MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning, Public Works and Parks

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, October 20, 2011

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, October 20, 2011 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV); **Councilmember Matt Segal** (Ward I); and **Councilmember Derek Grier** (Ward II).

Although Councilmember Logan was unable to attend the meeting, he indicated that he had no issues with the items on the agenda.

Also in attendance were: Councilmember Mike Casey (Ward III), Councilmember Bob Nation (Ward IV); Planning Commission Chair Amy Nolan; Michael Herring, City Administrator; Libbey Malberg-Tucker, Assistant City Administrator for Community Services & Economic Development; Mike Geisel, Director of Planning, Public Works and Parks; Aimee Nassif, Planning & Development Services Director; Justin Wyse, Senior Planner; Shawn Seymour, Senior Planner; and Kristine Kelley, Recording Secretary.

The meeting was called to order at *5:15* p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the October 6, 2011 Committee Meeting Summary.

Councilmember Segal made a motion to approve the Meeting Summary of October 6, 2011**.** The motion was seconded by Councilmember Grier and **passed by a voice vote of 3 - 0.**

II. OLD BUSINESS - None

III. NEW BUSINESS

The Committee agreed to move the agenda order.

D. **P.Z. 07-2011 Chesterfield Outlets (T-O Ventures, LLC.)** – A request for a change of zoning from a "NU" Non-Urban District and an "FP NU" Flood Plain Non-Urban District to a "PC" Planned Commercial District for a 48.625 acre area of land located north of North Outer 40 Road and east of Boone's Crossing (17T420016, 17T430048, and 17U640103).

STAFF REPORT

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

The Petitioner is requesting a change of zoning from an "NU" Non-Urban with a "FP NU" overlay district for 48.625 acres of land. The subject site is located on North Outer 40 Road, east of Boone's Crossing. The building to the east of Boone's Crossing is the ice rink.

The request would permit an outlet center for submittal of site plan review. A Public Hearing was held on September 12, 2011. At that meeting, issues were raised regarding the uses proposed in relationship to their consistency with the Comprehensive Plan. The Petitioner agreed to remove those uses from their request as listed below:

Permitted Uses

(9) Automobile sales, new
(27) Coffee shop, drive-thru
(35) Drug store and pharmacy, drive-thru
(37) Dry cleaning establishment, drive-thru
(45) Filling station and convenience store with pump stations
(49) Financial institution, drive-thru
(85) Restaurant, with drive-thru window

Accessory Uses

(2) Amusement park
(10) Automobile sales, accessory to Automobile sales, new
(80) Research facility, accessory to Office – general and medical
(101) Vehicle repair and services facility, accessory to Automobile sales, new

Comprehensive Plan – Regional Retail: The Petitioner agreed to limit the tenant square footage to ensure consistency with the definition of the Comprehensive Plan for *"regional retail".* Staff's research was presented to the Planning Commission with a recommendation to limit the maximum tenant square footage to 75,000. The Comprehensive Plan allows a threshold of 150,000 square feet.

Density: Staff recommended an overall density for the development of 500,000 square feet. It was added that the Petitioner had no objections with any of the restrictions.

Height

At the October 10th Planning Commission Meeting, the Attachment A was presented with a maximum of 45 feet in height. However, architectural elements up to 60 feet in height could be proposed and approved by the Planning Commission. The increase in height was presented to provide architectural enhancements to the development.

Also at the October 10, 2011 Planning Commission meeting there was a motion to eliminate anything above 45 feet in height, which died due to the lack of a second. The motion to approve the request for the rezoning of "NU" Non-Urban District to "PC" Planned Commercial District passed by a vote of 6 – 2. Finally, the request by the Petitioner also included a proposed modification to the open space requirement. By a vote of 8-0, the Planning Commission approved the following language for open space:

a. A minimum of 35% open space is required for this development. 30% open space shall be required if the required storm water improvements, per the current version of the Chesterfield Valley Master Storm Water Plan, along the southern portion of this District are enclosed.

PLANNING COMMISSION REPORT

Planning Chair Nolan stated that the Planning Commission is in favor of the proposed development. Chair Fults questioned the concerns that the two (2) Commissioners had in relation to the building height. Planning Chair Nolan explained that Commissioners Watson and Lueking were not against the project, but had concerns with the 60-foot height of the buildings. It was noted that the building height will be limited to 45 feet; however, there is an allowance of 60 feet for architectural features of the development. Commissioner Watson had concerns that the 60-foot height would be out of proportion with the building heights of the surrounding developments.

Chair Fults explained that because of the lower grade of the proposed development, visually, the architectural elements will not exceed the existing buildings. Ms. Nassif then provided examples of buildings in the Valley area that are currently 60 feet in height such as; a hotel, Amini's Home Rugs and Game Room, and the Galaxy Theater; in addition there are some retail establishments a little less than 60 feet, which provide a mix of building heights. Ms. Nassif added that it is uncertain at this time of the exact heights of the proposed buildings, but during site plan review the buildings could potentially be smaller.

Mr. Wyse stated that since the property is long and narrow, having the ability to articulate the height elevations could break up the long linear feeling of the buildings.

Planning Chair Nolan clarified that Commissioners Watson's and Lueking's main concerns related to the height of the buildings. They did not have any issues with the open space modifications.

Setbacks

There is currently a zero-foot parking setback from the eastern portion of the site in relation to the access easement that runs north of the Levee to the east of the topsoil operation. Staff has included a requirement in the Attachment A that easements be dedicated to the City on the western and eastern portions of the site to allow public access to the area north of the levee. At this time, the exact location for these easements has not been defined.

Councilmember Nation inquired as to why there are restrictions to the height of the buildings. Mr. Wyse responded that the typical building area will be a maximum of 45 feet in height and the developer can add taller architectural details up to 60 feet in height. Councilmember Nation then gave a comparison to the Arbors of Wild Horse Subdivision which is limited to 50 feet in height and questioned why limitations would be placed on a commercial development that are less than what is allowed for a residential development. Chair Fults replied that the limitation is required under the Chesterfield Valley Master Plan.

Mr. Geisel discussed "sky plane" and trying to avoid the tunnel effect of long, linear, tall buildings along Highway 40.

Councilmember Segal responded that the additional height allowance will only enhance the buildings for the City and the Petitioner. It will provide the latitude to add versatility to the architectural features.

Mr. Wyse noted that there is a restriction that signs cannot be built above 45 feet.

Chair Fults noted that the building and parking will be discussed under site plan review. It was added that the plan must meet the sky exposure plan and will be required to go before the Architectural Review Board and the Planning Commission.

There was additional discussion regarding the maximum tenant square footage limitation of 75,000 square feet. Mr. Wyse explained that this limitation was added because of the concern that the development could potentially move toward the idea of a Regional Retail Center which is defined as, *"a center characterized by two (2) or more national retail anchor stores at a minimum of 150,000 square feet that provides general merchandise and services and attracts customers from Chesterfield and surrounding municipalities that will travel .5 hours or greater to reach the center."* The idea was to eliminate a designation that is not currently planned for in that area – this area is for General Retail not Regional Retail.

It was pointed out that the Chesterfield Mall and the Chesterfield Commons area are defined as Regional Retail. It was noted that there were a number of uses that were eliminated from the proposed development. Mr. Wyse again stated that the Petitioner did not have any issues with removal of any of the uses as listed on Page 2.

Upon further review, Staff recommends the following changes to the Attachment A:

I. ACCESS/ACCESS MANAGEMENT (changes shown in **bold**)

1) Ingress and egress must conform to the Missouri Department of Transportation's (MoDOT), St. Louis County Department of Highways and Traffic, and City of Chesterfield's Access Management Guidelines, as ~~applicable~~ **directed by the**

City. Ingress and egress must be reviewed and approved by MoDOT, St. Louis County, and the City of Chesterfield, as ~~applicable~~ **directed by the City**.

J. ROAD IMPROVEMENTS (changes shown in **bold**)

1) Construct improvements to North Outer 40 Road and Boone's Crossing as required by MoDOT, St. Louis County and the City of Chesterfield, as ~~applicable~~ **directed by the City,** to support the proposed development.

Councilmember Grier made a motion to amend the Attachment A as recommended by Staff to remove the word "applicable" and replace with the words "directed by the City." The motion was seconded by Councilmember Segal and **passed by a voice vote of 3 – 0.**

And

Councilmember Segal made a motion to forward P.Z. 07-2011 Chesterfield Outlets (T-O Ventures, LLC.), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Grier and **passed by a voice vote of 3 – 0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the November 7, 2011 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. 07-2011 Chesterfield Outlets (T-O Ventures, LLC.)].

A. Schedule XVI - Emergency Snow Routes

STAFF REPORT

Mike Geisel, Director of Planning, Public Works and Parks stated that periodically the department reviews Traffic Schedules associated with City Ordinance 35 to ensure that the schedule reflects current conditions. Staff has compared the current list of snow routes with the list of priority streets on the snow route plan. The updates to the schedule add these streets as priority snow routes. As a result of the review process, Staff is proposing an amendment to Ordinance 35 to repeal Schedule XVI, Priority Snow Routes and to adopt a new Schedule XVI, Emergency Snow Routes.

Councilmember Segal made a motion to forward the amendment to Ordinance 35 adopting a new "Schedule XVI - Emergency Snow Route" to City Council with a recommendation to approve. The motion was seconded by Councilmember Grier and **passed by a voice vote of 3 – 0.**

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the November 7, 2011 City Council Meeting. See Bill #

[Please see the attached report prepared by Brian McGownd, Public Works Director/City Engineer, for additional information on Schedule XVI - Emergency Snow Routes].

B. T.S.P. 39-2011 AT&T (Drew Station 1662 Clarkson Road): A request to obtain approval to amend a Telecommunications Siting Permit for the purpose of upgrading existing facilities to accommodate and provide 4G LTE data service on an existing high structure in a "C8" Planned Commercial District-zoned tract of land located on the east side of Clarkson Road south of its intersection with Chesterfield Parkway (19S420394).

STAFF REPORT

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

The Petitioner is requesting an amendment to a telecommunications facilities siting permit for the addition of three (3) building-mounted stealth antennas to facilitate 4G LTE data service. It was added that the telecommunications siting permit was originally approved in January 2009.

Councilmember Segal made a motion to forward T.S.P. 39-2011 AT&T (Drew Station 1662 Clarkson Road) to City Council with a recommendation to approve. The motion was seconded by Councilmember Grier and **passed by a voice vote of 3 - 0.**

Note: This is a Telecommunications Siting Permit which requires a voice vote at the November 7, 2011 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P. 39-2011 AT&T (Drew Station 1662 Clarkson Road)].

C. T.S.P. 40-2011 AT&T (17850 Wild Horse Creek Road): A request to obtain approval to amend a Telecommunications Siting Permit for the purpose of upgrading existing facilities to accommodate and provide 4G LTE data service on an existing telecommunications tower on a "LLR" Large Lot Residential District-zoned tract of land located on the south side of Wild Horse Creek Road west of its intersection with Wild Horse Parkway Drive (18V120254).

STAFF REPORT

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

The Petitioner is requesting an amendment to a telecommunications facilities siting permit for the addition of three (3) upgraded antennas to facilitate 4G LTE data service. The existing free-standing tower is 78'-6" in height and is located at the St. Thomas Church site. The tower was originally located in February 1998 and the telecommunications siting permit was then approved in November 2010. The antennas are located within the existing tower.

Councilmember Grier made a motion to forward T.S.P. 40-2011 AT&T (17850 Wild Horse Creek Road) 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: This is a Telecommunications Siting Permit which requires a voice vote at the November 7, 2011 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P. 40-2011 AT&T (17850 Wild Horse Creek Road)].

E. Curbside Value Partnership Recycling Grant

STAFF REPORT

Libbey Malberg-Tucker, Assistant City Administrator for Community Services & Economic Development stated that the City has an opportunity to enter into an agreement with St. Louis County Department of Health for a grant not to exceed $19,564 for the purpose of increasing recycling participation throughout the County. The county-wide campaign is called "Recycling Becomes Me" and encourages communities to not only increase their recycling volume, but increase the number of people setting out recycling and encouraging them to do it more frequently.

A participation study or an actual count of those recycling in a certain subdivision or Ward, is highly recommended, but not required for the grant.

The City work plan includes a kick off the week of November 7, following our Chesterfield Recycles Day event on November 5 at the Chesterfield Valley Athletic Complex, and would primarily include advertising in our local media (West News), our newsletter, social media outlets and perhaps some direct mail pieces. The City will also be hosting contests at Earth Day for creative uses of recycled products.

DISCUSSION

Councilmember Grier questioned as to whether the total cost of the participation study will be covered under the grant. Ms. Malberg-Tucker stated that the City plans to partner with Allied Waste and our Citizens Committee for the Environment to conduct a participation study. Up to $1,000 can be reimbursed for the study as part of the grant; however, the City does not plan to spend beyond that amount. At the end of the grant period, we would conduct a follow-up participation study to determine the results of the campaign. She added that the amount of money awarded under the grant is based on the City's total population.

Mr. Herring expressed his endorsement of the program and commended Ms. Malberg-Tucker's collaborative work with the Citizens Committee for the Environment over the past six years. Chair Fults questioned as to whether Allied Waste had a total count of the recycling dumpsters that are currently being used. It was noted that the citizens can have the dumpsters, but not necessarily participate in the program.

Councilmember Segal made a motion to approve the Curbside Value Partnership Recycling Grant in an amount not to exceed $19,564. The motion was seconded by Councilmember Grier and **passed by a voice vote of 3 - 0.**

IV. ADJOURNMENT

The meeting adjourned at 5:43 p.m.