

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Public Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, July 23, 2015



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, July 23, 2015 in Conference Room 101.

In attendance were: **Councilmember Nancy Greenwood** (Ward I), **Councilmember Bridget Nations** (Ward II) and **Councilmember Dan Hurt** (Ward III).

Also in attendance were: Councilmember Bruce DeGroot (Ward IV); Harry O'Rourke, Interim City Attorney; Planning Commission Chair Stanley Proctor; Libbey Tucker, Community Services/Economic Development Director; Mike Geisel, Director of Public Services; Jim Eckrich, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; John Boyer, Senior Planner; and Kathy Juergens, Recording Secretary.

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

Due to Chair Fults' absence, Vice-Chair Hurt presided over the meeting.

I. INTERVIEW – NOMINEE FOR PLANNING COMMISSION

Allison Harris introduced herself and stated she lives in Ward I in the River Bend Estates subdivision and has been a resident of Chesterfield for about 12 years. She is a trustee of River Bend Estates and has been very involved in the River Valley Drive task force. She attended the University of North Carolina and has a degree in psychology. She was previously a sales representative and has just accepted a new job as a financial representative.

Vice-Chair Hurt inquired as to what prompted her to offer her services and asked her what she knew about the planning and zoning process. Ms. Harris stated, as a subdivision trustee, she has learned a lot about planning and is eager to learn more about the process. Chesterfield is a growing City with a lot of opportunity for new development. She believes all citizens need to be concerned about how new developments will impact the community. She has served on the Parks and Recreation Committee for about a year and stated she will resign from that Committee in order to serve on the Planning Commission.

Councilmember Greenwood asked Ms. Harris what she liked best about Chesterfield and what she felt the City has done wrong. Ms. Harris stated she thinks Chesterfield is a great place to raise children; it is close to a lot of activities and is in close proximity to downtown St. Louis. She is from San Francisco and understands the impact of big city living and chose to live in Chesterfield away from the big city. She feels Chesterfield has a lot to offer and seems to be absorbing a lot of activities from St. Louis where groups are looking for other venues. She stated she wished Chesterfield had a more a "central downtown" feel, but because it is a relatively new city, she understands that it is not possible. She suggested that possibly more

could be done around the amphitheater to make it more of a “central Chesterfield.” Vice-Chair Hurt advised Ms. Harris the City already has a plan in place for that.

In response to Vice-Chair Hurt’s question, Ms. Harris stated Councilmember Flachsbarth recommended her for the position and in response to Councilmember Greenwood’s question, she stated she has attended a few Planning Commission meetings here and several in Maryland Heights because of their proposed development.

Councilmember Greenwood made a motion to forward to City Council, with a recommendation to approve, the nomination of Allison Harris as representative of Ward 1 on the Planning Commission. The motion was seconded by Councilmember Nations and **passed by a voice vote of 3-0.**

Ms. Aimee Nassif, Planning and Development Services Director, informed Ms. Harris that the next City Council meeting would be August 3, however, Ms. Harris stated she would be unable to attend as she would be out of town.

II. APPROVAL OF MEETING SUMMARY

A. Approval of the June 18, 2015 Committee Meeting Summary

Councilmember Greenwood made a motion to approve the Meeting Summary of June 18, 2015. The motion was seconded by Councilmember Nations and **passed by a voice vote of 3-0.**

III. OLD BUSINESS

A. City Hall Rental and Use Policy

STAFF REPORT

Mr. Jim Eckrich, Public Works Director/City Engineer, stated the Committee had previously reviewed this policy and at the request of the Committee, Staff has made some further minor revisions which are summarized below.

- Refining the definition of a *community group*. These groups, along with Political Groups, will continue to receive free use of rooms at City Hall during the week.
- Clarifying that a charge will be incurred for Saturday use with the exception of ceremonial meetings of Boy/Girl Scouts and whole subdivision meetings.
- Modifying the Policy so that the rooms at City Hall are *only* rented to Political Groups, Community Groups, Residents and Chesterfield Businesses *as previously directed by the Planning and Public Works Committee*.
- Slightly increasing rental fees and changing to *per hour* pricing maintaining a two-hour minimum.

DISCUSSION

Vice-Chair Hurt stated he remembered previous discussions which involved questions regarding non-residents and non-Chesterfield businesses renting the facilities. However, he did not recall asking that they be ruled out, but rather that they be charged to rent the facilities. Mr. Mike Geisel, Director of Public Services, stated it was Staff’s understanding that the Committee wanted to preclude for-profit, non-Chesterfield businesses. However, for-profit Chesterfield

businesses or Chesterfield residents could rent the premises. The other Committee members confirmed that it was the Committee's direction to preclude for-profit, non-Chesterfield businesses.

Councilmember Greenwood expressed her ongoing concern to renting the facilities to for-profit Chesterfield businesses that are selling a product. Mr. Eckrich pointed out there is a restriction on events that charge admission and the City facilities are not available for sales or promotional events of any product or service, private parties or receptions. To clarify, Mr. Geisel stated that if a for-profit business wanted to have a business event or employee event, they could use the facility but could not use it as a sales event.

Councilmember Greenwood made a motion to forward Public Works Policy Statement Number 44 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: This is a City Policy which requires a voice vote at the August 3, 2015 City Council Meeting.

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on the revised City Hall Rental and Use Policy.]

IV. NEW BUSINESS

- A. T.S.P. 51-2015 Verizon (724 Straub Rd):** A request to obtain approval for a Telecommunications Siting Permit to accommodate three (3) new antennas and additional related equipment for an existing monopole telecommunication site within the "NU" Non-Urban District located at the terminus of a Private Drive, approximately 600 feet west of Straub Road.

STAFF REPORT

Mr. John Boyer, Senior Planner, presented the request for three new antennas and additional related equipment for an existing monopole telecommunication site. The site is located in between Baxter Road and Clayton Road. Access to the site is via a private road that runs along the west side of the Parkway School District property. The antennas will be placed on a replacement antenna array which will be smaller than the existing array. There are currently nine antennas on the existing array. With the addition of the three new antennas, twelve antennas will be located on a smaller array that is being used on most cellular towers.

DISCUSSION

Vice-Chair Hurt stated telephone lines and telecommunication poles such as this are considered visual pollution. Even though they are increasing the number of antennas, they will be reducing the overall configuration which will result in a smaller physical appearance. Mr. Boyer concurred.

Vice-Chair Hurt made a motion to forward T.S.P. 51-2015 Verizon (724 Straub Rd) to City Council with a recommendation to approve. The motion was seconded by Councilmember Greenwood and **passed by a voice vote of 3-0.**

Note: This is a Telecommunications Siting Permit which requires a voice vote at the August 3, 2015 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S. P. 51-2015 Verizon (724 Straub Rd).]

- B. Schoettler Grove–Fence Modification Request:** Reconsideration for fence material for a 17.0 acre tract of land zoned “PUD” Planned Unit Development located northwest of the intersection of Clayton Road and Schoettler Road and known as Schoettler Grove.

STAFF REPORT

Mr. John Boyer, Senior Planner, stated that during the Site Development Plan review for Schoettler Grove, there was discussion about the proposed material used for the emergency fence. A motion was specifically made by this Committee that it be black anodized aluminum while allowing for exceptions to any structural member of the fence that may need to be made of steel for strength purposes due to concern of the span of the fence. The motion was approved by this Committee and carried out by City Council. The Developer stated they have not been able to locate a manufacturer of a product that is black anodized aluminum. Therefore, they are requesting an amendment to allow an all-aluminum product mimicking the same style and appearance as to what was approved.

DISCUSSION

Vice-Chair Hurt stated anodized aluminum is a process that is frequently used and there may be some confusion as to whether products are actually anodized. The Committee was trying to achieve a similar look to the fencing used around City Hall, the pool, and the cemetery located near Chesterfield Mall, which are all comprised of aluminum with a coating commonly referred to as black powder-coated. Vice-Chair Hurt stated this material would be acceptable. He also pointed out that there is a large span of fence between City Hall and Monsanto’s property that appears to be all-aluminum so steel may not even be required to address spanning concerns for the Schoettler Grove fence.

Because Staff could not certify that the proposed fence is anodized, and since this was a specific requirement by the Committee, Mr. Mike Geisel, Director of Public Services, stated Staff was not willing to waive the requirement for anodized aluminum without the Committee’s approval. Mr. Geisel further stated that in his research he found there is a lifetime warranty on the powder coating.

Vice-Chair Hurt made a motion that an all-black aluminum structured fence with a lifetime warranty, as approved by Staff, is acceptable even if the word “anodized” is not in the description. The motion was seconded by Councilmember Greenwood and passed by a voice vote of 3-0.

City Policy Related to Development Process for Ordinance Amendments

STAFF REPORT

Ms. Aimee Nassif, Planning and Development Services Director, stated that during a routine policy review, Staff identified a policy that had been formally adopted by City Council but had not been recorded in the City’s Policy Manual, nor had it been incorporated into the City’s formal development review process.

Basically, the policy allows ordinance amendments (not changes in zoning) that receive a three-fourths majority vote (whether to approve or deny a request) to move directly from the Planning Commission to City Council without review by the PPW Committee while retaining Power of

Review. This only pertains to text amendments. Some examples include: the Steve Wallace subdivision that added one use that was unanimously approved, Stages' request to add Educational Facility to their Ordinance, and Spirit Valley Business Park requesting a setback change. Staff is recommending that the PPW Committee reaffirm this policy directive and execute a formal City Policy.

DISCUSSION

Vice-Chair Hurt asked for further explanation of what a minor text amendment would be. Ms. Nassif stated a text amendment change would not include a change of zoning to a new district. It would be a change that Staff considers to be minor in nature, such as changes to a setback, changing a use that is allowed, or changing a condition that is in that planned district ordinance. For example, Spirit Valley Business Park is zoned "PI" and is allowed 50 uses. The petitioner wanted to add a kennel as a permitted use. Since it was not an allowed use, they had to go through the whole approval process again starting with Planning Commission even though there were no changes to the preliminary plan or site design. It was unanimously approved by the Planning Commission and PPW, and then it went to Council for two readings. If this policy had been in place, their request would have gone from Planning Commission straight to City Council.

Mr. Mike Geisel, Director of Public Services, further clarified and gave an example of the rezoning of Conway Point from Non-Urban to Planned Commercial stating this was a zoning amendment that would not be allowed to bypass this Committee. However, that Ordinance is so specific that it requires the awning to be exactly 13'6" off the east property line. If they wanted to change their awning to 13', that would be considered a text amendment which could be approved by the Planning Commission and bypass this Committee, as long as Power of Review had not been called, and go straight to Council. This could save the petitioner anywhere from two to four weeks. Mr. Geisel reiterated that this is a policy that Council adopted previously but was never implemented.

Ms. Nassif stated for a text amendment to qualify for this expedited review, it must receive a three-fourths majority from the Planning Commission. A Councilmember from the subject Ward can still call Power of Review within 24 hours of the meeting. If a Councilmember from a different Ward would want Power of Review, the referral back to Committee would have to come from action of Council. In response to Councilmember Greenwood's question, Ms. Nassif confirmed that a minor text amendment would be subject to Staff's interpretation; however, she is very careful to err on the side of caution. Mr. Geisel also pointed out that there are multiple references in the Code which allow administrative review and approval as determined by the Planning and Development Services Director.

Mr. Harry O'Rourke, Interim City Attorney, stated he would also review any requested use changes to determine whether or not they would be considered minor text amendments.

Vice-Chair Hurt stated he would be in favor of adopting the Policy if a change of use is not included as a minor text amendment.

Councilmember Greenwood made a motion to forward the City Policy relating to the development process for ordinance amendments, excluding requests to amend uses, 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: This is a City Policy which requires a voice vote at the August 3, 2015 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on the City Policy related to the development process for Ordinance Amendments.]

D. Monarch-Chesterfield Levee District Grant of Easement

STAFF REPORT

Mr. Mike Geisel, Director of Public Services, stated the Monarch-Chesterfield Levee District has requested the grant of a permanent easement on the unprotected side of the levee at the east end of the Chesterfield Valley Athletic Complex. The Corps wants to maintain control of property immediately adjacent to the levee to prevent impediments, structures, and excessive vegetation.

The levee district is compensating land owners at a rate of \$10,000 per acre for similar unprotected land and as such, Staff anticipates approximately \$3,000 as compensation for this grant of easement.

DISCUSSION

In response to Vice-Chair Hurt's question, Mr. Geisel confirmed that the City will still own the property but the Levee District will have easement on the property.

Councilmember Nations made a motion to forward an Ordinance granting an easement to the Monarch-Chesterfield Levee District to City Council with a recommendation to approve. The motion was seconded by Councilmember Greenwood 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 3, 2015 City Council Meeting. See Bill #

[Please see the attached report prepared by Mike Geisel, Director of Public Services, for additional information on grant of easement to the Monarch-Chesterfield Levee District.]

E. Show Me PACE Clean Energy District

STAFF REPORT

Ms. Libbey Tucker, Community Services & Economic Development Director, stated that last January City Council passed a similar Ordinance authorizing the City to join the State's Clean Energy District which allows businesses to finance energy efficient upgrades or new projects over a period of 20 years through a property assessment. Since that time, a second clean energy district, the Show Me PACE Clean Energy District has been formed which allows for smaller projects and offers a more streamlined application process than the first program. Cynergy Services will be performing energy upgrades at Cambridge Engineering and is requesting the City participate in this program. They are also requesting that City Council approve the Bill at the August 3 Council meeting because the contracts they have for the equipment and installation will expire if they are not approved at that time. Chair Fults is supportive of the request. By passing an ordinance to also join the Show Me PACE District, Chesterfield will be able to provide business owners with two options to fund their projects.

DISCUSSION

Vice-Chair Hurt asked why Cynergy did not apply through the State's Energy District. Ms. Tucker indicated there were too many fees for the size of the project, therefore, it would not be cost effective and also the application process would take too long.

Councilmember Greenwood asked for examples of the type of smaller projects that would be covered in this District. Ms. Ann Hill, representative of PACE Equity, explained the State District is excellent for bonding projects and funding larger projects. The Show-Me PACE District handles smaller projects where it is not necessary to go through the bonding process due to the time and extra fees associated with bonding. Smaller projects would include renovations to a building that help to improve energy efficiency or reduce maintenance and operation costs. Ms. Tucker stated that the Cynergy project would include insulation, new LED lighting within the facility, as well as new HVAC equipment.

Councilmember Greenwood asked if this second District will cover most projects or whether another District will be needed for something else. Ms. Tucker stated she only knew about these two districts at this time. Mr. Mike Geisel, Director of Public Services, asked if these Districts were strictly for commercial property and asked if there was a third District for residential properties. Ms. Hill stated that residential projects are being considered in the State of Missouri and while a program is not currently available for that purpose, one may be available in the future.

Mr. Geisel asked about the typical benefit of using this program versus using a private equity firm to finance improvements. Ms. Hill stated it is beneficial because the collection is completed through a property assessment versus a traditional loan payment. First, with a traditional loan, there are no personal guarantees for the owner, which can be a barrier to completing some renovations. Second, the assessment can be up to a 20-year property assessment whereas a typical bank loan for construction work is a 10-year assessment. Third, the loan can transfer to the next property owner. If the property is sold, the owner can either pre-pay the outstanding balance or they can choose to transfer it to the next owner. Another advantage is that with new construction loans, banks typically will only offer a 70% loan to value. This program can cover a piece of that gap funding and get it closer to 80% to 85% loan to value.

Councilmember Greenwood made a motion to forward an Ordinance to join the Show Me PACE Clean Energy District to City Council with a recommendation to approve and also recommends that it be read twice at the August 3, 2015 Council meeting. 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 3, 2015 City Council Meeting. See Bill #

F. Stop and Yield Control Schedules - Model Traffic Ordinance

STAFF REPORT

Mr. Jim Eckrich, Public Works Director/City Engineer, stated Staff has reviewed Traffic Schedules VI and VII, which are stop and yield postings, and is requesting re-adoption so they accurately reflect what is currently posted.

DISCUSSION

In response to Councilmember Greenwood's question, Mr. Eckrich stated last year all Traffic Schedules were reviewed. Since then, Staff has conducted a more thorough review of the Stop

and Yield postings and some additional corrections are needed to accurately reflect the current postings. Mr. Mike Geisel, Director of Public Services, stated that no new stop or yield signs will be erected.

Councilmember Nations made a motion to forward an Ordinance updating Schedule VI and Schedule VII of the Traffic Schedules of City Code to City Council with a recommendation to approve. The motion was seconded by Councilmember Greenwood 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 3, 2015 City Council Meeting. See Bill #

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on Stop and Yield Control Schedules in the Model Traffic Ordinance.]

G. Veteran's Honor Park

STAFF REPORT

Mr. Mike Geisel, Director of Public Services, stated in September of 2013, City Council set aside \$500,000 from the General Fund-Fund Reserves for the purpose of a dollar-for-dollar matching fund for Veteran's Honor Park. Concurrently, \$70,000 was authorized for preliminary engineering to create products so the Veteran's Honor Park Committee could begin fundraising. As of last week, the committee has raised \$444,000 towards that match. In anticipation of the City applying for a Municipal Parks Grant this fall, Staff is recommending that Council authorize the next phase of this contract that will allow the City to move to final engineering design, including final construction documents and cost estimates. Taking this next step provides the necessary detailed documentation needed for the Municipal Parks Grant application which is due by October.

Vice-Chair Hurt made a motion to forward to City Council the recommendation to authorize the next design phase of Veteran's Honor Park, increasing the contract with Powers-Bowersox by an amount not to exceed \$155,000, and to fund the contract by transferring the General Fund – Fund Reserves that were previously set aside for this purpose. The motion was seconded by Councilmember Greenwood and **passed** by a voice vote of 3-0.

III. OTHER – None.

IV. ADJOURNMENT

The meeting adjourned at 6:20 p.m.