

MEMORANDUM

TO: Mike Geisel, City Administrator

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

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, July 18, 2019



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, July 18, 2019 in Conference Room 101.

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

Also in attendance were: Councilmember Michelle Ohley (Ward IV); Planning Commission Chair Merrell Hansen; Jim Eckrich, Director of Public Works/City Engineer; Mike Knight, Planner; Andrew Stanislav, 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 20, 2019 Committee Meeting Summary

Councilmember Hurt made a motion to approve the Meeting Summary of June 20, 2019. The motion was seconded by Chair Mastorakos and **passed by a voice vote of 3-0** with Councilmember Monachella abstaining.

II. UNFINISHED BUSINESS – None.

III. NEW BUSINESS

A. Architectural Review Board Nominee Interview

Chair Mastorakos introduced Architectural Board nominee Scott Starling.

Councilmember Hurt asked Mr. Starling his opinion relative to current architecture within Chesterfield. Mr. Starling stated that he is very critical of one building in particular and that is what sparked his interest in serving on the Board. He realizes that the Board is limited in its responsibilities, but he hopes to provide a positive influence on future developments. He is a retired architect. He does have opinions about what constitutes good and bad architecture and how architecture influences the general public's perception of a community. He believes that most of the architecture in Chesterfield is very favorable and it is a good image to maintain. Mr. Starling has lived in Chesterfield since 2010. He previously lived in Clayton and served on its Board of Adjustment committee.

When asked about material preferences, Mr. Starling stated that he does not limit himself. He does have a strong preference for contemporary architecture but noted that traditional materials can be used in a contemporary manner that is attractive.

Councilmember Monachella asked if he was familiar with the proposed development for downtown Chesterfield. Mr. Starling stated that he has only seen a land use plan. He likes the concept of a city center and the benefits that it provides.

Chair Mastorakos commented that his resume focuses on commercial architecture rather than residential architecture. Mr. Starling stated that his entire practice was commercial but he feels very comfortable with residential design and has a strong interest in it. He is President of the Board of Trustees for the August Hill subdivision and deals with a lot of residential issues in that area.

Councilmember Monachella made a motion to forward the Architectural Review Board nomination of Scott Starling to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed by a voice vote of 4-0.**

- B. P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes):** A request for a zoning map amendment from an “NU” Non-Urban District to the “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way (17W530101). (Ward 4)

STAFF PRESENTATION

Planner Andrew Stanislav presented the project request for a zoning map amendment from an “NU” Non-Urban District to a “PC” Planned Commercial District. The new “PC” Planned Commercial District will allow for development of a building on the site to support commercial uses permitted in this part of Chesterfield Valley as well as define development criteria for the site.

Mr. Stanislav provided a brief review of the process for this item thus far:

1. A Public Hearing was held on November 14, 2018.
2. An issues meeting was held on April 22, 2019. There were concerns regarding the west setback, the building height and the pipeline. The Applicant requested postponement until the May 29, 2019 Planning Commission meeting.
3. At the May 29, 2019 meeting, it was again postponed until the June 24, 2019 meeting at the request of the Applicant.
4. At the June 24, 2019 meeting, there was a motion to approve the request and it passed by a vote of 5-3.

Mr. Stanislav presented the current preliminary development plan and delineated the following:

1. The building structure setbacks.
2. The parking and access drive setbacks.
3. Provisions to accommodate the City’s storm water master plan.
4. The distance between the proposed building and the existing residences to the west and east of the subject property.
5. The revised building height of 40 feet and 65 feet for the hotel/motel use.

The applicant is proposing 23 permitted uses. They intend to use this property as an additional location for their sewer and drain cleaning business, Drain Surgeons, and they have provided

documentation substantiating the intended use as a Commercial Service Facility. It was noted at the June 24 Planning Commission meeting that the cleaning of their equipment and trucks, along with waste disposal, would be conducted offsite at a separate facility.

DISCUSSION

Storm Water Drainage

Councilmember Ohley asked how the storm water drainage has been addressed. Mr. Stanislav stated that the preliminary development plan is only required to show that storm water drainage is in conformance with the City's Storm Water Master Plan. The plan does not show exact locations of current or future storm water facilities. Securing any necessary easement will occur at the site plan phase. Other proposed possibilities for storm water accommodation could be considered, as long as they meet the City's standards and review.

Cleanout and Disposal

Councilmember Hurt inquired if Attachment A addressed the restrictions on cleaning trucks and equipment. Mr. Stanislav stated there is currently only a restriction on overnight parking of commercial vehicles but such language can be added. Since the Applicant indicated there would be no cleaning or disposal onsite, Councilmember Hurt stated that he would have thought that the Planning Commission would have included that restriction. Planning Commission Chair Merrell Hansen stated that the Planning Commission did express concern in that area and an amendment was proposed to exclude the Commercial Service Facility use but it failed. Councilmember Hurt stated that he was under the impression that the Applicant did not have a problem with including a restriction with respect to waste disposal as they were not intending to perform cleaning and disposal on site anyway. However, they did not want to prohibit trucks from entering and leaving the site because there may be a need to retrieve specific equipment for a particular job.

Overnight Storage

Councilmember Ohley stated she was present when the Applicant explained their plan for overnight storage. They were planning to store some trucks on site overnight but they also stated that trucks are dispatched from the technicians' homes. With this conflicting information, she wondered how to make an informed choice as to whether to allow the use or not. Councilmember Hurt stated that the Commercial Service Facility use is not indicative of the requested use but it allows for this type of business. Attachment A already lists no overnight parking and no storage within the development. Mr. Stanislav clarified that the Applicant intends to store its larger trucks on site inside the building; but no equipment would be stored outside. Planner Mike Knight stated that the language can be clarified. Ms. Hansen questioned why this has to be classified as Commercial Service Facility when it is possible that another use would cover their administrative operations. Councilmember Hurt stated that administrative issues are not the problem. The problem is the transfer of material, disposal and smell.

Councilmember Monachella stated that it is unclear as to how frequently during the night that the larger trucks will be dispatched out. Councilmember Ohley advised that Drain Surgeons' website says they provide 24/7 service, seven days a weeks, every day of the year, to residential, commercial and industrial customers throughout the greater St. Louis metro area.

Chair Mastorakos stated that she is not sure what the Petitioner wants to do. She then summarized the information provided, along with the concerns raised:

1. Applicant wants the site to be a call center.
2. Applicant wants to store some of their trucks inside only, not outside.

3. Service technicians might visit the site to pick up supplies or equipment.
4. There would be no waste on the site as it would always be disposed of offsite, however, that is not stipulated in the Attachment A.
5. Hours of operation are uncertain.
6. There needs to be assurance that trucks are not maintained or cleaned on the property and that none of the trucks are emptied on the property.
7. Owners are not sure of the number of trucks they own.
8. Even though residential is not a component of a "PC" District, there should be some consideration for the existing homes adjacent to the subject site as these are residents of Chesterfield. Consideration should also be given to fact that the general public is in this area, living and shopping.
9. Drainage easement needs to be resolved. Mr. Rombach will not provide an easement on this property. This will necessitate a creative design to accommodate storm water.
10. The existing pipeline on site is a concern.
11. The hotel use is concerning.

Cross Access

Councilmember Hurt pointed out that the preliminary plan shows cross access only to the north, and noted that the City typically requires access to all adjacent properties. Mr. Stanislav explained that the north access is included and the future extension of Blue Valley Avenue will provide access both to the east and west. The proposed north/south right-of-way to the east abuts the property line so future development in that area will have access. He further stated that language could be included for the western portion. Councilmember Hurt stated that this needs to be addressed at this time.

Petitioner Comments

George Stock, Stock & Associates, responded to the concerns raised:

Storage

- The Applicant would be amenable to restrictions prohibiting on-site waste disposal and cleaning of trucks.
- Equipment will be stored inside the building.
- Technicians take their vans home, which are equipped to handle the majority of calls but occasionally there is a need for a larger truck, which will be picked up from the site.

Drainage

- The issue of drainage will be solved at the site development and improvement plan phases, which is the normal City process.
- Mr. Rombach is not going to grant an easement for drainage.
- The pipeline company has already granted an easement.
- Ideas on ways to solve the problem regarding storm water will be discussed with the Engineering Staff to ensure compliance with City requirements.

Turn-around/Parking

- The garage doors are located on the north side of the building.
- The large trucks need enough space to turn-around.
- This could be a multi-tenant building and all the parking spaces would be needed to accommodate parking.

Mr. Stock pointed out that a conceptual drawing was submitted to try to address the City's goals and objectives as outlined in the Comprehensive Plan regarding vehicular access, pedestrian access and drainage.

Councilmember Hurt made a motion to amend P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes) to add that cross access shall be provided to all adjacent property owners. The motion was seconded by Chair Mastorakos and **passed** by a voice vote of 4-0.

There was additional discussion regarding adding language to Attachment A to prohibit the transfer and discharge of sewage material on site. Councilmember Hurt made the following general motion and asked that Staff prepare the specific wording.

Councilmember Hurt made a motion to amend P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes) to add language to Attachment A, I.A. paragraph 2 or 3, that prohibits the transfer, discharge or storage of sewage or waste materials on site at any time. The motion **died** due to lack of a second.

Public Comment

Tim Hayes, Attorney for Chip Rombach, stated that all of the surrounding property owners are against this particular use. The entire use is inappropriate for the area. There is the potential development of banks and restaurants in this area and a human waste hauling facility is not a compatible use. Instead of trying to find a way to make it fit in, it should just be denied.

Since the Committee could not reach a consensus on the rezoning, **Chair Mastorakos made a motion to deny P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes).** The motion was seconded by Councilmember DeCampi.

Discussion after the Motion

There was discussion regarding eliminating the Commercial Service Facility and Warehouse uses as removal of these uses would solve a lot of problems.

The above motion failed by a voice vote of 1-3 with Chair Mastorakos and Councilmembers Monachella and Hurt voting nay.

Councilmember Hurt made a motion to amend P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes) to remove *Commercial Service Facility and Warehouse, General*, as permitted uses. The motion was seconded by Councilmember Monachella and **passed** by a voice vote of 4-0.

There was a brief discussion regarding hours of operation, but the concern was largely related to the two uses that were removed.

Councilmember Hurt made a motion to forward P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the August 5, 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. 09-2018 18633 Olive Street Road (Herman & Connie Grimes).]

- C. P.Z. 08-2019 City of Chesterfield (Unified Development Code—Article 4):** An ordinance amending Article 4 of the Unified Development Code to revise regulations pertaining to Sign Packages as established in Section 31-04-05 Sign Requirements.

Planner Andrew Stanislav stated that the purpose of this petition is to amend the regulations pertaining to Sign Packages in Article 4, Section 31-04-05 of the Unified Development Code (UDC) to incorporate language to provide regulations and standards for consideration of electronic message centers (EMCs).

The Ordinance Review Committee provided feedback on April 22, 2019 and a draft set of standards was presented for review at the Planning Commission's June 12 Work Session. A Public Hearing was held for this request at the June 24, 2019 Planning Commission meeting and there were no speakers for this item. At that meeting, the Planning Commission recommended approval with one amendment by a vote of 8-0. The amendment was to correct the language of item "*d.5.a(7) Malfunction and noncompliance.*"

Mr. Stanislav then displayed a PowerPoint depicting the requirements and review standards for EMCs.

DISCUSSION

Councilmember Hurt made the following suggestions:

1. Add language stating that EMCs over 50 sq. ft. have to be at least a half a mile away from any residential area.
2. Require that 25% of the time, EMCs display, at the City's discretion, a free public service announcement to benefit the City.

There was some discussion on how this would apply to zoned residential areas versus land use designations and how it would affect mixed use developments. Permanent versus temporary signage was also discussed.

Attorney Mike Doster commented that the suggested distance requirement may affect a future request of one of his clients, and asked the Committee to provide a more specific measurement. He also stated that the recommended public service announcement may be unconstitutional and suggested that Staff may want to consult the City Attorney.

Councilmember DeCampi stated that he is not sure of the constitutionality of a public service announcement, but he is not comfortable with the government telling private entities what to include on their signs.

There was some discussion regarding the distance of signage in relation to residential areas. It was decided that 2,000 feet was an appropriate measurement.

Councilmember Hurt made a motion to amend P.Z. 08-2019 City of Chesterfield (Unified Development Code-Article 4) to add language in which any permanent, freestanding sign that exceeds what the UDC allows for administrative approval is required to be a minimum

distance of 2,000 feet from any residential land use. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Chair Mastorakos made a motion to amend the above motion to include language to prohibit the use of billboards (advertising signs) as an Electronic Message Center. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Councilmember Hurt made a motion to amend the above referenced motion to add that a maximum of 25% of electric messaging time be used for public service messages at the City's discretion. The motion **died** due to lack of a second.

Councilmember Monachella made a motion to forward P.Z. 08-2019 City of Chesterfield (Unified Development Code-Article 4), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a vote of 3-1 with Councilmember Hurt voting nay.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the August 5, 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. 08-2019 City of Chesterfield (Unified Development Code—Article 4).]

D. Snow Removal on Driveway Aprons within Public Right of Way

STAFF PRESENTATION

Jim Eckrich, Director of Public Works/City Engineer, stated that in 2014 the City implemented a trial program whereby maintenance personnel would remove ice and snow from the driveway aprons within public right of way of qualifying residents after any snow event with two or more inches of snow. Staff has been reluctant to recommend this program on a permanent basis because winter seasons in the recent past have been relatively mild in terms of snowfall. However, there were two large snowfall events last year. In both cases, the number of man-hours exerted was less than expected, and in fact, it was less than that which was spent during prior smaller storms.

Overall, Staff believes that this has been a successful program and it has been well received by the residents. Therefore, it is Staff's recommendation to continue the Program on a "permanent" basis.

Councilmember Hurt made a motion to forward Public Works Policy PW 33 to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

[Please see the attached report prepared by Jim Eckrich, Director of Public Works/City Engineer, for additional information on Snow Removal on Driveway Aprons within Public Right of Way.]

IV. OTHER

Chair Mastorakos informed the Committee that a Vice-Chair needs to be appointed.

Chair Mastorakos made a motion to appoint Councilmember Hurt as Vice-Chair for the Planning & Public Works Committee. The motion was seconded by Councilmember Monachella and passed by a voice vote of 3-0 with Councilmember Hurt abstaining.

V. ADJOURNMENT

The meeting adjourned at 6:57 p.m.