# I.A.

# MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Public Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, March 21, 2013

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A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, March 21, 2013 in Conference Room 101

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

Also in attendance were: Planning Commission Chair Mike Watson; Mike Geisel, Director of Public Services; Jim Eckrich, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; John Boyer, Senior Planner; 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 March 7, 2013 Committee Meeting Summary.

**Councilmember Segal made a motion to approve the Meeting Summary of** March 7, 2013**.** The motion was seconded by Councilmember Fults and **passed by a voice vote of 3 - 0.**

## II. OLD BUSINESS - None

## III. NEW BUSINESS

**A. P.Z. 03-2013 16636 Old Chesterfield Road (Edward Struckman)**: A request for a change of zoning from "NU" Non-Urban District to "UC" Urban Core District for a 0.24 acre tract of land located on the south side of Old Chesterfield Road, approximately 250 feet west of Santa Maria Drive (17T310489)

**B. <u>P.Z. 04-2013 16636 Old Chesterfield Road (Edward Struckman)</u>**: A request for a Landmark Preservation Area (LPA) Procedure for a 0.24 acre tract of land located on the south side of Old Chesterfield Road, approximately 250 feet west of Santa Maria Drive (17T310489).

**<u>STAFF REPORT</u>**

<u>Aimee Nassif</u>, Planning & Development Services Director gave a PowerPoint presentation with photos of the structure and an aerial depicting the surrounding zoning of the site. Ms. Nassif stated the following:

The Petitioner is requesting a change of zoning from "NU" Non-Urban District to "UC" Urban Core District with Landmark Preservation Area Overlay. The existing structure was originally built in 1920 and is part of Burkhardt Subdivision which was platted approximately in the late 1880's. This subdivision was placed on the National Register of Historic Places in May 2006. The site was used as a residence until recently.

The proposed uses on the site include; art gallery, general office, neighborhood retail sales establishment, and single-family detached dwelling. The UC district and LPA procedure both allow for a mix of residential and commercial uses. After discussions with Staff, the Petitioner decided to pursue the UC district over the PC district because the UC district allows for a greater mix of uses. The property owners also received LPA status a few years ago on another property within the area. Staff encourages property owners in the area to rezone out of the NU district and to pursue the LPA status.

<u>Ms. Nassif</u> noted that the Urban Core District was only established a few years ago so there is only one other property in the area zoned Urban Core at this time. The subject site is shown on the Comprehensive Land Use Plan as being within the Urban Core area.

A Public Hearing was held on February 25, 2013 and no issues were identified. On March 11, 2013, the Planning Commission recommended approval by a vote of 7 – 2.

The two Commissioners who voted in opposition had concerns with density of the site. It was Ms. Nassif's understanding that those two Commissioners thought the UC district provided greater density than the PC district, which is inaccurate. She explained that the PC district has a set floor area ratio requirement and the UC district simply states that the floor area ratio requirement will be included in the Attachment A. The Attachment A for this petition has been written to exclude any structure larger than approximately 1,700 square feet and the setback requirements are such that the house cannot be torn down for construction of a shopping center.

The Chesterfield Historic and Landmark Preservation Committee did provide written comments on the request and recommended approval of the LPA Overlay for the subject site.

**PLANNING COMMISSION REPORT**

Planning Chair Watson stated that it is unclear as to why the two Commissioners voted in opposition, but felt that their main concern dealt with the property density.

Ms. Nassif added that questions regarding parking were raised at the Public Hearing and indicated that the uses being requested only require a maximum of four parking spaces. There are no exterior modifications being proposed other than striping for the parking spaces.

**Councilmember Fults made a motion to forward both P.Z. 03-2013 16636 Old Chesterfield Road (Edward Struckman) and P.Z. 04-2013 16636 Old Chesterfield Road (Edward Struckman) to City Council with a recommendation to approve.** The motion was seconded by Councilmember Segal and **passed by a voice vote of 3 - 0.**

**Note: Separate Bills, as recommended by the Planning Commission, will be needed for the April 17, 2013 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. 03-2013 and P.Z. 04-2013 16636 Old Chesterfield Road (Edward].**

**C. T.S.P. 41-2013 T-Mobile (731 Spirit 40 Park Drive):** A request to obtain approval to amend a Telecommunications Siting Permit to accommodate six (6) additional antennas as well as new ground equipment on an existing monopole tower within the "M3" Planned Industrial District of land located north of the intersection of Spirit 40 Park Drive and Chesterfield Airport Road (17V420146).

**STAFF REPORT**

John Boyer, Senior Planner gave a PowerPoint presentation showing an aerial of the site and the surrounding area. Mr. Boyer stated the following:

The tower was originally approved by the City in April of 2000 as a 100 foot tall monopole tower. Ordinance #2391 regulates all new cell towers and telecommunications siting permits. Since there were no material modifications, a Public Hearing was not required. The City Code defines material modifications as "anything that affects the obvious physical appearance of the tower" such as height. The following points were clarified.

- There are no changes to the antenna height.
- The antenna will remain within the existing antenna platform of the tower.
- The ground equipment will be installed within the existing enclosure and not visibly available to the public.

## DISCUSSION

It was determined that T-Mobile is the applicant and the request is simply a collocation on the existing cell tower. There were no issues brought forward to Staff relative to the request.

**Councilmember Segal made a motion to forward T.S.P. 41-2013 T-Mobile (731 Spirit 40 Park Drive) to City Council with a recommendation to approve.** The motion was seconded by Councilmember Fults and **passed by a voice vote of 3 – 0.**

**Note: This is a Telecommunications Siting Permit which requires a voice vote at the April 17, 2013 City Council Meeting.**

**[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P. 41-2013 T-Mobile (731 Spirit 40 Park Drive)].**

**D.** **T.S.P. 42-2013 T-Mobile (471 N. Woods Mill Road):** A request to obtain approval to amend a Telecommunications Siting Permit to accommodate nine (9) additional antennas as well as associated new ground equipment on an existing monopole tower within the "NU" Non-Urban District of land located interior to the Parkway Central School District lot west of N. Woods Mill Rd. north of the intersection of Ladue Rd.

**STAFF REPORT**

John Boyer, Senior Planner gave a PowerPoint presentation showing an aerial of the site and the surrounding area. Mr. Boyer stated the following:

The tower was originally approved by the City in August 1997 as a 115 foot tall monopole tower. Ordinance #2391 regulates all new cell towers and telecommunications siting permits. Since there were no material modifications, a Public Hearing was not required. The City Code defines material modifications as "anything that affects the physical appearance of the tower". The following points were clarified.

- The antenna will remain within the existing antenna platform of the tower.
- The ground equipment will be installed within the existing heavily landscaped enclosure and not visibly available to the public.

There were no issues brought forward to Staff by residents or the neighboring school relative to the request.

**Councilmember Segal made a motion to forward T.S.P. 42-2013 T-Mobile (471 N. Woods Mill Road) to City Council with a recommendation to approve.** The motion was seconded by Councilmember Fults and **passed by a voice vote of 3 – 0.**

**Note: This is a Telecommunications Siting Permit which requires a voice vote at the April 17, 2013 City Council Meeting.**

**[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P. 42-2013 T-Mobile (471 N. Woods Mill Road)].**

### E. Old Wilson Road Right-of-Way Vacation

**STAFF REPORT**

Jim Eckrich, Public Works Director/City Engineer stated that Staff is requesting authorization to move forward with the vacation of a section of Old Wilson Road just north of Clarkson Road. In the early 1990s the City of Chesterfield rerouted Wilson Road to a new, signalized intersection at Clarkson Road. It appears to Staff that it was the City's intention to abandon this stub section of "Old" Wilson Road after the project.

Staff has recently discovered that the formal vacation of this section of right of way never occurred. This is somewhat problematic because an area resident still utilizes this section of pavement to access Wilson Road, yet the City has not maintained or plowed this section of roadway since the Wilson Road Reconstruction Project.

The vacation process was initiated with letters being sent to the three properties which abut the right of way. Two of those property owners did not respond. The third indicated that he was not necessarily against the vacation of the right of way, but that he did desire to maintain the right to use the vacated roadway as an access to Wilson Avenue. This resident, Mr. Clarence Graeler, has access to Clarkson Avenue, but indicates that it is difficult to make a left turn onto Clarkson Avenue at certain times of the day and would prefer to keep access to Wilson Road from his property. Staff believes these access rights could be assigned to Mr. Graeler as part of any right of way vacation.

Volz Engineering has provided the City with a proposal to prepare a Right-of-Way Vacation Exhibit in accordance with the City's Vacation of Right-of-Way Checklist, at a cost of $2,145, including the required title searches.

City Staff would notify the area utility companies and contact the three adjacent property owners again in an effort to obtain formal consent to the right of way vacation. Once this work was completed, the potential right of way vacation would be publicly advertised and forwarded to City Council for consideration after a fifteen day waiting period.

**DISCUSSION**

A question was raised by Councilmember Fults as to how this will affect Buchholz Mortuary noting, that the area residents do not want this site to go commercial.

Mr. Geisel replied that it may actually support the inclusion of the area with the residential properties to the west because the mortuary will no longer be divided from these parcels by a public roadway.

Mr. Eckrich responded that the vacated roadway will go to the underlying property owner as determined by the vacation plat. It has not yet been determined whether these will be the properties to the east or to the west.

There was additional discussion regarding the condition of the roadway and who will provide maintenance. It was indicated that the road is in poor condition and once the City vacates it, the property owner will assume all road liabilities. Mr. Geisel explained that if the property owner wants to retain the right of access, he will need to accept the road in its current condition. The City will release the rights to the roadway and the title company will determine who has the underlying property rights.

Mr. Eckrich clarified that the utilities will have to be notified and provided easements if they have facilities in the area, in the same manner that a driveway easement will be necessary if the adjacent resident wants to continue to use it as such. It was noted that there is no secondary access into Sea Beauty Farms Subdivision from this section of roadway.

**Councilmember Fults made a motion for Staff to pursue Old Wilson Road Right-of-Way Vacation and to further contract with Volz Engineering to prepare the Right-of-Way Exhibit at a cost of $2,145.** The motion was seconded by Councilmember Segal and **passed by a voice vote of 3 - 0.**

## IV. PROJECT UPDATES

Aimee Nassif gave a brief project update

Ward 3: Project Update

- Pre-application meeting was held to discuss Clayton and Schoettler Road – potential single-family development. There are no current plans at this time as the Petitioner is still meeting with the area property owners and the Ward Councilmembers.

Ward 4: Project Update

- Spirit Valley Business Park – an Ordinance Amendment will be required to add “kennel” use only. Public Hearing will be held on April 8th.
- Arbors at Wild Horse Creek – McBride & Sons has submitted Amended Architectural Elevations to allow front-entry garages. Ms. Nassif noted that the City Code does not require residential development to go before the Architectural Review Board unless it is included in the Attachment A during the zoning process, which is what occurred in this instance.

***Councilmember Fults* indicated that she will not be exercising Power-of-Review on the project because the size of the proposed homes is substantially larger than previously expected.** Ms. Nassif pointed out that all City Code and Architectural standards are being met. This will go before the Planning Commission on March 25.

- A follow-up meeting was held to discuss revised Concept Plans for a proposed upscale Blue Ocean Restaurant located on Chesterfield Airport Road.
- Parcel to the west of the Blue Ocean Site – potential small medical office building. A change of zoning will be required for the site. A formal submittal has not been received. Parking will depend on the layout of the building.

## V. OTHER

## VI. ADJOURNMENT

The meeting adjourned at 5:59 p.m.