MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Public Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, February 7, 2013

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, February 7, 2013 in Conference Room 101

In attendance were: **Chair Randy Logan** (Ward III); **Councilmember Matt Segal** (Ward I); **Councilmember G. Elliott Grissom** (Ward II); and **Councilmember Connie Fults** (Ward IV).

Also in attendance were: Mayor Bruce Geiger; Councilmember Derek Grier (Ward II); Planning Commission Chair Mike Watson; Michael Herring, City Administrator; Mike Geisel, Director of Public Services; Jim Eckrich, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; and Kristine Kelley, Recording Secretary.

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

I. APPROVAL OF MEETING SUMMARY

A. Approval of the November 8, 2012 Committee Meeting Summary.

Councilmember Fults made a motion to approve the Meeting Summary of November 8, 2012. The motion was seconded by Councilmember Grissom and **passed by a voice vote of 4 - 0.**

The Committee agreed to move the agenda order to place **IV. Project Updates** first on the agenda.

IV. PROJECT UPDATES

Aimee Nassif, Planning & Development Services Director gave a thorough project update.

Ward 2

- Thousand Oaks Church site. A formal submittal has not been presented to the City yet as the developer continues talks with residents in the area. Mr. Geisel noted that the site is not a stand-alone site but is part of a "PUD" that includes Thousand Oaks Subdivision.

Ward 4

- Chick-fil-A Amended Site Plan under review for kitchen addition and multi drive-thru-order point lane. Ms. Nassif stated that studies have shown that additional drive-thru lanes reduce parking needs by eight to ten percent.
- Application received for Arbors at Kehrs Mill. Public hearing not yet been set, at the request of the developer, as the developer is still meeting with residents and the Ward Councilmembers.
- Blue Ocean site, pre-application meeting for construction of new restaurant located on Chesterfield Airport Road near Kemp Auto Museum.
- U-Gas change of ordinance amendment request. Project on for vote before the Planning Commission on February 25, 2013. There will be one point of access with cross access between the U-Gas and the adjoining site. Councilmember Fults mentioned that during the public hearing those in opposition were other gas station owners. Ms. Nassif stated that the existing ordinance allows one point of access farthest to the east of the site.

Other development projects but not limited to:

1. Renewable Energy Draft – the draft is currently under review with City Attorney Heggie.
2. The Reserve at Chesterfield Village (permits and plat for Plat 3)
3. Babies "R" Us – elevation changes to the site.
4. Friendship Village – improvement plans are currently under review.
5. Windsor Crossing Community Church – addition of baptismal area.
6. Spirit 40 Park – extension of the parking area.
7. 1901 Wilson Road – new single-family home.
8. Wendy's Restaurant – minor changes per MSD requirements.
9. Valvoline Instant Oil Change – improvement plans are currently under review.
10. Blue Valley sign package – will be available at the next Planning Commission meeting on February 25th.
11. Premium Outlets sign package – will also be available at the next Planning Commission meeting on February 25th. It has been indicated to Staff that the "stylon signs" will be removed from the sign package.

Pre-application meetings held for the following sites:

1. Monarch Center – ordinance amendment to accommodate development of a new gas station/convenience store.
2. Flex Building – parking lot near Wehrenberg Theatre. Plans were previously approved for small office/warehouse building but were never constructed.
3. 14001 Olive Boulevard –change of zoning for potential residential development.
4. 346 North Eatherton Road – proposed rezoning for landscape business use.

5. Petropolis – proposed interior renovations & addition of outdoor play area.
6. 16366 Old Chesterfield Road – change of zoning to Urban Core with a Landmarks Designation status.
7. Lowe's Development – requesting extending hours of operation and outdoor storage. Councilmember Fults expressed her concerns with the proposed hours of operation. Mr. Nassif pointed out that there have been multiple violations on the site regarding outdoor storage.

New businesses the Division has approved in January.

1. Photo Bliss Photography
2. Spa Lucca
3. Sharp Smoker, LLC (Online sales of electronic cigarettes & accessories)
4. Duo Splash Floats (Online sales of double-pool floats)
5. Jag Promotions, Inc. (Distributor of promotional products)
6. Rottler Pest and Lawn Solutions
7. Property Acquisition & Holdings
8. Soft Tissue Manipulation Clinic of St. Louis (Massage therapy)
9. American Family Insurance
10. JBS Homes, LLC (Buy and refurbish homes for rental purposes)
11. Tom Shaw Realtors
12. Mission: Fitness
13. Country Financial
14. Pounds & Inches Away
15. Subway
16. Chesterfield Kids Academy
17. Air Net Systems
18. Which Wich Superior Sandwich Shop
19. The Egg & I

II. OLD BUSINESS

A. Daniel Boone Bridge – MoDOT Project Aesthetic Enhancements

STAFF REPORT

Mike Geisel, Director of Public Services stated that since the City has been notified that MoDOT is proceeding with the design-build project for the new east bound Daniel Boone Bridge which was awarded to the Walsh-Alberici Partnership, the City has expressed interest in funding aesthetic enhancements for the project as it is the westernmost gateway into the City of Chesterfield. Support was expressed during the February 27, 2012 Planning and Public Works Committee meeting to pursue such project enhancements.

Staff has received a cost proposal from the Design Build Project Team, in the amount of $200,931.64, to incorporate aesthetic enhancements into the project. Specifically, Staff has determined that the enhancements that are most impactful relate to the proposed newly constructed overpass for Chesterfield Airport Road as it crosses over Highway 40- I64 near the Batch Plant.

The proposed improvements all relate to the west-bound ramp from Chesterfield Airport Road onto west-bound Highway 40. When the overpass is replaced, there are three components where structural enhancements will be incorporated:

- An embossed City of Chesterfield logo onto the face of the vertical retaining wall on each approach.
- One logo visible on the south side of the highway as you approach from the west, from the river.
- One logo visible on the north side of the highway as you approach from the east, proceeding toward the river. Mr. Geisel provided clarification to the location of the logos.

In addition, in lieu of the standard smooth faced, slip-formed "jersey barrier" roadside barriers; the project team proposes to incorporate a "Texas DOT" hand formed barrier with two shades of stain. Councilmember Fults suggested that the color palette be consistent with those colors used on the Boone's Crossing overpass.

Mr. Geisel reminded the Committee that they established a conceptual budget of $200,000 previously and directed Staff to concentrate on structural enhancements, understanding that the City could further enhance the area with landscaping and beautification projects over time.

Staff requests and recommends that the proposal for aesthetic enhancements to the Chesterfield Airport Road overpass, in conjunction with the Daniel Boone Bridge project, be approved and that funding be provided via a fund transfer of $221,000 (10% contingency) from General Fund – Fund Reserves to the Capital Projects fund for this work. If approved, the City will transfer the funds to MoDOT and they will subsequently add this work to their existing contract through a change order.

DISCUSSION

During discussion, the following points were clarified:

- With the incorporation of a ramp, no pedestrian traffic will be allowed; therefore, railings will not be necessary.
- No lighting will be incorporated into the improvements.

Councilmember Grissom made a motion to approve the proposal for aesthetic enhancements to the Chesterfield Airport Road overpass, in conjunction with the Daniel Boone Bridge project, and that funding be provided via a fund transfer of $221,000 (10% contingency) from General Fund – Fund Reserves to the Capital Projects fund for this work. The motion was seconded by Councilmember Segal and **passed by a voice vote of 4 - 0.**

Note: A voice vote will be needed at the February 20, 2013 City Council Meeting.

[Please see the attached report prepared by Mike Geisel, Director of Public Services, for additional information on Daniel Boone Bridge – MoDOT Project Aesthetic Enhancements].

III. NEW BUSINESS

A. County Trust Fund Inquiry

STAFF REPORT

Mike Geisel, Director of Public Services stated that Staff has requested information from St. Louis County regarding the geographic limits, financial status, and description of potential projects within the St. Louis County Trust Funds, frequently referred to as Traffic Generation Assessments.

The County has created well-defined geographic Trust Fund areas. When developing in a Trust Fund area, the developer is required to contribute to a fund that is calculated based upon the number of parking spaces the development requires.

The Trust Fund contribution can be off-set by road improvements in the County right-of-way that the developer is required to construct but can't be off-set by any on-site improvements or any improvements on City or State rights-of-way. Mr. Geisel further explained that once funds are contributed to the Trust Fund, they can only be spent within the Trust Fund area. St. Louis County aggregates the funds from all the developments and then executes those necessary road improvements.

The City has benefitted greatly from the infrastructure improvements funded by the Trust Funds. Absent these trust funds, those projects may never have happened or would have had to have found another funding source.

There are essentially seven individual trust funds located within the City of Chesterfield. A table was provided to the Committee identifying the current fund balance, priority projects within the trust fund area to be funded, and the estimate of each priority project. Staff requested that St. Louis County identify those areas where balances exist within the Trust Fund and provide information as to whether those funds are designated for a particular upcoming project or whether they have been set aside waiting for a project.

DISCUSSION

Mr. Herring commended Mr. Geisel for his diligence on working with St. Louis County and gathering the information for the Committee's review. Unfortunately, the City cannot dictate how St. Louis County spends those funds. He felt that St. Louis County has been good stewards with the money and has spent the funds wisely within the Trust Fund areas.

Mayor Geiger asked whether the funds could be used for construction of the overpass or pedestrian bridge on Chesterfield Parkway East. Mr. Geisel explained that those funds cannot be used because that section of roadway is not located within the St. Louis County right of way – it is within State right of way. Mr. Geisel clarified that the City has allocated $400,000 in the General Fund – Fund Reserves for the Pedestrian Bridge, and is looking for additional funding opportunities.

Regarding funds that have been set aside, Councilmember Fults asked whether there is growth within the funds. Mr. Geisel confirmed that only the raw amount remains and the Fund grows with contributions as the development increases. To his knowledge, the trust funds do not accrue interest.

Councilmember Fults then asked if the City has the option to recommend the use of the funds for other projects. Mr. Geisel indicated that this is possible and added that the County has favorably received past input from the City.

Mr. Herring explained that the City ordinances require developers to make contributions to the Trust Fund. Although the City does not control the funds, the City does control the collection of said funds. Mr. Herring emphasized the "partnership" between the City and County in the receipt and management of these funds. The County understands that the City voluntarily includes the trust fund requirements in the rezoning petitions and is sensitive to the City's needs for specific road enhancements.

There was additional discussion as to whether other municipalities have a mechanism in place requiring developers to make contributions for construction projects. Mr. Geisel responded that there are 26 districts established; unfortunately, many do not have the same volume of development as the City of Chesterfield and do not require the contribution.

Councilmember Grissom questioned what authority established the Trust Fund. Mr. Geisel replied that the Trust Funds were *established* by St. Louis County Ordinance. The requirement to *collect* the funds is incorporated into the Attachment A's of the Zoning Ordinances. If the requirement was not included within the Attachment A, the developers would not have to contribute. Councilmember Grissom indicated his understanding that the City has the ability to opt out of the Trust Fund at any time. Mr. Herring indicated that there would be discussions prior to making any decision to opt out of the Trust Fund.

Boundary establishment

Planning Chair Watson questioned as to who set the boundaries for the Trust Funds. Mr. Geisel replied that the original boundaries were created by ordinance with St. Louis County. Since the incorporation of the City, no new boundaries have been created. Mr. Geisel added that when the City created the Trust Funds for Wilson Road and N Outer 40 Road, the boundaries were defined by the City.

Councilmember Grier felt that the biggest challenge with County has been maintenance of Chesterfield Parkway and asked if the City has the option to use the existing districts to help fund any of the slab replacement required on that roadway. Mr. Geisel replied that Trust Funds cannot be used for this as this is a maintenance activity.

The information provided is for update purposes only. No action is required and documents will be received and filed.

B. Sewer Lateral Application Fee

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer stated that since his arrival with the City he has had the opportunity to study and become familiar with the Sewer Lateral Program (Program). After discussions with Compliance Supervisor Matt Dooley who administers the Program, it is Staff's belief that the Program could be improved by reducing the fee charged to the residents.

The current application fee was set at $200 in an attempt to recoup the cost of the investigation and television of the sewer lateral line. In reviewing the matter, it appears that the sewer lateral fund can withstand lowering the application fee. Accordingly, Staff recommends that the application fee be reduced to $100.

DISCUSSION

Councilmember Fults is elated with the program and fully supports the reduction in the application fee. However, after attending many subdivision meetings, she felt that many residents are still unaware that the program exists. She would like to see Staff provide education literature to the trustees and to occasionally attend subdivision meetings to discuss this topic.

It has recently come to her attention that there is a situation in Ward IV where one of the residents, being unaware of the Program, spent her own money to have the sewer lateral investigated. Mr. Eckrich responded that he will contact this resident to see if the situation can be rectified. Mr. Herring felt that since this is an isolated instance, City Council would not oppose reducing the application fee to the proposed $100.

Mr. Eckrich explained that the first step taken by a resident is to contact a licensed plumber or drain layer to have the lateral line cabled. If the plumber cannot correct the problem, the resident can then apply for assistance through the Program by filling out an application and submitting the application fee. After receiving the fee, City staff reviews the available data, schedules a camera inspection, and, if eligible, repairs the defective section of the sewer lateral line.

It was suggested by Councilmember Segal that the $100 be refundable if a problem exists, so there would be zero out-of-pocket expense on the homeowner. Mr. Eckrich

responded that Staff had considered that proposal, but recommended against it as it may cause additional conflict with someone who is denied help by the program. After further discussion, it was agreed not to refund the $100 application fee.

Mayor Geiger asked if a resident can be reimbursed if they have gone ahead with the repairs prior to contacting the City. Mr. Geisel pointed out that since the repairs were not competitively bid, they cannot be reimbursed.

Septic Systems
Mr. Geisel mentioned that the City also helps residents who are served by a septic system. The lateral portion from the house to the tank is still eligible for repair.

Mr. Geisel explained that the Program is funded through a $28 annual tax to residents which is utilized to repair or replace any sewer lateral located outside the building foundation of all single family homes, duplexes, condominiums, and multi-family building containing six or less dwelling units within the City of Chesterfield.

Mr. Eckrich pointed out that Staff often investigates the sewer laterals as a proactive approach prior to road improvement projects.

Councilmember Grissom made a motion to reduce the Sewer Lateral Application fee from $200 to $100 and to forward to City Council with a recommendation to approve. The motion was seconded by Councilmember Segal and **passed by a voice vote of 4 - 0.**

Note: A voice vote will be needed at the February 20, 2013 City Council Meeting.

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on Sewer Lateral Application Fee].

IV. OTHER

V. ADJOURNMENT

The meeting adjourned at 6:30 p.m.