

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning *JW*
James Eckrich, Director of Public Works/City Engineer *JE*

SUBJECT: Planning & Public Works Committee **Virtual** Meeting
Summary Thursday, February 4, 2021



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held virtually via Zoom on Thursday, February 4, 2021.

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

Also in attendance were: Mayor Bob Nation; Councilmember Michael Moore (Ward III); Planning Commission Chair Merrell Hansen; Architectural Review Board Chair Mick Weber; Architectural Review Board Member Scott Starling; Jim Eckrich, Director of Public Works/City Engineer; Justin Wyse, Director of Planning; Annisa Kumerow, 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 January 21, 2021 Committee Meeting Summary

Councilmember Ohley made a motion to approve the Meeting Summary of January 21, 2021. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0**.

Chair Hurt requested that Item II.B be discussed before Item II.A and the Committee concurred.

II. UNFINISHED BUSINESS

B. Unified Development Code (Article 4) – Rooftop Screening Discussion

Chair Hurt stated that two members of the Architectural Review Board (ARB) were present for the discussion. He then introduced Chair Mick Weber and Scott Starling. He stated that the Committee is looking for the ARB's feedback on the subject of rooftop screening.

Chair Hurt explained that the issue first arose during the Wildhorse development, primarily due to the topography of that area. Depending on the level of the building, rooftop elements may be seen. This has not been an issue in the past with commercial buildings, however, with the popular mixed-use developments, it is becoming more of a concern. Thus, Council is questioning whether the requirement of penthouse screening should be included in the Unified Development Code (UDC), especially within the Urban Core where an uninterrupted visual flow is desired.

If this requirement is not in the Code, it should be determined whether ARB has the latitude or authority to advise Council as to when penthouse screening should be required. ARB has often said that certain issues are not within their purview.

Chair Hurt also stated that he would like to know how ARB defines penthouse screening.

Councilmember Mastorakos stated that she would like to know if there is a value to uniformity throughout the Urban Core, or if it is not particularly relevant.

DISCUSSION

Architectural Review Board Chair Mick Weber stated that there is a certain amount of architectural freedom that you want to give developers. Each building is unique and how to go about screening HVAC equipment is about as open as the creativity in the design of the building itself. There are a lot of ways to conceal rooftop equipment - sometimes it is integrated into the actual composition and massing of the building, while other times it is left as more of an attachment type element, or another layering element at the roofline as a cap. Everyone takes a different design approach. He is of the opinion that “one-size-fits-all” would not be appropriate in terms of uniformity of the roof. However, there is a certain level of containment in screening that needs to take place, and obviously, as the topography changes, this will alter his opinion on what needs to be screened.

Mr. Weber then discussed the issue of sight lines and distance when screening rooftop equipment. He explained that in certain circumstances, a penthouse may be needed, but it may be totally out of line with construction costs. Screening can significantly add to the cost of a project and he would prefer not to impose such costs on the developer. When sitting on the fifth floor of a residential unit looking down across another building, it should be expected that some of the mechanical equipment will be seen. Depending on how a building is sited, it may not be possible to conceal the equipment. He would prefer to evaluate it on a case-by-case basis during project review. The Urban Core designation allows the Board to do that in some cases. It was suggested that during the pre-application process, the Director of Planning could inform applicants of potential problems with rooftop screening, or identify problem areas on the zoning map. ARB has begun calling for sight lines on submittals to show that parapets are either hiding the unit, and/or some type of screen is hiding the unit from grade level around the perimeter of the property line. In most cases, this level of screening suffices. He does not want to arbitrarily drive someone’s buildings costs up significantly by requiring a penthouse.

Regarding the definition of a penthouse, Mr. Weber explained that in the past when elevators were used for 3 or 4-story buildings, an equipment room was placed at the top of the building. That room was a contained room, which is how the term “penthouse” originated. Mr. Weber felt that a penthouse could look out of place on a building that does not have multiple floors.

Scott Starling, ARB Member, concurred with Mr. Weber’s comments. He also stated that it would be reasonable to require screening on all non-residential buildings while allowing some flexibility as to how that screening is accomplished. The context of the design will be different, along with material and elements of the design. It would also be reasonable to require screening from grade level, with some limits where complete screening of the rooftop unit is not visible from grade level adjacent to the building for 100 or 200 feet. He pointed out that it would be expected to see some kind of rooftop equipment on buildings where there are topography issues. It is not reasonable to penalize developers by requiring a totally enclosed penthouse as people are accustomed to seeing rooftop equipment.

Mr. Weber stated that ARB has been very cognizant of trying to protect the property line dimension. In reviewing projects along the I-64 corridor and the Urban Core, ARB takes a stricter stance.

To summarize, Chair Hurt stated that ARB does not necessarily think that something specific needs to be written into the Code. However, it is suggested that some kind of reference could be formulated so that as projects come through for review, the ARB/Planning Commission could give Council advice on the screening of rooftop equipment and/or the inclusion of a penthouse. Mr. Weber agreed.

Mr. Starling commented that the Code should definitely include that screening will be required and it should also require that the materials used are consistent with the materials used elsewhere on the building and complementary to the design. Justin Wyse, Director of Planning then read what is written in the Code regarding rooftop screening:

Section 405.04.010 D.2.K.

Screen rooftop equipment on all visible sides with materials that are an integral part of the architecture. Parapet walls or screen walls shall be treated as in integral part of the architecture and shall not visually weaken the design of the structure.

Section 405.04.010 D.4.

Integrate the design of fencing, sound walls, carports, trash enclosures, rooftop screening, and similar site elements into the building design and construct with similar materials.

Chair Hurt again summarized that from Mr. Weber's and Mr. Starlings' standpoint, a change is not necessary in the Code as the issues of screening and materials are already addressed in Code. Mr. Weber pointed out that screening primarily becomes an issue when there is a considerable change in topography.

Chair Hurt stated that no action needs to be taken at this time, and requested that the issue be tabled to the next Committee meeting.

A. Wilson Avenue Sidewalk (Ward 4)

STAFF PRESENTATION

Jim Eckrich, Director of Public Works/City Engineer, stated that on November 5, 2020, the Planning and Public Works Committee directed Staff to determine the cost and feasibility of constructing a missing section of sidewalk on the west side of Wilson Avenue north of Buchholz Mortuary.

There is a 70-foot gap of sidewalk and in order to fill in that gap, it will be necessary to replace an additional length of sidewalk on either side due to the poor condition of that sidewalk as well as some grade issues. Staff estimates the cost of the sidewalk replacement would be approximately \$48,000.

If the Committee determines that this project should be constructed, Staff can include the sidewalk project in the 2022 Capital Projects Budget submittal, or the Committee can recommend a 2021 Budget Amendment in the Capital Projects Fund in the amount of \$48,000.

DISCUSSION

Councilmember Ohley stated that she has received many complaints from constituents about the gap and would like for Council to amend the 2021 budget to allow for construction this year. She also pointed out that there is a large amount of overgrown honeysuckle along that section and asked whether it is the subdivision's responsibility to cut it back or whether the City would take care of it. Mr. Eckrich stated that the City would cut it back as part of the project but the property owner would then be expected to maintain that area after construction is complete. He is uncertain who actually owns that property, but after ownership is determined, a letter will be sent informing the owners of the project and that it would be their responsibility to keep the sidewalk clear.

There was further discussion regarding the durability of a scupper and possible erosion in the surrounding areas. Mr. Eckrich explained that constructing a sidewalk in this manner is a little more difficult as it requires some reinforcement. He also noted that it may be a bit more expensive to maintain, but compared to other sidewalk replacements due to tree roots, and ground movement, there is not much difference. Because of the manner in which the sidewalk construction is proposed, erosion should not be a problem adjacent to the sidewalk. However, erosion is occurring downstream and will need to be a consideration in the design and construction of the sidewalk.

In the event other issues arise after the survey is completed, Councilmember Mastorakos asked whether that would change the cost of the project. Mr. Eckrich replied that knowing the property lines would not affect the cost of construction. However, if the project needs to be constructed outside of right of way, there could be costs associated with easement acquisition.

In response to Councilmember Mastorakos' concern about the sidewalk only being 5 feet from Wilson Avenue, Mr. Eckrich replied that there are many areas in Chesterfield where the sidewalk is much less than 5 feet from the roadway, including locations where it is immediately adjacent to the roadway. Mr. Eckrich pointed out that if the City is successful in acquiring a grant for the northern portion of Wilson Avenue, some of that sidewalk/path will need to be constructed in close proximity to the road.

Councilmember Ohley made a motion to approve a 2021 Budget Amendment in the Capital Projects Fund in the amount of \$48,000 and forward to City Council with a recommendation to approve. The motion was seconded by Councilmember Monachella and **passed by a voice vote of 4-0.**

Mr. Eckrich stated that there will be two sidewalk contracts this year and he would propose that construction be accomplished through a Change Order to one of those contracts. The sidewalk Project A has already been bid and the bid documents for Project B are already complete, with a bid opening scheduled for March 2. He will discuss it with the project manager and determine which contract would be a better fit for this project, if it is approved by City Council.

[Please see the attached report prepared by Jim Eckrich, Director of Public Works/City Engineer, for additional information on the Wilson Avenue Sidewalk.]

III. NEW BUSINESS

- A. **P.Z. 09-2020 Total Access Urgent Care (13426 Olive Blvd):** A request for a change in zoning from a "C-8" Planned Commercial District to a "PC" Planned

Commercial District for a 3.23 acre tract of land located south of Olive Boulevard, east of North Woods Mill Road (16Q330911). (Ward 1)

STAFF PRESENTATION

Annisa Kumerow, Planner, presented the project request for a zoning map amendment from the “C-8” Planned Commercial District to the “PC” Planned Commercial District. The request is to allow for the development of an urgent care facility. The applicant is requesting one use (medical office), a maximum building height of 30 feet, and limited hours of operation from 8 a.m. to 8 p.m.

The Planning Commission recommended approval by a vote of 9-0 with an amendment to increase the square footage.

Ms. Kumerow then provided the following notable items in the Attachment A:

- **Landscape Buffer and Setback** – There was significant discussion at Planning Commission regarding this item. The applicant had originally proposed a 20-foot landscape buffer and setback. This has been revised to 30 feet as approved by the Planning Commission.
- **Access Management** – The Attachment A states that cross access shall be provided to the adjacent parcels.
- **Pole Sign** – There is language stating that the existing non-conforming pole sign shall be removed.
- **Future Expansion Area** – Attachment A has been modified to reflect an increased floor area as recommended by the Planning Commission in their amended motion.

PLANNING COMMISSION REPORT

Planning Commission Chair Merrell Hansen stated that this portion of Chesterfield is really important especially as the existing structures located there are upgraded. The Planning Commission felt that a 30-foot setback was important, as well as the landscaping by the street. There was also some discussion regarding moving the building to the center of the lot. The Commission discussed the visuals and whether or not people would be able to see the building. The Commission is very happy that this business is interested in this location, but they wanted it to happen in such a way that allows this part of Chesterfield to evolve.

DISCUSSION

Councilmember Monachella stated that she had three area of concern:

- **Location of the Building** –The proposed building is 58 feet away from the Incarnate Word Rectory and the current structure is 70 feet away. She would prefer the proposed building be shifted more toward the center of the lot away from the Rectory.
- **Window Signage** – Other Total Urgent Care facilities tend to cover the windows with signs and block the glass. Ms. Kumerow stated that the Code allows up to 40% coverage for window signs. However, there are many ordinances in Planned Commercial Districts that prohibit temporary signs as part of the ordinance so window signs are seldom seen.
- **Cross Access** – There is concern for traffic leaving the site and having to exit onto Olive Boulevard. Councilmember Monachella prefers that cross access be directed toward the rear of the property so cars can go through the church parking lot across this property, then across the Décor property, and end up on Old Woods Mill thereby avoiding a turn

onto Olive Boulevard. Chair Hurt pointed out that when cross access agreements are established, all adjacent property owners must agree. Since this property is being redeveloped, the City can require cross access anywhere on the proposed site, however, the City does not currently have an agreement with the adjacent parcels and until the adjacent parcels are redeveloped, such an agreement is not currently possible.

There was a lengthy discussion regarding shifting the location of the proposed building. Justin Wyse, Director of Planning, stated that if the Committee wants to shift the location, he would recommend an amendment to the structure setback from the eastern property boundary from 35 feet to 65 feet. This would require the applicant to make modifications to the Preliminary Development Plan, but appears to be feasible given the property acreage.

Councilmember Ohley then inquired about the ingress/egress to the site. Mr. Wyse stated that there is a median just west of this driveway, however, it does allow a left turn out of the site. If you turned left onto Olive, you would be immediately heading into the westbound-to-southbound left turn lane to Woods Mill Road.

In response to the above discussions, Dr. Matt Bruckel, Developer, commented that if they are required to move the building, restrict access out of the site, eliminate the ability to have window signs, eliminate parking and handicap parking close to the building, etc. then they may have to consider withdrawing their application.

Councilmember Monachella made a motion to forward P.Z. 09-2020 Total Access Urgent Care (13426 Olive Blvd) to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt.

Discussion after the Motion

There was discussion on ways to limit the number of window signage. Mr. Wyse stated that the Code allows for no more than 40% coverage. An applicant could submit a Sign Package and request more signage, but in order to restrict the applicant's ability to increase the signage, all window signs can be prohibited, all temporary signs can be prohibited, or specific language can be included in the Attachment A whereby the number of signs cannot be amended through a Sign Package.

Councilmember Monachella made a motion to amend the above motion as follows: The maximum amount permissible area for window signs shall be as defined in § 405.04.050(F)(8)(c) of the Unified Development Code. No Sign Package request may be submitted for an increase to the maximum amount on window sign area per § 405.04.050(F)(8)(c) of the Unified Development Code. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4-0.**

The Committee then discussed again the possibility of repositioning the building and Councilmember Monachella decided to not pursue the issue.

Councilmember Monachella made a motion to forward P.Z. 09-2020 Total Access Urgent Care (13426 Olive Blvd), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning and Public Works Committee, will be needed for the February 16, 2021 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 09-2020 Total Access Urgent Care (13426 Olive Blvd).]

- B. P.Z. 11-2020 The Residences at Hog Hollow (13987 & 14001 Olive Blvd):** A request to repeal City of Chesterfield Ordinance 2213 establishing a Planned Environmental Unit over two parcels of land zoned R-3 Residence District and totaling 29.4 acres (16R340207 & 16R340151). (Ward 1)

STAFF PRESENTATION

Justin Wyse, Director of Planning, stated that P.Z. 11-2020 and P.Z. 12-2020 have been submitted for The Residences at Hog Hollow, the former Briarcliff site. P.Z. 11-2020 is to repeal the existing “PEU” on the site and the Planning Commission did recommend approval. The second portion of this request, P.Z. 12-2020, is to establish a “PUD” on the site, however, the Planning Commission is still working with the applicant on this request. Therefore, the applicant has submitted a request to postpone action on P.Z. 11-2020 at this time.

Councilmember Monachella made a motion to hold P.Z. 11-2020 The Residences at Hog Hollow (13987 & 14001 Olive Blvd). The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

- C. Public Street Acceptance – The Arbors at Wilmas Farm-Plats 1 and 2**–(Ward 4)

STAFF PRESENTATION

Jim Eckrich, Director of Public Works/City Engineer, stated that Staff has determined that the following streets within The Arbors at Wilmas Farm subdivision meet the City’s design and construction standards for acceptance as public streets:

Wilmas Farm Drive
Wilmas Hollow Drive
Wilmas Valley Court

Councilmember Ohley made a motion to forward an ordinance accepting Wilmas Farm Drive, Wilmas Hollow Drive and Wilmas Valley Court as public streets and forward to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos 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 February 16, 2021 City Council Meeting. See Bill #

[Please see the attached report prepared by Jim Eckrich, Director of Public Works/City Engineer, for additional information on Public Street Acceptance-The Arbors at Wilmas Farm.]

IV. OTHER

V. ADJOURNMENT

The meeting adjourned at 7:02 p.m.