

MEMORANDUM

TO: Mike Geisel, Co-Interim City Administrator

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

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



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

In attendance were: **Chair Dan Hurt** (Ward III), **Councilmember Barbara McGuinness** (Ward I), and **Councilmember Bridget Nations** (Ward II). (Councilmember Bruce DeGroot, Ward IV, was absent.)

Also in attendance were: Mayor Bob Nation; Councilmember Randy Logan (Ward III); Planning Commission Chair Stanley Proctor; Planning Commission Member John Marino; Mike Geisel, Co-Interim City Administrator; Jim Eckrich, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; Jessica Henry, Project Planner; Cecilia Hernandez, Project Planner; and Kathy Juergens, Recording Secretary.

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

I. APPROVAL OF MEETING SUMMARY

A. Approval of the June 23, 2016 Committee Meeting Summary

Councilmember McGuinness made a motion to approve the Meeting Summary of **June 23, 2016**. The motion was seconded by Councilmember Nations and **passed** by a voice vote of 3-0.

II. UNFINISHED BUSINESS

A. Trash Containers on Residential Properties – Ordinance 1781

At the request of Councilmember McGuinness, it was agreed to discuss this item after the completion of New Business.

III. NEW BUSINESS

- A. **P.Z. 07-2015 Monsanto Chesterfield Campus (C8 to UC)**: A request for a zoning map amendment from “C8” Planned Commercial District to “UC” Urban Core District for a 200.2 acre tract of land located on the north side of Chesterfield Pkwy West, approximately 2,000 feet east of City Center Drive (17S210094, 17S230025, 17S230014, 17S230036 & 17S240057).

STAFF REPORT

Jessica Henry, Project Planner, presented the project request for a zoning map amendment from "C8" Planned Commercial District to "UC" Urban Core District for Monsanto's 200.2 acre campus. The applicant has requested the amendment in order to increase the existing permitted square footage for their ultimate campus build-out of 4.8 million square feet, which represents a F.A.R. of 0.55, the maximum permitted in the Urban Core District. They currently are at 2.41 million square feet of structures and the current ordinance allows them up to 2.66 million square feet.

Public Hearing

Two issues were raised at the Public Hearing held on August 10, 2015. Those issues pertained to the setbacks along West Drive and the building height. Since that time, the Petitioner has addressed these issues by providing a building and parking setback to buffer the homes ranging from 185 to 200 feet along West Drive. Additionally, the largest new building, with a maximum height of eight stories, will be located on the western portion of the site farthest from the neighboring homes. All future buildings in the central portion of the site will range from one to five stories.

Access

There are three proposed entrances: Two along Chesterfield Parkway and one combined entrance off of Swingley Ridge. The final location and design of the entrances will be determined during the Site Development Plan review process.

Additional Provisions

A permanent bus shelter will be provided along Chesterfield Parkway.

Traffic Impact

During the Site Development Plan process, a phased traffic study will be required that depicts the traffic impact during each phase of the gradual increase in square footage up to the 4.8 million. Once the applicant reaches the current ordinance limit of 2.66 million square feet of development, the applicant will be required to construct the connection of Swingley Ridge Drive to North Outer 40 Road, the largest improvement included in the Attachment "A".

At the July 25, 2016 Planning Commission vote meeting, the Planning Commission recommended approval 7-0 with 2 abstentions.

Discussion

In response to Councilmember McGuinness' question, Ms. Henry stated a homeowner on West Drive did attend the Public Hearing and she was supportive and appreciative of both the large setback being granted and the height restriction on future buildings.

Chair Hurt stated that the City's Master Parks Plan includes a trail system that will ultimately connect Chesterfield Parkway to the Levee Trail on the north which would abut a portion of Monsanto's property. Whenever North Outer 40 Road is connected to Swingley Ridge, the trail can run along the roadway. However, in an effort to avoid vehicular traffic, it would be ideal to run the trail along Monsanto's property line. Because Monsanto is not amenable to this idea due to security reasons, he suggested that the Doubletree Hotel may be willing to grant such an easement.

Councilmember McGuinness made a motion to forward P.Z. 07-2015 Monsanto Chesterfield Campus (C8 to UC) to City Council with a recommendation to approve. The motion was seconded by Councilmember Nations and **passed** by a voice vote of 3-0.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the August 15, 2016 City Council Meeting. See Bill #

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on P.Z. 07-2015 Monsanto Chesterfield Campus (C8 to UC).]

B. P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd): A request for a zoning map amendment from a “PC” Planned Commercial District with a “MAA” Museum and Arts Overlay District to the new “PC” Planned Commercial District for a 5.104 acre tract located northeast of the intersection of Chesterfield Airport Road and Chesterfield Commons Drive (17T140211).

STAFF REPORT

Jessica Henry, Project Planner, presented the project request for a zoning map amendment from “PC/MAA” Planned Commercial District with a Museum and Arts Overlay District to a new “PC” Planned Commercial District for a 5.1 acre tract.

There are currently two existing buildings on the property. The Petitioner is proposing to keep the easternmost building and to eliminate the smaller building to the west, which will be replaced with a new building.

The existing access points to the west and east will be maintained. There is also cross access through the Pacific Dental site to the east.

A Public Hearing was held on November 23, 2015 with two issues being raised. The first pertained to hours of operation for retail uses. Subsequently, the Petitioner has agreed to limit the hours of operation from 6 a.m. to 11 p.m. The second issue pertained to permitted uses and the Petitioner has since eliminated several uses from their request. Others were modified to include restrictive language with respect to automobile dealerships and vehicle repair service facility use. A vehicle repair service facility use is only permitted in conjunction with an automobile dealership and is restricted to indoors only. The Automobile Dealership is restricted to electric vehicles only and is limited to parking no more than 75 vehicles at any given time. The Petitioner has indicated that they are working with a proposed tenant to sell pre-ordered electric vehicles only; therefore, these particular restrictions were adopted.

The Petitioner is proposing a 30 foot landscape buffer along Chesterfield Airport Road and along the northern property line.

The Planning Commission approved the request 9-0.

Discussion

In response to Councilmember McGuinness’ question, Ms. Henry stated lighting will be regulated under the City’s Unified Development Code and will be reviewed during Site Plan review.

There was further discussion regarding the nature of the proposed tenant's business. They will be selling electric cars, however, they will not retain an inventory. Customers will test drive a vehicle and then place an order for pickup at a later date. Deliveries of sold cars are normally made quarterly and the cars will be stored outside until the buyer takes possession. The maximum number of vehicles to be parked on the property at one time is 75. There will be a limited number of vehicles permanently parked on site and these will be used for test drives.

Councilmember Nations made a motion to forward P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd) to City Council with a recommendation to approve. The motion was seconded by Councilmember McGuinness and **passed by a voice vote of 3-0.**

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the August 15, 2016 City Council Meeting. See Bill #

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd).]

The Committee agreed to discuss Item C (Garage Sales) after Items D (Ladue Road – Easternmost Island) and E (Operation and Maintenance Program).

D. Ladue Road – Easternmost Island

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, stated the City regularly receives complaints regarding the appearance of the easternmost island on Ladue Road located near Cross Trails Drive. This island was created as part of the Route 141 project and was intended to be landscaped in a manner similar to the other islands created as part of that project. However, MoDOT was unable to secure an easement from the nearby Montessori School and, therefore, could not provide irrigation to the island. Without irrigation, there is no ability to beautify the island. The island currently contains mulch.

Staff is recommending installing stamped and colored concrete within the island. The cost of the stamped concrete (material only) would be under \$1,000 and can be constructed by City maintenance personnel. The stamped and colored concrete will match the nearby MoDOT island located to the east.

Discussion

Other alternatives for improving the island were briefly discussed. There was also some discussion about the recent difficulty with Ladue Trails Subdivision regarding maintenance of the four islands near Greentrails Drive South.

Councilmember McGuinness made a motion to authorize Staff to replace the mulch from the easternmost island on Ladue Road with stamped, colored concrete at an estimated material cost of under \$1,000. The motion was seconded by Chair Hurt and **passed by a voice vote of 3-0.**

E. Operation and Maintenance Program

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, stated the Environmental Protection Agency requires the City to maintain an Operation and Maintenance (O&M) Program as part of the City's storm water permit. The City was recently audited by the Missouri Department of Natural Resources (MDNR) to verify compliance with the Missouri Clean Water Law and the City's storm water permit. During the audit, MDNR found that the City was operating in compliance with its Permit and that there were no deficiencies. However, in reviewing the City's documents during the audit, Staff discovered that there were items contained within the O&M Program that were out of date and it did not include Eberwein Park, the CVAC, the Rivers Edge Park or single stream recycling. Hence, the City's O&M Program Manual has been updated and Staff is recommending Council approval.

Discussion

In response to Councilmember Logan's question, Mr. Eckrich stated the original O&M Program was adopted by Council in 2006, therefore the update has to go before Council again.

Councilmember McGuinness made a motion to adopt the revised Operation and Maintenance Program. The motion was seconded by Councilmember Nations and **passed** by a voice vote of 3-0.

Note: One Resolution, as recommended by the Planning & Public Works Committee, will be needed for the August 15, 2016 City Council Meeting. See Resolution #

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on Operation and Maintenance Program revision.]

C. Garage Sales

Councilmember Logan stated that he has received a complaint from a Ward III resident regarding a homeowner who has been holding garage sales every Wednesday and Saturday each week. It is believed that the homeowner is not staging any retail sales, i.e., bringing in unsold retail goods and selling them from their home. It has been reported that there have been as many as 50 cars parking along the street on a Saturday. This appears to be a "real garage sale" but the frequency of the sales has become a nuisance. He has not yet spoken to the homeowner, but believes that this is the next step.

Mayor Nation asked if there were any subdivision indentures regulating garage sales. Councilmember Logan stated that his subdivision has an annual garage sale, but this subdivision has no such annual sale, and he is not aware of any restrictions. Ms. Aimee Nassif, Planning & Development Services Director, stated that the City Code does not restrict garage sales. In order to regulate them, residents would be required to obtain a permit that would have to be tracked and enforced somehow. It may be beneficial for the City to write a definition of what a "garage sale" is; however, that would not alleviate the problem of frequency of sales. In the past, the City has reserved that for the subdivision indentures to determine and regulate.

Councilmember Logan stated that he will speak with the homeowner and discuss it with Staff before presenting it to the Committee again.

II. UNFINISHED BUSINESS

A. Trash Containers on Residential Property – Ordinance 1781

Aimee Nassif, Planning & Development Services Director, stated that several months ago, Councilmember McGuinness brought up a concern about residents who live on corner lots and questioned whether there should be different requirements for them as to where to store their trash containers. At that time, there was a similar case in court and it was decided it would be better to wait until that court case had been resolved before discussing it. The current ordinance has been in place since 1994 and states that “a container shall be stored in a place not visible from the street which the residential structure faces.” When a home is situated on a corner lot, it is considered to have two frontages.

In response to Councilmember McGuinness’ inquiry, Ms. Nassif stated the prosecutor decided not to pursue the court case. Chair Hurt stated that since nothing ever came out of the court case, the current ordinance should not be changed. He further stated that there are not that many corner lots and if asked, most of the residents would comply.

The Committee decided not to pursue the matter any further at this time.

IV. OTHER

Mr. Mike Geisel, Co-Interim City Administrator, informed the Committee that at the next City Council meeting there will be an ordinance regarding the Wilson Road culvert. Council has already addressed this by a voice vote under the prior City Attorney; however the current Interim City Attorney prefers that City Council initiate condemnation actions by ordinance.

V. ADJOURNMENT

The meeting adjourned at 6:15 p.m.