Murphy

Angela Nolan

Doug Riley

Sandy Schierbaum

Woodsmill Pointe (Forum West), 1357 Coliseum Dr., Chesterfield, MO 63017 (314) 514-8004

www.woodsmillpointe.com

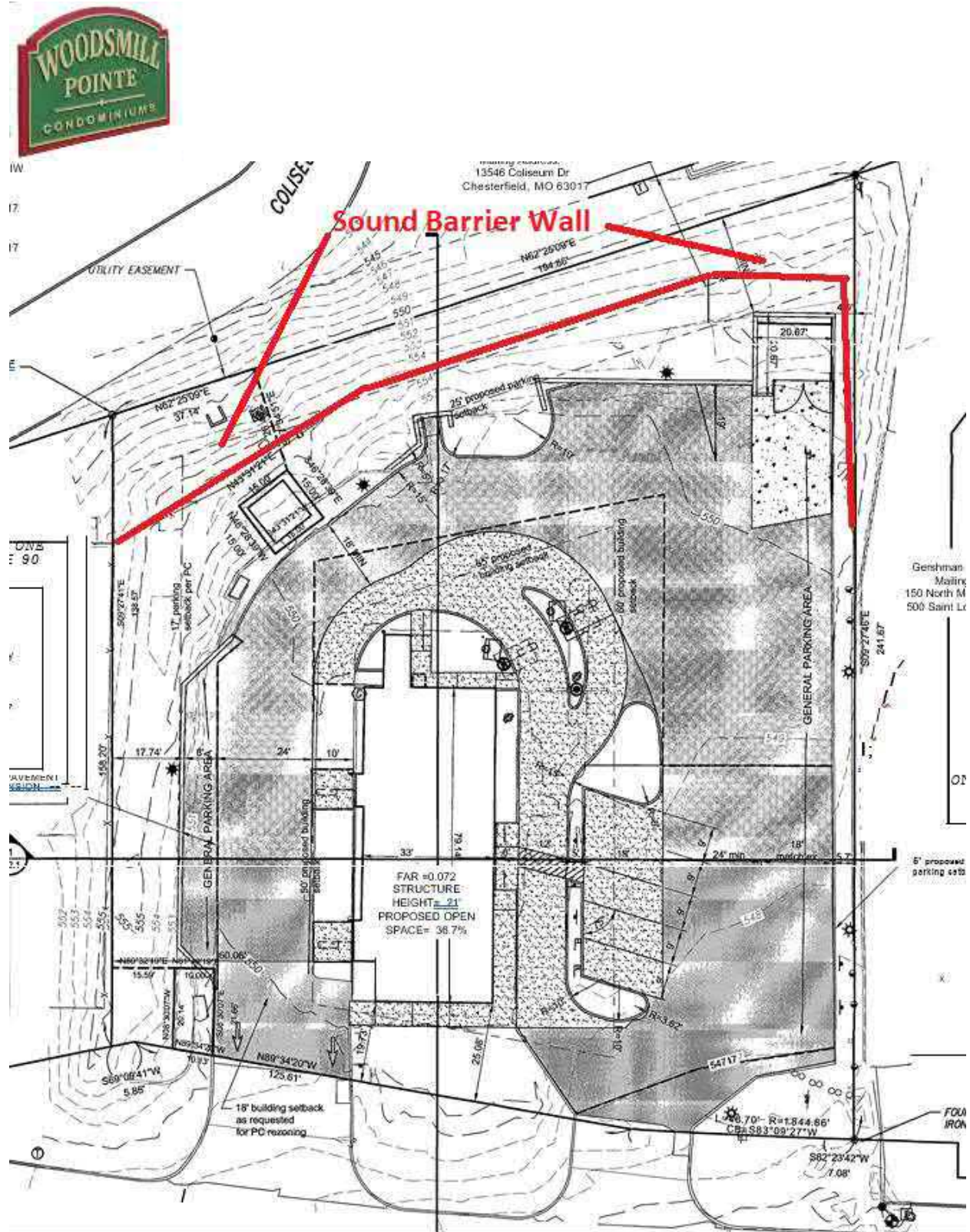


Figure 1

Woodsmill Pointe (Forum West), 1357 Coliseum Dr., Chesterfield, MO 63017 (314) 514-8004

www.woodsmillpointe.com



Figure 2



Figure 3

Woodsmill Pointe (Forum West), 1357 Coliseum Dr., Chesterfield, MO 63017 (314) 514-8004

www.woodsmillpointe.com

Memorandum

Department of Public Works



TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E. *JAE*
Public Works Dir. / City Engineer

DATE: September 18, 2019

RE: Damage to Mailboxes

The United States Postal Service dictates the placement and installation of mailboxes. Accordingly, they are one of very few non-public structures which are allowed within the public right-of-way. Due to street trees and normal City maintenance operations within the right of way, there are routine occurrences when private mailboxes will be damaged by falling trees / limbs or City operations (i.e. snow plowing, street repair, sidewalk repair, tree trimming, tree removal, etc.). When notified of a mailbox damaged by a street tree or City operations, it is the current unwritten policy of the City of Chesterfield that that the Public Works Department will repair the existing mailbox (if practicable), or replace the mailbox with a standard mailbox stocked by the Public Works Department.

Unfortunately, this does not address the many ornate, decorative, and sometimes quite expensive mailboxes located throughout the City. When those mailboxes are damaged, the Public Works Staff frequently cannot effectively repair the mailbox, or the resident wants the mailbox replaced or repaired by his/her contractor. In an effort to address these instances, I recommend that the City also allow a reimbursement up to \$300 to repair or replace mailboxes. The \$300 was calculated upon a standard cost to replace a mailbox (\$150 in material, \$150 in labor).

While this should address the vast majority of mailbox repairs / replacements, there will be some instances where residents have very expensive mailboxes and will not accept the \$300 payment. In those cases the resident may submit a claim to the City's insurance company. When that occurs, resolution of the matter will be solely between the resident and the City's insurance company.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee of City Council. If recommended for approval, the attached Policy should be forwarded to the full City Council for adoption.

Please forward to the PPW Committee for review and recommendation.

 2019-9-18

**CITY OF CHESTERFIELD
POLICY STATEMENT**

PUBLIC WORKS

NO. 40

SUBJECT Damage to Mailboxes

INDEX PW

DATE TBD
ISSUED

DATE
REVISED

POLICY

The United States Postal Service dictates the placement and installation of mailboxes. Accordingly, they are one of very few non-public structures which are allowed within the public right-of-way. Due to normal City maintenance operations within the right of way, there are routine occurrences when private mailboxes will be damaged by falling trees / limbs or City operations (i.e. snow plowing, street repair, sidewalk repair, tree trimming, tree removal, etc.). When notified of a mailbox damaged by a street tree or City operations, it is the Policy of the City of Chesterfield that the Public Works Department will repair the existing mailbox (if practicable), or replace the mailbox with a standard mailbox stocked by the Public Works Department.

While this Policy covers most damaged mailboxes, there are many ornate, decorative, and in some cases quite expensive mailboxes located within the City of Chesterfield. If a resident is unwilling to accept the repair or standard replacement as described above, the City may reimburse the resident a maximum of \$300 to repair or replace the mailbox.

In cases where none of these options are acceptable to the resident (i.e. resident has an ornate / expensive mailbox), the resident may submit a claim to the City's insurance company. If this occurs, the resolution of this matter will be solely between the resident and the City's insurance company.

RECOMMENDED BY:

Department Head/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

Memorandum

Department of Public Works



TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E. *JAE*
Public Works Dir. / City Engineer

DATE: September 18, 2019

RE: Water on Sidewalks

The front yards of Residential Subdivisions in the City of Chesterfield are generally designed and graded to drain from the house to the street, where water is collected in a curb and gutter system and transported to a nearby curb inlet (storm sewer). For subdivisions containing sidewalk, water must necessarily travel over the sidewalk and through the tree lawn in order to reach the street.

Private yards slope toward the street at varying grades. The tree lawn is generally designed for a slope of four percent between the edge of sidewalk to the top of curb. The sidewalk generally contains a cross slope of one to two percent. While a higher cross slope is desirable for drainage purposes, a cross slope of more than two percent is a violation of the Americans with Disabilities Act (ADA).

As subdivisions mature some areas settle and the ground shifts. Additionally, in many cases vegetation grows higher and more dense as subdivisions age. This often causes problems at the tree lawn, where raised ground or thick strands of grass prevent the water on the sidewalk from draining to the street. The result is water on the sidewalk ponding for varying periods of time.

Primarily due to the very wet year we have experienced, the City has recently received myriad requests to address problems related to water on sidewalk. In many cases, there is a legitimate problem with the sidewalk which can be addressed by replacing sections of sidewalk. However, in other cases there is no real problem with the sidewalk and no hazard to the public (i.e. algae / slippery sidewalk).

Public Works Staff is recommending the attached policy to clarify that ponding water on the sidewalk within 48 hours of a rain event should be considered normal, and no action will be taken by the City. In cases where water ponds longer than 48 hours and creates a public nuisance of some kind (i.e. ice or slick algae) the City will investigate the problem to determine whether corrective action can or should be

taken by the City. If necessary, the City will address problems by: replacing sidewalk which does not slope toward the street; replacing sidewalk which has settled creating a low area allowing ponding water; re-grading the tree lawn to allow drainage from the sidewalk to the street.

The Policy also clarifies that residents are responsible for ensuring that conditions of their property are not contributing to any nuisance on the sidewalk. This includes maintaining the grass within the tree lawn in such a manner that it allows water to travel from the sidewalk to the street. Additionally, as required by Code, all drains routed toward the sidewalk must discharge at least ten feet from the property line AND must not create a public nuisance. If a nuisance is created by a private drain, that nuisance must be abated by the property owner, if possible. The City Staff will work with residents to offer alternatives to eliminate or minimize the nuisance.

In cases where water on the sidewalk is creating a significant and consistent sidewalk hazard, and there is no means for the property owner to reasonably reduce or eliminate the hazard, the City will design a capital project to correct the problem, the construction of which will be subject to City Council approval.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee of City Council. If recommended for approval, the attached Policy should be forwarded to the full City Council for adoption.

10/11/2019 NOTE: The Draft Policy was modified by PPW to replace “and” in the fourth paragraph with “and / or”. The attached Policy reflects that change.

CITY OF CHESTERFIELD POLICY STATEMENT

PUBLIC WORKS

NO. 41

SUBJECT Water on Sidewalks

INDEX PW

DATE TBD
ISSUED

DATE
REVISED

POLICY

The front yards of Residential Subdivisions in the City of Chesterfield are generally designed and graded to drain from the house to the street, where water is collected in a curb and gutter system and transported to a nearby curb inlet (storm sewer). For subdivisions containing sidewalk, water must necessarily travel over the sidewalk and through the tree lawn in order to reach the street.

Private yards slope toward the street at varying grades. The tree lawn is generally designed for a slope of four percent between the edge of sidewalk to the top of curb. The sidewalk generally contains a cross slope of one to two percent. While a higher cross slope is desirable for drainage purposes, a cross slope of more than two percent is a violation of the Americans with Disabilities Act (ADA).

As subdivisions mature some areas will settle and the ground will shift. Additionally, in many cases vegetation grows higher and more dense as subdivisions age. This can cause problems at the tree lawn, where raised ground or thick strands of grass prevent the water on the sidewalk from draining to the street. The result is water on the sidewalk ponding for varying periods of time.

Ponding water on the sidewalk within 48 hours of a rain event shall be considered normal, and no action will be taken by the City. In cases where water ponds longer than 48 hours and / or creates a public nuisance of some kind (i.e. ice or slick algae) the City will investigate the problem to determine whether corrective action can or should be taken by the City. Specific remedies may include, but are not limited to: replacement of sidewalk slabs which do not slope toward the street; replacement of sidewalk slabs which have settled creating a low area where ponding occurs; re-grading of the tree lawn to allow drainage from the sidewalk to the street; other actions which will, in the opinion of the City Engineer, eliminate or reduce the nuisance.

Residents shall be responsible for ensuring that conditions of their property are not contributing to any nuisance on the sidewalk. This includes maintaining the grass within the tree lawn in such a manner that it allows water to travel from the sidewalk to the street. Additionally, all drains routed toward the sidewalk must discharge at least ten feet from the property line AND must not create a public

nuisance. If a nuisance is created by a private drain, that nuisance must be abated by the property owner by any and all reasonable means, including re-routing sump pumps to rear yards or other drainage channels, when appropriate. In these cases the City's Engineering Division will work with the property owner to offer alternatives to eliminate or minimize the nuisance.

In instances where water on the sidewalk is creating a significant and consistent sidewalk hazard, and there is no means for the property owner to reasonably reduce or eliminate the hazard, the City will design a Capital Project to correct the problem, the construction of which will be subject to City Council approval.

RECOMMENDED BY:

Department Head/Council Committee (if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember Moore

Vice-Chair: Councilmember Keathley

Next Meeting – October 29, 2019 – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)

As was discussed at each of the prior workshops, please submit any questions or concerns to me or Acting Finance Director John Hughes as soon as practicable to facilitate discussion at the next workshop.

If you have any questions or require additional information please contact Assistant Finance Director John Hughes or me prior to Wednesday's meeting.

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember DeCampi

Vice Chair: Councilmember Hurt

The next meeting of the Parks, Recreation and Arts Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Director of Parks, Recreation and Arts, Tom McCarthy or me prior to Wednesday's meeting.

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember Monachella

Vice Chair: Michael Moore

The next meeting of the Public Health and Safety Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Chief Ray Johnson or me prior Wednesday's meeting.

REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL

2019 Crack Sealing Project

Recommendation to authorize the City Administrator to enter into an Agreement with Sweetens Concrete Services, LLC in the amount of \$70,000. The 2019 budget provides \$80,000 in the Capital Projects Fund for this project. **(Roll Call Vote) Department of Public Works recommends approval.**

Liquor License Request – Desi Vibes (Voice Vote)

13722 Olive Blvd (formerly Screen Savers) has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, packaged, and Sunday sales. Mr. Pavin Khanna is the Managing Officer. This application was reviewed and approved by both The Police Department and the Planning & Development Services Department. With City Council approval of the Wednesday, October 23, 2019 City Council meeting, I will immediately issue this license.

Budget Amendment – Parks (Roll Call Vote)

The ticketed amphitheater event on Saturday October 3rd, which featured Cody Johnson was the City's first sellout concert. As a result of the concerts success in ticket sales, we were obligated to distribute the artists 80% share of the "excess tickets revenue", or \$22,583. Accordingly, I request that City Council approve a budget amendment, INCREASING event revenues by \$28,229 and INCREASING the contractual expense by only \$22,583, effectively increasing the City's profit on this event by \$5,645.

If you have any questions or require additional information, please contact me prior to Wednesday's meeting.

Memorandum

Department of Public Works



TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E. *JAE*
Public Works Dir. / City Engineer

DATE: October 10, 2019

RE: 2019 Crack Sealing Project

The Department of Public Works publicly opened bids for the 2019 Crack Sealing Project on October 10, 2019. The results of the bid opening are detailed in the attached memorandum from Project Manager Mark Wilson. After reviewing the bids, Staff recommends the project be awarded to the low bidder, Sweetens Concrete Services, LLC, in the amount of \$70,000. Sweetens Concrete Services has successfully performed crack sealing work in the City of Chesterfield in the past and is positively recommended by City Staff.

You will note that the low bid from Sweetens Concrete (\$53,869) is substantially lower than the budgeted amount of \$80,000. Typically, in a case like this I would recommend allocation of the full budgeted amount (\$80,000) and we would perform as much crack sealing as possible, within budget. However, because our Capital Project sales tax revenues are slightly lower than forecast, I am recommending a contract approval \$10,000 below the budgeted amount. This will still allow us to construct slightly more crack sealing than originally planned, with an allowance for contingency if necessary.

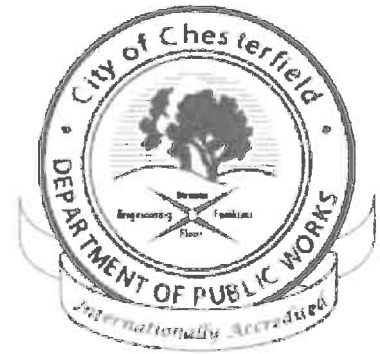
As you know, the City of Chesterfield attempts to crack seal its streets every five to seven years in an effort to extend the life of its streets. Crack sealing has many benefits, including retarding joint deterioration, preventing water from infiltrating the pavement subbase, and keeping incompressible material out of the joint, which helps alleviate street migration.

Action Recommended

This matter should be forwarded to the City Council for consideration. Should Council concur with Staff's recommendation, it should authorize the City Administrator to enter into an Agreement with Sweetens Concrete Services, LLC in the amount of \$70,000.

Memorandum

Department of Public Works



TO: Jim Eckrich, Public Works Director

FROM: Mark Wilson, Project Manager

DATE: October 10, 2019

RE: 2019 Crack Sealing Project, 2019-PW-07

As you are aware, the Department of Public Works opened bids for the above referenced project today, October 10, 2019. Three bids were received:

Contractor	Total Bid
Sweetens Concrete Services	\$53,868.80
Parking Lot Maintenance	\$67,564.00
E. Meier Contracting	\$69,577.20

The low bidder, Sweetens Concrete Services has performed work for the City in the past and has been found to be a reliable contractor. **Accordingly, I recommend acceptance of the bid of \$53,868.80 submitted by Sweetens Concrete Services and request authorization of work up to the amount of \$80,000.00 to cover this expenditure.** Adequate funding is available in the Misc. Contractual account, 120-079-5251 to cover this expenditure.

A copy of the lowest and best bid is attached for the Department of Finance and Administration's use in preparing a purchase order for the project. Should you require additional information, please advise.

Cc: File 2019-PW-07



**BID TABULATION
2019 CRACK SEALING PROJECT
2019-PW-07
October 10, 2019**

ITEM #	DESCRIPTION	UNITS	QTY	ENGINEER'S ESTIMATE		SWEETENS CONCRETE		PARKING LOT MAINTENANCE		E. MEIER CONTRACTING	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1	Joint and Crack Sealing 20- 26 ft. Wide Asphalt Street	Mile	0.63	\$3,800.00	\$2,394.00	\$3,040.00	\$1,915.20	\$3,800.00	\$2,394.00	\$3,960.00	\$2,494.80
2	Joint and Crack Sealing 18-23 ft. Wide Concrete Street	Mile	0.32	\$3,800.00	\$1,216.00	\$3,040.00	\$972.80	\$3,800.00	\$1,216.00	\$3,960.00	\$1,267.20
3	Joint and Crack Sealing 18-23 ft. Wide Concrete Street	Mile	0.28	\$3,800.00	\$1,064.00	\$3,040.00	\$851.20	\$3,800.00	\$1,064.00	\$3,960.00	\$1,108.80
4	Joint and Crack Sealing 26-28 ft. Wide Concrete Street	Mile	15.20	\$4,200.00	\$63,840.00	\$3,040.00	\$46,208.00	\$3,800.00	\$57,760.00	\$3,960.00	\$60,192.00
5	Joint and Crack Sealing 32 - 40 ft. Wide Concrete Street	Mile	1.14	\$4,400.00	\$5,016.00	\$3,440.00	\$3,921.60	\$4,500.00	\$5,130.00	\$3,960.00	\$4,514.40
TOTAL BID					\$73,530.00		\$53,868.80		\$67,564.00		\$69,577.20

EXHIBIT A

BID FORM

BID TIME: 9:00 a.m.

BID DATE: Tuesday, October 10, 2019

TO: THE CITY OF CHESTERFIELD

The undersigned, having carefully examined the site and all the Contract Documents, adding Addenda A through 0 , for the

2019 Crack Sealing Project
2019-PW-07

being familiar with the local conditions affecting the work, hereby proposes to furnish all labor, materials, equipment and services required for the performance and completion of said project in accordance with the said Contract Documents for the following itemized bid.

The City is requesting unit price proposals for this work, consisting of thorough cleaning, preparing and sealing of existing joints and cracks in concrete and asphalt pavements, curbs and driveways of approximately 18 miles of streets.

The Contract contains a binding arbitration provision which may be enforced by the parties.

Bid submitted by:

Company Name: SWEETENS CONCRETE SERVICES LLC
Address: 207 E KOENIG AVE.
City, State: WENTZVILLE, MO 63385
Phone number: 636. 887. 2332 Fax: 636. 887. 0122
E-mail address: CBERENDZEN@SWEETENS CONCRETE.COM
Type of Firm: Sole Partnership _____ Partnership _____
Corporation ☒ Other _____
Officer: AARON SWEETEN
Title: OPERATIONS MGR.
Signature: [Signature]
Date: 10/09/19

**ITEMIZED BID
CITY OF CHESTERFIELD
2019 CRACK SEALING PROJECT
2019-PW-07**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	EXTENDED PRICE
1	Joint and Crack Sealing 20- 26 ft. Wide Asphalt Street	Mile	0.63	<u>\$3040</u>	<u>\$1915.²⁰</u>
2	Joint and Crack Sealing 18-23 ft. Wide Concrete Street	Mile	0.32	<u>\$3040</u>	<u>\$972.⁸⁰</u>
3	Joint and Crack Sealing 18-23 ft. Wide Concrete Street	Mile	0.28	<u>\$3040</u>	<u>\$851.²⁰</u>
4	Joint and Crack Sealing 26-28 ft. Wide Concrete Street	Mile	15.2	<u>\$3040</u>	<u>\$46,208.⁰⁰</u>
5	Joint and Crack Sealing 32 - 40 ft. Wide Concrete Street	Mile	1.14	<u>\$3440</u>	<u>\$3,921.⁶⁰</u>
TOTAL BID					<u><u>\$53,868.⁸⁰</u></u>



MEMORANDUM

DATE: October 8, 2019

TO: Mike Geisel
City Administrator

FROM: Andrea Majoros, Business Assistance Coordinator

SUBJECT: **LIQUOR LICENSE REQUEST –
DESI VIBES**

DESI VIBES (Indian Restaurant & Bar), 13722 Olive Blvd (formerly Screen Savers) has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise + packaged and Sunday sales.

Mr. Pravin Khanna is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Planning/Development Services Division of the Department of Public Services.

With City Council approval at the Wednesday, October 23, 2019 City Council meeting, I will immediately issue this license.

Mike Geisel
City Administrator



690 Chesterfield Pkwy W
Chesterfield MO 63017

OFFICE OF THE CITY ADMINISTRATOR

TO: Mayor & City Council

Date: October 11, 2019

RE: Budget Amendment - Parks

I am pleased to report that the ticketed amphitheater event on Saturday October 3rd, which featured Cody Johnson was the City's first sellout concert. By all measures, this was an extremely successful event, and there were 3,156 tickets distributed for this concert.

First and foremost, I would be remiss if I did not share that we were only able to contract with this artist because of Council's prior decision to allow Jason Baucom, our Superintendent of Entertainment and Arts, to contract with artists to perform in our 2019 concert season, in the fall of 2018 at the IEBA (International Entertainment Buyers Association) event. We were able to secure the date on Cody Johnson's tour schedule in the fall of 2018.

Based on the performance contract, the number of tickets required to break-even on the ticket sales alone was 1,767 tickets. The contract provided for a negotiated guaranteed artist minimum fee, a pre-negotiated value of City expenses, including an amount reserved for Promoter profit. Also, once the break-even number of ticket sales was achieved, the "excess" ticket sales revenues are split on an 80/20 basis, with the artist receiving 80% of those revenues. The City reserves all rights to concession revenues and a minor (10%) percentage of on-site merchandise sales.

As a result of the concerts success in ticket sales, we are required to distribute the artist's 80% revenue share, or \$22,583. Accordingly, I request that City Council approve a **budget amendment, INCREASING event revenues by \$28,229 and INCREASING the contractual expense by only \$22,583**, effectively increasing the City's profit on this event by \$5,645.

While unrelated to this request for a budget amendment, I thought it might be instructive to share some of the preliminary, unaudited values related to this ticketed event. Council has authorized and directed that Staff utilize the

commercial opportunities of the Amphitheater venue, in order for the City to continue funding for free community events and offset operating costs for the facility.

Ticket Sale Revenues: \$104,950

Artist Performance Fee: \$30,000

Artist Share – Excess tickets sales: \$22,583

Event expenses: \$28,740

Opening act(s), Advertising, Catering, Barricades, Box Office, Stage
Hands, Security, Production, Clean-up, Runners

Estimated Net Concessions: \$44,000

Gross concession sales: \$55,400

Concession Hard Costs: \$11,000

Estimated net event revenue: \$68,027

As has been repeatedly discussed, events at an outdoor venue carry a risk and some events are more successful than others. The Cody Johnson event was very successful in every regard. These results cannot and should not be considered as the barometer for future events. There will always be winning events and losing events. But it does show that our boutique level venue is a viable location and can be utilized profitably.

Again, the purpose of this memo was simply to request a budget amendment on both sides of the ledger, **INCREASING event revenues by \$28,229 and INCREASING the contractual expense by only \$22,583.**

If you have any questions or require additional information, please let me know.

Attachments

Cc Tom McCarthy, Director of Parks, Recreation and Arts
John Hughes, Acting Finance Director
Jeannette Kelly, Finance Director

Transfer Request No. PK5

Transfer No. _____

City of Chesterfield

Budgetary Transfer of Funds Request

Transfer From:

Account Number	Account Name	Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL		_____

Transfer TO:

Account Number	Account Name	Amount
119-085-5313	DEPARTMENT SUPPLIES	\$22,583
119-000-4685	AMPHITHEATER RENTAL	(\$28,229)
_____	_____	_____
TOTAL		(\$5,645) NET REV.

EXPLANATION:

As a result of the concerts success in ticket sales, we are required to distribute the artist's 80% revenue share, or \$22,583. Accordingly, I request that City Council approve a budget amendment, INCREASING event revenues by \$28,229 and INCREASING the contractual expense by only \$22,583, effectively increasing the City's profit on this event by \$5,645.

APPROVALS:

Requested By: _____

Date: 10/9/19

Department Head: _____

Date: 10-9-19

Finance Director: _____

(required)

Date: 10/9/2019

City Administrator: _____

Date: 10/10/2019

Approved by City Council on _____

Date: _____

Transfers up to \$2,500 can be transferred (within object level) with approval of Director of Finance.
 Transfers up to \$5,000 can be transferred (within object level) with approval of the City Administrator.
 Transfers in excess of \$5,000 or between Departments or Funds require approval by City Council.



MEMORANDUM

To: John Hughes, Int Director of Finance
Mike Geisel, Director of Public Services
Thomas McCarthy, Parks, Recreation and Arts Director

Date: October 7, 2019

From:  Jason Baucom, Superintendent of Arts & Entertainment

Subject: Amphitheater Expenses 085 – 5313

Our contractual terms with COJO Music LLC for the October 5th Cody Johnson concert was a \$30K guarantee and an 80/20 split on the net ticket sales revenue after all approved expenses, with the artist receiving 80%. Due to the success of the sold out show we owe COJO Music LLC \$22,582.90. Attached you will find the settlement sheet that details revenue and expense totals along with the balance owed to artist. We are requesting a budget adjustment to our Department Supplies 085-5313 account of \$22,582.90 ~~taken from~~ Revenue account 119-4685.

as well as \$28,229 to Revenue Account 119-000-4685. (John Hughes' amendment).

If you require additional information, please advise.

Chesterfield Amphitheater
Chesterfield, MO
Capacity: 0

Chesterfield Amphitheater
631 Veterans Pl Dr
Chesterfield, MO 63017

Cody Johnson
SAT OCT 5, 2019
Currency: USD

Ticket Type	Price	Attendance	Totals	Comps	0
Lawn	30.00	2600	78,000.00	Sold	3156
Pit GA	40.00	200	8,000.00		
Seated GA	50.00	310	15,500.00	Total Scanned	3156
VIP	75.00	46	3,450.00	Total Sold Plus Comps	3156
				Gross Ticket Sales	104,950.00

Description	Function	Totals		
Example based on gross	[GROSS] * 0.0	0.00		
Example based on ticket sales	[SOLD] * 0.0	0.00		
Example based on attendance	[SCANNED] * 0.0	0.00		
			Total Adjustments	0.00
			Adj. Gross Ticket Sales	104,950.00

Tax Type	Function	Totals		
VAT	[ADJUSTED_GROSS] * 0.0	0.00		
State Tax	9,170.53	9,170.53		
Entertainment Tax	[ADJUSTED_GROSS] * 0.0	0.00		
Other Tax	[ADJUSTED_GROSS] * 0.0	0.00		
			Total Taxes	9,170.53

Split Percentage	plus 80%		Gross Ticket Sales	104,950.00
Guarantee	30,000.00		Adjusted Gross Ticket Sales	104,950.00
Deal Description			Total Taxes	-9,170.53
split: 80% of Adjusted Net After Expenses plus Guarantee of 30000			NET Gross	95,779.47
Deal Notes	Advance Deposit:	-30,000.00	Net Adjustment	0.00
			Adjusted NET Gross	95,779.47
Ticket Buys			Total Variable Expenses	0.00
Friends and Family Tickets		0.00	Budgeted Variable Expenses	0.00
			Total Fixed Expenses	-67,550.85
			Budgeted Fixed Expenses	0.00
Adjustments Final			Expenses Subtotal	-67,550.85
			Promoter Profit (0.00%)	0.00
			Total Expenses	-67,550.85
Adjustments Withholding			Split Point	Profit / Loss
FEU Withholding		0.00	80%	28,228.62
				Artist Take
				22,582.90
				Promoter Difference
				-24,354.28
				Guarantee
				30,000.00
				Ticket Buys
				0.00
				Adjustments Final
				0.00
				Total Due
				22,582.90
				Advance Deposit
				-30,000.00
				Total Due at Settlement
				22,582.90
				Cash to Artist
				0.00
				Adjustments Withholding
				0.00
				Remaining Balance
				22,582.90
				Check to Artist
				22,582.90

OTHER LEGISLATION

Bill No. 3261 - 805 Chesterfield Center (Lots C109 and C208) – Boundary Adjustment Plat An ordinance providing for the approval of a Boundary Adjustment Plat for one tract totaling 8.2 acres, zoned “UC” Urban Core District (18s110148). **(First & Second Readings)**
Department of Planning & Development Services recommends approval.

Bill No. 3262 - Wild Horse Heights (226 Fick Farm Rd.) – Vacation of Easement An ordinance vacating a portion of two ten-foot wide easements on Lots 3, 4, and 5 of Wild Horse Heights Subdivision as recorded in Book 319, Page 7 of the St. Louis County records, City of Chesterfield, St. Louis County, Missouri. **(First & Second Readings)**
Department of Planning & Development Services recommends approval.

UNFINISHED BUSINESS

There are no unfinished action items on the agenda for this meeting.

If you have any questions or require additional information, please contact me prior to Wednesday’s meeting.

NEW BUSINESS

There are no new business action items on the agenda for this meeting.

If you have any questions or require additional information, please contact me prior to Wednesday’s meeting.



Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services **JW**

Date: October 11, 2019

RE: **805 Chesterfield Center (Lots C109 and C208) BAP:** A Boundary Adjustment Plat for a tract totaling 8.2 acres, with all tracts zoned "UC" Urban Core District (18S110148).

Shelbourne Healthcare Development Group has submitted for review and approval a Boundary Adjustment Plat for two lots on a single tract totaling 8.2 acres zoned "UC" - Urban Core District, located on the south side of Chesterfield Center, southeast of the intersection with Chesterfield Parkway West.

The purpose of this Boundary Adjustment Plat is to remove a single lot line between two properties both zoned "UC" Urban Core District to consolidate into one tract zoned "UC" Urban Core District. This lot is known as Lot 1. The Site Development Plan for Lot 1 was approved by the City of Chesterfield Planning Commission on June 25, 2018.

For your information, Boundary Adjustment Plats are only reviewed by City Council.

Attached to the legislation, please find a copy of the Boundary Adjustment Plat.



Figure 1. Aerial Photograph

BILL NO. 3261

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR ONE TRACT TOTALING 8.2 ACRES, ZONED "UC" URBAN CORE DISTRICT (18S110148).

WHEREAS, Shelbourne Healthcare Development Group has submitted for review and approval a Boundary Adjustment Plat for one tract totaling 8.2 acres, zoned "UC" Urban Core District; and,

WHEREAS, the purpose of this Boundary Adjustment Plat is to adjust lot lines between two lots to create one lot zoned "UC" Urban Core District known as Lot 1; and,

WHEREAS, the Department of Planning and Development Services has reviewed the Boundary Adjustment Plat in accordance with the Unified Development Code of the City of Chesterfield and has found it to be in compliance with all applicable ordinances and has forwarded said Boundary Adjustment Plat to the City Council.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Boundary Adjustment Plat for one tract totaling 8.2 acres on Chesterfield Center, which is made part hereof and attached hereto as Exhibit 1, is hereby approved; the owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the said Boundary Adjustment Plat by affixing their signatures and the official seal of the City of Chesterfield as required on the said document.

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 10/23/2019

Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services **JW**

Date: October 23, 2019

RE: **Wild Horse Heights (226 Fick Farm Rd.)** A petition for a partial vacation of two (2) ten-foot wide easements in Lots 3, 4, and 5 of Wild Horse Heights subdivision in Chesterfield (18W310267, 18W310289, 18W310366).

Marler Surveying Company, Inc., on behalf of property owners Michael and Cathryn Cody, is requesting the vacation of a portion of two (2) ten-foot wide easements dedicated to the City of Chesterfield located on the subject property. The current easements are also dedicated to various utility companies, all of which have been notified by the applicant of the easement vacation request.

These easements are no longer necessary as the three original parcels comprising the subject site have been consolidated into one larger parcel via a Boundary Adjustment Plat approved by City Council on September 4, 2019.

Attached to the legislation, please find a copy of land descriptions (Exhibits A and B), and Exhibit C which depicts the easements to be vacated.

Attachments: Legislation
Exhibits "A" & "B"
Exhibit "C"



Figure 1. Aerial Photograph

BILL NO. 3262 _____

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF TWO TEN-FOOT WIDE EASEMENTS ON LOTS 3, 4, AND 5 OF WILD HORSE HEIGHTS SUBDIVISION AS RECORDED IN BOOK 319, PAGE 7 OF THE ST. LOUIS COUNTY RECORDS, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, a petition has been filed by Marler Surveying Company, Inc., requesting the City to vacate a portion of two easements on said tract of land; and,

WHEREAS, Michael and Cathryn Cody own the property on which the easements are located and has requested to vacate the easements; and,

WHEREAS, the Department of Planning and Development Services has reviewed the petition and has determined that said petition meets all applicable regulations and determined that the vacation will have no adverse effect on the City of Chesterfield.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Chesterfield hereby approves the easement vacations located on Lots 3, 4, and 5 of the Wild Horse Heights subdivision in Chesterfield as described in “Exhibits A & B” and depicted in “Exhibit C”, which are attached hereto and made part of hereof; and

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the vacation of these easements by affixing their signatures and the Official Seal of the City of Chesterfield to a Certificate of Approval as required on said documents. The petitioner is required and directed to record these easement vacations with the Saint Louis County Recorder of Deeds Office; and

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 10/23/2019

MARLER

SURVEYING COMPANY, INC.

11402 Gravois Road, Suite 200 St. Louis, MO 63126
Phone: (314) 729-1001 Fax: (314) 729-1044

1904-104

LAND DESCRIPTION LOTS 4 AND 5 EASEMENT VACATION

A portion of a ten-foot wide easement in Lots 4 and 5 of Wild Horse Heights as recorded in Plat Book 319 Page 7 of the St. Louis County records the centerline of which is described as follows:

Commencing at the Southern most corner common to said Lots 4 and 5 on the North line of Fick Farm Road (50-foot wide);

Thence along the line common to said Lots 4 and 5 North 00 Degrees 18 Minutes 39 Seconds West a distance of 35.00 feet to the North line of a 70-foot wide easement and the point of beginning;

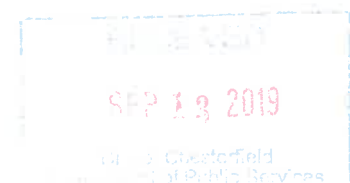
Thence continuing along said line common to said Lots 4 and 5 North 00 Degrees 18 Minutes 39 Seconds West a distance of 195.00 feet:

Thence North 12 Degrees 20 Minutes 37 Seconds West a distance of 362.68 feet to the Southeast line of a 5-foot wide easement and the point of terminus and containing 5,576.85 square feet.



STATE OF MISSOURI
MICHAEL S. BLANSIT
NUMBER
PLS 2364
PROFESSIONAL LAND SURVEYOR
9-11-2019

EXHIBIT "A"



MARLER

SURVEYING COMPANY, INC.

11402 Gravois Road, Suite 200 St. Louis, MO 63126
Phone: (314) 729-1001 Fax: (314) 729-1044

1904-104

LAND DESCRIPTION LOTS 3 AND 4 EASEMENT VACATION

A portion of a ten-foot wide easement in Lots 3 and 4 of Wild Horse Heights as recorded in Plat Book 319 Page 7 of the St. Louis County records the centerline of which is described as follows:

Commencing at the Southern most corner common to said Lots 3 and 4 on the North line of Fick Farm Road (50-feet wide);

Thence along the line common to said Lots 3 and 4 North 06 Degrees 44 Minutes 46 Seconds West a distance of 35.22 feet to the North line of a 70-foot wide easement and the point of beginning;

Thence continuing along said line common to said Lots 3 and 4 North 06 Degrees 44 Minutes 46 Seconds West a distance of 739.38 feet to the Southeast line of a 5-foot wide easement and the point of terminus and containing 7,393.81 square feet.



EXHIBIT "B"



0 120 240



SCALE:

1 inch = 120 ft.

LINE	BEARING	DISTANCE
L1	S01° 31' 01"E	104.99'
L2	S21° 48' 46"E	39.07'
L3	N17° 50' 10"W	57.61'

ST. LOUIS SOUTHWESTERN
RAILROAD RIGHT-OF-WAY (100' WIDE)
N72°09'50"E 379.67'

B.A.P. OF LOTS 2&3 OF WILDHORSE HEIGHTS
P.B. 364 PG. 230
ADJUSTED LOT 2
S06°58'57"E 395.00'

STATE OF MISSOURI
MICHAEL S. BLANSIT
NUMBER
PLS. 2364
PROFESSIONAL LAND SURVEYOR
9-11-2019

MICHAEL S. BLANSIT, PLS-2364
MARLER SURVEYING, INC.
CORPORATE NO. LS-347D

GRID NORTH

239.70'
10' EASEMENT

5' EASEMENT

CL. 10' EASEMENT

LOT
3

5' EASEMENT

125.01'
S06°58'57"E

DENOTES
TO BE VACATED

LOT
4

LOT
5

LOT 6

N38°09'42"E 586.39'
469.25'
5' EASEMENT

CL. 10' EASEMENT

N11°51'27"W 170.00'

S78°08'33"W
190.00'

N11°26'23"W
96.97'

35.00'

S89°41'21"W 360.00'

200.00'

35.22'

70' EASEMENT

S43°41'21"W 270.00'

FICK FARM ROAD (50' WIDE)
[PLATTED AS LONGVIEW COURT & WOODLAND VIEW LANE]

EXHIBIT "C"

SEP 13 2019
INITIAL:

EASEMENT VACATION PLAT
LOTS 3, 4 AND 5 OF WILD HORSE HEIGHTS
PLAT BOOK 319 PAGE 7
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

4/24/2019