MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Public Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, August 30, 2012

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, August 30, 2012 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); Councilmember Mike Casey (Ward III); Councilmember Bob Nation (Ward IV); Planning Commission Chair Mike Watson; Michael Herring, City Administrator; Libbey Tucker, Assistant City Administrator for Community Services & Economic Development; Mike Geisel, Director of Public Services; Aimee Nassif, Planning & Development Services Director; Justin Wyse, Senior Planner; Kevin Neill, Project Planner; and Kristine Kelley, Recording Secretary.

The meeting was called to order at **6:00 PM**

I. APPROVAL OF MEETING SUMMARY

A. Approval of the July 19, 2012 Committee Meeting Summary.

Councilmember Grissom made a motion to approve the Meeting Summary of July 19, 2012**.** The motion was seconded by Councilmember Segal and **passed by a voice vote of 4 - 0.**

II. OLD BUSINESS - None

III. NEW BUSINESS

A. P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant):

A request for a change of zoning from a "C-8" Planned Commercial District and two "PC" Planned Commercial Districts to a "UC" Urban Core District for a 40.040 acre area of land located north of

Chesterfield Parkway and east of Elbridge Payne Rd. (19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171 and 18S220061).

STAFF REPORT

Justin Wyse, Senior Planner gave a PowerPoint presentation showing the site and the surrounding area. Mr. Wyse stated the following:

The Petitioner is requesting a change in zoning to consolidate four (4) planned districts into one "UC" Urban Core District to allow for a campus location for Mercy Health. The requested modification would permit a maximum density of 0.55 F.A.R. (960,000 square feet) on the 40 acre site.

With respect to building height, anything south of a line drawn parallel to Chesterfield Parkway is limited to three (3) stories; everything north of that line is permitted seven (7) stories.

A Public Hearing was held on March 12, 2012 and at that time, several issues were discussed relating to; building height, proximity to residential (south and east), tree preservation, public art, and how the traffic impacts the area. Although not typically available this early in the process, a traffic study has been provided. The traffic study is continuing to evolve and final approval of the traffic study will not be completed until the site development stage. Mr. Wyse pointed out that approval from the City, St. Louis County Department of Highways and Traffic, and MoDOT is an ongoing process and will be required in conjunction with site plan review.

At the August 13, 2012 Planning Commission meeting a recommendation for approval passed by a vote of 8 – 0 with two (2) amendments approved, each by a vote of 8 – 0, to allow for reduced parking and drive aisle setbacks along the north and west district boundaries. On the west, the setback was reduced to 10 feet from 30 feet; on the north, the setback was reduced to 15 feet. Additionally, an increased setback to 100 feet from the south district boundary was included.

The Attachment A also includes a phasing trigger for roadway improvements. To go beyond the permitted ~560,000 square feet of development, roadway improvements would be required.

PLANNING COMMISSION REPORT

Planning Chair Watson stated that all concerns raised by the Planning Commission were addressed by Staff.

DISCUSSION

Mayor Geiger stated that there have been ongoing meetings with representatives of Mercy Health and they are totally committed to funding the entire project with respect to road improvements.

South Outer 40 Road Discussion

Mr. Geisel stated that Staff is very satisfied with the traffic study with regard to the improvements that will be required and are necessary for the development. Staff initially had concerns related to the South Outer 40 Road. Mercy Health's position is that with all the other improvements they are doing, they feel they have effectively mitigated the impacts of the proposed development. The City has a Master Plan which includes the extension of the South Outer 40 Road past Chesterfield Parkway E. It was strongly recommended that the South Outer 40 Road be constructed as part of the development and if they would have access to the development, the slip ramp would have to be relocated.

The Missouri Department of Transportation (MoDOT) would not allow direct access onto a highway access ramp from their development. With continuation of the South Outer 40 Road, Staff believes that they will be able to achieve access approval to the outer road and separately have a slip ramp. The scenario is very similar to what occurs at Chesterfield Hills east of Timberlake Road – the Subdivision has access and further down the outer road there is a ramp with access to the highway. The benefit of this is that almost 50% of the traffic can use the ramp and never have to get on Chesterfield Parkway.

In an effort to move forward and make a recommendation to the Planning Commission, Staff developed a trigger mechanism that allowed Phase I (~560,000 square feet) to be constructed; however full development could not occur until the slip ramp was constructed. Mercy has expressed their objection to this recommendation as it was not their intention to phase the project. There have been substantial negotiations to develop a separate agreement to facilitate the construction of the South Outer 40 Road as well as the slip ramp onto the highway. The developer is willing to escrow the estimated cost for the construction. Mr. Geisel explained that the separate agreement provides specific performance timelines for the approval and construction of the access improvements that could not otherwise be incorporated into the zoning entitlement agreement.

Staff fully supports and recommends removal of the trigger mechanism from the language in the Attachment A, and replacing it with a separate agreement between the City and Mercy Health, which provides for the improvement to independently move forward.

Mayor Geiger pointed out that the initial cost of the extension of South Outer 40 Road is estimated at $1.2 million and is to be covered by Mercy Health. He then asked City Attorney Heggie to explain the financial instrument that would be put in place by Mercy Health for the road improvements. City Attorney Heggie responded that Mercy Health is proposing a Surety Bond, which is acceptable and would include terms that are mutually agreeable to the City and Mercy Health. He indicated that the financial instrument could be a Letter of Credit, Escrow, or a Surety Bond. If something

were to occur on the part of Mercy, the money from the financial instrument would be available to the City to finish the project. The City also has the guarantee from Mercy that Mercy would pay for any cost overruns as defined by the following language in the agreement;

- *Mercy, before site improvement plan approval, shall establish a Financial instrument, in a form mutually agreeable, with the City in the amount of One Million Eight Hundred Thousand Dollars ($1,800,000.00). However, Mercy agrees to fund the entire cost, including design cost and changes thereto, of "South Outer 40 Road", even if cost exceeds that amount.*

Mayor Geiger further explained that building permits will not be granted until the financial instrument is in place. He completely supports the agreement and the Mercy Health organization.

In addition to the extension of the South Outer 40 Road, Chair Logan added that there will be two (2) left-hand turn lanes on to Olive from westbound Highway 40 and two (2) left-hand turn lanes to the South Outer 40 Road.

Staff provided information regarding improvements to Chesterfield Parkway and access points from Chesterfield Parkway into the development. It was also noted that the traffic study will cover the residential traffic near Schoettler Valley Drive. Mr. Wyse added that the scope of the traffic study covers a vast area and includes a review of the impacts at 12 major intersections.

Timeline for Improvements

Councilmember Grissom inquired into the estimated timeline for approval of the slip ramp. Mr. Wyse gave an estimate of 8-14 months.

Mr. Geisel then explained the time constraints involved with the project. It is estimated that the improvements for the slip ramp, as well as the additional improvements, could take up to three years. Mr. Herring stated that once the approvals are granted by MoDOT and the Federal Highway Department, Mercy Health has 12 months to begin construction. If construction does not begin, there is a trigger mechanism set in place whereby the City will take over to complete the project.

COUNCILMEMBER COMMENTS

As councilmember for Ward II, Councilmember Grier added that after numerous conversations with the Petitioner and Staff, he is comfortable that the initial issues and concerns have been addressed and the agreement that City Attorney Heggie has drafted is acceptable and addresses those concerns. He feels that Mercy Health has a high level of commitment to the project and to the completion of the ramp onto South Outer 40 Road.

RESIDENT COMMENTS

Mr. Dan Hurt has no objections to the project, but has significant concerns with the long-term plan for traffic issues relative to Wards II and III. His main concern relates to the access points along Chesterfield Parkway E (PF Changs) and Schoettler Road Spur. He recommended that the following language be included in the Attachment A to address those concerns;

- If Mercy Health were to acquire the property to the east (Schoettler Village), City Council has the authority to re-evaluate the new signalized intersection serving the Mercy campus, which could include the following options; close the intersection, make it a right-turn in or right-turn out lane, make it an emergency access only lane, or keep it the way it is.

Discussion on Proposed Language

Councilmember Logan pointed out that if the additional land was acquired, traffic issues would be addressed at the time of rezoning.

Mr. Mike Doster, representing Mercy Health, stated that the Mercy development team would have to review the suggestion proposed by Mr. Hurt before he could respond. However, at this time he is requesting that the Committee move the proposal forward to City Council. Both Chair Logan and Councilmember Segal felt that the inclusion of Mr. Hurt's proposed language to the Attachment A is not warranted.

Setbacks

The Committee indicated that due to the cooperation of Mercy with regard to expanding the setback from the south, that they did not have an issue with the 10 foot setback on the west campus drive of the development.

Motion #1

Councilmember Fults made a motion to forward P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant) to City Council with a recommendation to approve. The motion was seconded by Councilmember Grissom and **passed by a voice vote of 4 - 0.**

Motion #2

Councilmember Segal made a motion to approve the proposed Green Sheet Amendment, which replaces the trigger requirement in the Attachment "A" with the provision of a separately executed agreement for the highway access requirements. The motion was seconded by Councilmember Grissom and **passed by a voice vote of 4 - 0.**

Motion #3

Councilmember Fults made a motion to recommend approval of an ordinance authorizing the Mayor to execute an agreement with Mercy Health for

construction improvements and funding. The motion was seconded by Councilmember Segal and **passed by a voice vote of 4 - 0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the September 5, 2012 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. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant)].

B. P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.): A request for an ordinance amendment in a "C8" Planned Commercial District of 225 acres in size located generally in the northwest quadrant of the intersection of Missouri Route 340 and US Highway 40/Interstate 64 including those properties along Chesterfield Parkway West (17S110147, 18S430237, 18S440148 & 18S420085).

STAFF REPORT

Justin Wyse, Senior Planner gave a PowerPoint presentation showing the site and the surrounding area. Mr. Wyse stated the following:

The Petitioner is requesting an Ordinance Amendment to modify the density standards and height requirements in a development zoned "C8" Planned Commercial District consisting of 75 acres. The requested modification would permit an increase in density and an increase in height of office development on Parcel III of the NW Quadrant of the Chesterfield Village Development. Additionally, the Petitioners seek to remove a density cap for both Parcels III and IV. Note, both parcels include a number of building groups that further limit density and as such, the removal of the density cap would not remove all density restrictions on these parcels.

Currently, building group B is allowed a maximum of 500,000 sq. ft. of office development on Parcel III if the hotel is not developed. If the hotel is developed, they are currently allowed 460,000 sq. ft. of office and a 350-room hotel. In addition, they are proposing 655,000 sq. ft. of office development on Parcel III, as well as the existing 95,000 sq. ft. office building on Building Group A.

The maximum height being requested is six (6) stories for Building Group A; Building Group B would allow a hotel at 15 stories and an office at 10 stories.

A Public Hearing was held on June 25, 2012. Discussion focused on the impact of the amendments on traffic in the area. Although not typically requested during zoning, a traffic study has been provided. This study is continuing to evolve and final approval of the traffic study will not be completed until the site development stage. Mr. Wyse pointed out that approval from the City, St. Louis County Department of Highways and Traffic, and MoDOT will be required prior to site plan approval.

At the August 13, 2012 Planning Commission meeting a recommendation to approve passed by a vote of 7 – 1 with an amendment proposed by Staff to reference any addendums to the traffic study.

PLANNING COMMISSION REPORT

Planning Chair Watson stated that the Planning Commission had more traffic study concerns with this project compared to the change of zoning for Mercy Health. There were concerns related to the exit ramp coming off of the development, as well as traffic across the highway where the road ties into Wild Horse Creek Road.

DISCUSSION

Chair Logan stated that Commissioner Lueking who voted in opposition did not have issues with the project - her concern was 100% traffic related.

Mr. Geisel stated that the full scope of improvements have not yet been defined with the State of Missouri or St. Louis County. The ordinance currently requires that once development exceeds 405,000 square feet, the developer *must* extend the North Outer 40 Road. Mr. Wyse pointed out that if the traffic study later determines that the outer road is necessary before completion of 405,000 square feet, then it will be required at that point.

Chair Logan pointed out that what is being presented to the Committee this evening, is strictly an amendment to the ordinance to allow the additional square feet for Parcel B and redefine Building Groups A & B on Parcel III.

City Attorney Heggie pointed out that the traffic issues relative to Parcel IV and everything within the Urban Core are diligently monitored by Staff. As the rest of the parcels develop, it is of the utmost importance that the traffic needs are met. It will continue to be challenging, but Staff is well aware of the traffic impact to the area.

Planning Chair Watson stated that he has explained to the Planning Commission that both the RGA ordinance and Mercy Health ordinance are fluid documents and are constantly evolving and will continue to be monitored.

MAYOR'S COMMENTS

Mayor Geiger is very excited about both projects and fully supports moving forward a recommendation to the full City Council.

Councilmember Grissom made a motion to forward P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.) 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: One Bill, as recommended by the Planning Commission, will be needed for the September 5, 2012 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. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.)]

D. Public Works Citizen's Advisory Group - Discussion

History of the Committee

Mr. Geisel explained that when the City was first incorporated, the Citizen's Advisory Committee was created by City Council to serve as technical advisors and advocates in the initial development of standards, practices and codes. The Public Works Citizen's Advisory Group provided valuable advice concerning street and construction standards. The standards which the City utilizes today are the direct result of those committee members who were licensed engineers, construction professionals, etc. Unfortunately, the need for their assistance has substantially diminished over time. Due to the infrequency in which these meetings are held, and the lack of participation, it is the recommendation of Chair Logan and Staff that the Committee be dissolved.

Mr. Geisel added that if there is a need to seek technical advice to study specific items at any time, an ad hoc committee could be created. It is estimated that the last time the committee met was approximately 10 years ago, so to continue with the Public Works Citizen's Advisory Group and not utilize their resources is, in Mr. Geisel's opinion, somewhat disrespectful.

Councilmember Fults felt that due to busier schedules, it would be easier to get participants on an as-needed basis. Mr. Geisel agreed that it would be easier to get participation on an as-needed basis and that membership could be tailored to the specific task at hand.

She then questioned as to whether the Public Works Board of Variance will remain. Mr. Geisel responded that while there is potential to combine the Public Works Board of Variance with the Board of Adjustment, that is not part of this specific proposal. For the near future, the Public Works Board of Variance will continue to exist.

Councilmember Segal concurred with Chair Logan and Mr. Geisel to dissolve the Public Works Citizen's Advisory Group. He suggested taking a global look at all the inactive committees and reviewing the necessity of keeping them. He then thanked Chair Logan for bringing the matter to the Committee's attention.

Councilmember Grissom made a motion to dissolve the Public Works Citizen's Advisory Group and to forward to City Council with a recommendation to approve. The motion was seconded by Councilmember Segal

Chair Logan commented that due to the length of time in which the residents have been on the committee, he recommends that the Mayor send a letter to those members explaining the Committee's decision along with the City's appreciation for their time served. If their services are ever required, the City would welcome their input.

The motion then **passed by a voice vote of 4 - 0.**

C. Proposed Olive/Clarkson Speed Limit

STAFF REPORT

Mike Geisel, Director of Public Services stated that there have been ongoing discussions over the years about the inconsistency of the speed limit along Olive Boulevard and Clarkson Road. It has been determined that the actual speed limit varies from 35 mph to 45 mph. Regular speed limits are typically to be established by speed studies where a radar study identifies the 85th percentile speed. Mr. Geisel explained that motorists will drive at a speed at which they feel comfortable and safe. A motorist's behavior is directly impacted by the roadway design character.

Based upon the recently completed Missouri Department of Transportation (MoDOT) study, a posted speed limit of 45 mph is recommended on Missouri Hwy 340 from the City's southern boundary to Woods Mill on the North. With the recent opening of Route 141, no change is proposed east of Woods Mill until driver behavior has stabilized. A follow-up traffic study is expected to be performed by MoDOT to consider the posted speed limits from North Woods Mill Road east towards new Hwy 141 and the Creve Coeur City limits after the new Hwy 141 project is complete.

Staff agrees with MoDOT's recommendation and recommends that the Committee consider the proposed ordinance that would place a consistent 45 mph speed limit on Olive/Clarkson Road between Woods Mill Road and the City's southern boundary at Kehr's Mill Road. The City has to have a municipal ordinance in place in order to enforce the speed limit through municipal court. The City can only cite a municipal violation and then prosecute through the municipal courts. There was additional discussion as to other speed limits throughout the City.

Sound Walls

Councilmember Fults had concerns that the increased speed along Clarkson Road will result in the need for sound walls which is not what the residents want. Mr. Geisel responded that he did not believe that the increased speed limit would trigger a requirement for sound walls; but he will confirm this with MoDOT and provide that information to City Council.

If the speed limit is changed to 45 mph, Councilmember Grissom suggested that the City ticket motorists driving at 50 mph rather than 10 miles over the speed limit.

Councilmember Fults made a motion to adopt the Proposed Olive/Clarkson Speed Limit ordinance amendment 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 3 – 1 with Councilmember Grissom voting no.**

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the September 5, 2012 City Council Meeting. See Bill #

[Please see the attached report prepared by Susan Mueller, Principal Engineer, for additional information on Proposed Olive/Clarkson Speed Limit].

IV. PROJECT UPDATES

Aimee Nassif gave a brief project update.

Ward I – New Projects:

- Friendship Village of West County. Proposed additions approved at Architectural Review Board and Planning Commission. Improvement plans are currently under review.
- Sansone Group has withdrawn its petition for a senior living center off West Drive.

Ward 2 – New Projects:

- Met with developers to upgrade the building at 16100 Swingley Ridge Road to accommodate Sterling Bank user. The developers will also be including additional landscaping and improvements to the architecture. The building is at the corner of Olive & Highway 40. Ms. Nassif recommended that the developers meet with Mayor Geiger and the Ward Councilmembers.
- Municipal Zoning Approval,-was approved for the Hyatt Place Hotel construction.

Ward 3 Inquiries:

- Clayton and Schoettler Road proposal for mixed office/retail use with residential in the rear. Site is adjacent to Gascony. Zoned NU, Land Use Plan calls for residential only. Ballwin mixed use development is across the street.

Ward 4 – New Projects:

- Chesterfield Senior Living Center. Review underway. Will be on Planning Commission agenda 9/10/12.
- Chick-fil-A is proposing small building addition and additional drive-thru lane to accommodate high volume of activity on site.

Other development projects but not limited to:

1. Wendy's Restaurant – will be located next to Valvoline.
2. Chesterfield Outlets

3. Valvoline Instant Oil Change – located near HHgregg and Chick-fil-A.
4. Blue Valley-Premium Outlets – building permits have not been issued. There are ongoing negotiations with counsel.
5. The Reserve at Chesterfield Village
6. Mohela parking expansion
7. Monsanto pedestrian pathway
8. Windsor Crossing Community Church
9. New Covenant Church
10. Long Road Crossing-possible new tenant
11. Spirit Valley Business Park, Lot 10
12. Babies R Us – small expansion
13. Stages St. Louis – moving into the old Congregation Kol Am site
14. Buffalo Wild Wings – moving into the old O'Charley's site.

Ms. Nassif then praised the exemplary time and effort that Senior Planner, Justin Wyse has put into both the Mercy Health and RGA projects.

Ms. Nassif then introduced the newest member of the Planning Staff, Project Planner Kevin Neill.

The next meeting of the Planning & Public Works Committee is scheduled for September 6th. Due to the upcoming holiday, the packets will go out on Tuesday, September 4th, which will also include the meeting summary from tonight's meeting.

V. OTHER

VI. ADJOURNMENT

The meeting adjourned at 7:30 p.m.