

MEMORANDUM

TO: Mike Geisel, City Administrator
FROM: James Eckrich, Public Works Director/City Engineer
SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, December 8, 2016



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, December 8, 2016 in Conference Room 101.

In attendance were: **Chair Dan Hurt** (Ward III), **Councilmember Barbara McGuinness** (Ward I), **Councilmember Bridget Nations** (Ward II) and **Councilmember Bruce DeGroot** (Ward IV).

Also in attendance were: Councilmember Guy Tilman, (Ward II); Planning Commission Chair Stanley Proctor; Jim Eckrich, Public Works Director/City Engineer; Justin Wyse, Senior 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 November 10, 2016 Committee Meeting Summary

Councilmember Nations made a motion to approve the Meeting Summary of November 10, 2016. The motion was seconded by Councilmember DeGroot and **passed by a voice vote of 4-0**.

II. UNFINISHED BUSINESS

A. P.Z. 04-2016 US Ice Sports Complex & Valley Gates (Topgolf USA Chesterfield LLC): A request for a zoning map amendment from an existing "PC" Planned Commercial District to a new "PC" Planned Commercial District for 22.22 acres located north of North Outer 40 Road and east of Boone's Crossing (17T510041, 17T520062, 17T520095, 17T520084).

Even though the Applicant requested that the project be held until the January 5, 2017 meeting, Chair Hurt stated that he requested that it be placed on the agenda. He then pointed out that the project may have to be returned to the Planning Commission for further review because two buildings had been added to the Plan. Per the Applicant's request, Chair Hurt recommended holding the project to the next meeting, however, depending upon what is presented at that time, the Committee will then determine if the project can be forwarded to City Council or if it should be returned to the Planning Commission.

Councilmember McGuinness made a motion to postpone P.Z. 04-2016 US Ice Sports Complex & Valley Gates (Topgolf USA Chesterfield LLC) until the January 5, 2017 Planning and Public Works Committee Meeting. The motion was seconded by Councilmember Nations and **passed by a voice vote of 4-0**.

III. NEW BUSINESS

A. Discussion of Code Amendment to UDC Article 04-01 Architectural Review Standards (McGuinness)

STAFF REPORT

Justin Wyse, Senior Planner, reported that Staff received a request from Councilmember McGuinness to consider a modification to the City's Architectural Standards as they apply to residential properties. Specifically, the request is to consider requiring siding to grade on all residential developments. As a general policy, whenever Staff receives a request such as this from a Councilmember, the request is forwarded to the PPW Committee in order to determine whether Staff should be directed to begin researching the request.

DISCUSSION

Councilmember McGuinness stated that she understands the need for some exposed concrete for basements. However, she would prefer that there be a code requirement addressing this matter within the Architectural Standards.

Councilmember McGuinness made a motion to direct Staff to research, review and work with the appropriate Committees as necessary, to provide a recommendation regarding modifications to Article 04-01 Architectural Review Standards of the Unified Development Code specifically pertaining to finish materials in their relation to grade. The motion was seconded by Councilmember Nations and **passed by a voice vote of 4-0.**

B. Request for Nooning Tree Research (Tilman)

Councilmember Tilman requested historical background relative to alternatives to adding another entrance/exit in the Nooning Tree subdivision. Currently, the Manors, Enclave, the Addition and the Villas all share one non-signaled entrance/exit off of Olive. He had asked Staff to review the subdivision file for any possible summary of this issue. However, there are multiple files to review and due to the time required to research this matter, it is appropriate to obtain the Committee's approval before Staff undertakes such a research project.

Councilmember DeGroot made a motion to direct Staff to research the possibility of another entrance/exit point for the subdivisions of Nooning Tree and Nooning Tree Addition. The motion was seconded by Councilmember Nations and **passed by a voice vote of 4-0.**

C. River Valley Drive Closure Redesign

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, gave a presentation on the history of the proposed River Valley Drive closure project. After bids were sought and before Council approval, a River Bend resident contested the property conveyance at 178 River Valley Drive. Chris Graville, City Attorney, concurred that the River Bend Trustees did not have the right to convey easements at 178 River Valley Drive. In an effort to move forward with the project, the property owner across the street at 76 River Valley Drive agreed to convey the property necessary to construct a cul-de-sac. However, this will necessitate a re-design of the cul-de-sac utilizing a portion of the property at 76 River Valley Drive and entirely avoiding the property at 178 River Valley Drive. Mr. Eckrich stated the project re-design could be completed by in-house engineering

staff, but there would be associated out-of-pockets costs of approximately \$25,000 for the completion of easement documents, geotechnical and retaining wall design.

Mr. Eckrich presented a drawing of the original design plan. He explained that the cul-de-sac was going to utilize two areas of common ground at 178 River Valley Drive and 180 River Valley Drive. The pavement is estimated to be 7 feet higher than the adjacent ground at the northeastern point of the cul-de-sac and that elevation difference would be graded out over the two adjacent properties. However, since the City must now avoid the parcel at 178 River Valley Drive, a retaining wall will likely be necessary to accommodate the elevation difference.

Mr. Eckrich then presented a drawing of the re-designed cul-de-sac. He explained that the cul-de-sac was shifted approximately 24 feet to the southwest. The re-designed plan allows for 8 feet between the roadside drainage and the property line to allow for construction of a retaining wall, thus a portion of the cul-de-sac will extend outward on the opposite side of the street to the southwest. These improvements will abut against the property/right-of-way line at 76 River Valley Drive. It is potentially possible to construct this without a permanent easement on the parcel at 76 River Valley Drive, however, a temporary construction easement will be required to allow the City to have working room to grade the area and to construct the improvement. In exchange for the property donation, the property owner at 76 River Valley Drive is requesting that an 8 foot high concrete fence/wall be constructed between his property and the new cul-de-sac.

DISCUSSION

In response to Councilmember McGuinness' question, Mr. Eckrich stated that a retaining wall that supports the roadway typically would be maintained by the City.

Councilmember McGuinness stated that it appears as if the roadway will be further off of the property at 76 River Valley Drive so a concrete fence may not be required. Mr. Eckrich stated that is possible because the cul-de-sac would abut their property and will not actually encroach onto their property. If this is the case, it will save the City approximately \$28,000. He further stated that this is only a preliminary layout and the property owner has not been contacted yet.

In addition to the \$25,000 in design costs, there is an estimated \$57,000 in additional construction costs for a total cost increase of \$82,000. When added to the original bid of \$140,282, and with a 10% contingency added, the total cost of the project is estimated to be \$245,000.

(Stanley Proctor, Planning Commission Chair, left the meeting to attend the Architectural Review Board Meeting.)

Mr. Steven Hannah, (293 Ridge Trail Court) President of River Valley Drive Task Force, advised that the Trustees of parcel 178 do have some power to maintain and improve the land. They cannot convey land to build a cul-de-sac, but they may legally be able to allow the City to grade the area thus eliminating the need for the retaining wall. He asked if the Committee wanted him to pursue the matter. Mr. Eckrich responded that the City Attorney would have to research the matter and respond and indicated that some type of easement document would still be required for the grading work. Mr. Hannah stated their neighborhood is ready and willing to look at any and all options in order to move forward with this project. They are absolutely committed and will do anything they can lawfully do to assist the City in its efforts.

Councilmember McGuinness suggested holding this item until the January meeting in order to resolve some of the issues discussed. If a grading easement could be obtained for the 178 parcel, the cul-de-sac could shift 5 to 8 feet to the northeast which would move the cul-de-sac completely

off of 76 River Valley Drive and also may eliminate the need for both the retaining wall and the concrete fence. Councilmember DeGroot agreed that a decision tonight is a bit premature and the City needs to discuss this with the property owner at 76 River Valley Drive.

After further discussion, Mr. Eckrich stated that if it is possible to grade on parcel 178, he felt the cul-de-sac could be constructed with very little impact on 76 River Valley Drive. He suggested that it would be more prudent to address the grading issue first before speaking to the property owner at 76 River Valley Drive.

The consensus among the Committee and the residents from River Bend was that first Mr. Eckrich and Mr. Hannah would coordinate a meeting between the City Attorney and the appropriate representatives from River Bend. Second, and if necessary, the residents from River Bend would contact the resident at 76 River Valley Drive to discuss easement negotiation and whether a concrete fence is necessary. Mr. Eckrich stated that City would be willing to attend such a meeting also.

Councilmember McGuinness made a motion to hold the River Valley Drive Closure Redesign project until the January 5, 2017 Planning and Public Works Committee Meeting. The motion was seconded by Councilmember DeGroot and **passed by a voice vote of 4-0.**

D. Public Works and Parks Policies 16 – 22

STAFF REPORT

Jim Eckrich, Public Works Director/City Engineer, stated that in a continuing effort to review all City Council policies to ensure those policies are current and accurate, Policies 16 – 22 are being presented for review.

Mr. Eckrich presented the following recommendations:

Policy 16 Snow Removal Services-New Development: Recommend clarifying that the City will not assume responsibility for snow removal on streets that are to remain private along with a few minor revisions.

Councilmember McGuinness made a motion to approve Public Works and Parks Policy 16, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Councilmember Nations and **passed by a voice vote of 4-0.**

Policy 17 Change Orders: Recommend deleting this Policy as change orders are approved by the Public Works Director in an amount not to exceed that which has been authorized by City Council as part of the approval of the project.

Councilmember McGuinness made a motion to delete Public Works and Parks Policy 17, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Councilmember DeGroot and **passed by a voice vote of 4-0.**

Policy 18 Maintenance of Storm Sewers, Detention Basins, and Open Channels: The existing Policy was written prior to MSD having jurisdiction for storm water in the City. The new policy clarifies that storm sewers are maintained by MSD and that the City does not maintain detention basins or open channels on private property.

DISCUSSION

Chair Hurt stated that in the past when the City encountered a storm sewer blockage and MSD was not responsive, the City took care of it. He does not want to establish a City Policy that would restrict the City's ability to step in when MSD is not responsive. Mr. Eckrich stated that if the City is aware of a blockage, it is reported to MSD. If MSD cannot immediately address the issue and property is being threatened, the City's maintenance crew will address the matter as an emergency. However, the City Public Works Staff does not actively pursue storm sewer maintenance which is the responsibility of MSD. He stated that he is not proposing any change in the manner in which this is addressed, only an improvement in the Policy. The existing policy is simply not accurate and states the City maintains structures that MSD maintains. Chair Hurt suggested approving it as revised but he would like City Attorney Chris Graville to review the policy before it is presented to City Council. Councilmember DeGroot disagreed with Chair Hurt and stated that the Policy should be held until the matter is addressed by the City Attorney. Councilmember DeGroot believes the policy as written prohibits City staff from removing a blockage in an emergency situation.

After further discussion, it was agreed to hold Policy 18 until the next group of Policies are presented for review.

Councilmember McGuinness made a motion hold Public Works and Parks Policy 18 for further clarification by the City Attorney. The motion was seconded by Councilmember Nations and **passed by a voice vote of 4-0.**

Policy 19 Storm Water in Chesterfield Valley: Recommend a new policy which delineates the storm water requirements for development in Chesterfield Valley.

STAFF REPORT

Mr. Jim Eckrich, stated that the City has an overall Chesterfield Valley Master Storm Water Plan, which was formerly known as the "Booker Plan." Developers must adhere to the requirements of the Storm Water Master Plan if they are to build in Chesterfield Valley. If for some reason it is not feasible to meet the requirements, developers may elect to propose storm water improvements that are functionally equivalent to the required improvements. In such cases, the developer submits their plan to the City for thorough review. If it is determined there will be no adverse impact and it provides the same hydraulic function, connectivity and system-wide benefits, then the City has the authority to approve the modification because it is functionally equivalent.

Chair Hurt stated any deviations from the Master Plan have significant ramifications in managing the Chesterfield Valley storm water. This is a short policy attempting to explain something that is very complicated.

Councilmember DeGroot indicated he opposed the Policy change for the reason that the existing Policy is short and concise. He thought Mr. Eckrich did a good job in drafting the new policy, but prefers the shorter policy.

Councilmember Nations made a motion to approve Public Works and Parks Policy 19, as recommended by Staff, and forward it to City Council with a recommendation to approve. The motion was seconded by Chair Hurt and **passed by a voice vote of 3-1**(with Councilmember DeGroot voting no).

Policy 20 Development Construction Inspection: Recommend a new policy which details the types of inspections conducted for development in the City and that inspection fees are established in the Municipal Code.

Councilmember Nations made a motion to approve Public Works and Parks Policy 20, as recommended by Staff, and forward to City Council with a recommendation to approve. The motion was seconded by Councilmember DeGroot and **passed** by a voice vote of 4-0.

Policy 21 Parkland Criteria: Recommend no change at this time. Tom McCarthy, Director of Parks, Recreation and Arts, will be submitting this Policy to the Parks, Recreation, and Arts Committee for review.

There was no action taken on Public Works and Parks Policy 21.

Policy 22 Warning Tickets and Towing on Snow Routes: Recommend deleting this Policy as this matter is covered in Public Health and Safety Policy #14.

Councilmember Nations made a motion to delete Public Works and Parks Policy 22, as recommended by Staff, and forward to City Council with a recommendation to approve. The motion was seconded by Councilmember DeGroot and **passed** by a voice vote of 4-0.

[Please see the attached report prepared by Jim Eckrich, Public Works Director/City Engineer, for additional information on Public Works and Parks Policies 16-22.]

III. OTHER

A. Snow Removal Recoupment Program for Private Streets Data Requested by PPW Committee.

Mr. Jim Eckrich stated during the previous Planning and Public Works Committee meeting, there were several questions regarding private streets and provided the following information.

- There are 50 subdivisions participating in the program with a total of 25.35 miles of private streets.
- There are 12 subdivisions, 2.83 miles of private streets, which appear to be eligible for the program but who do not participate. If these subdivisions were to participate in the program, the financial impact is estimated to be \$18,000 annually.
- There are 21 subdivisions which are ineligible for the program due to gates. These subdivisions contain 14.9 miles of private streets. If these subdivisions were to participate, the financial impact is estimated to be \$97,000 annually.
- Aside from the 43 miles of private streets, there are an additional 17 miles of private streets that are not eligible for the program. They include commercial developments, apartments and other roads in undeveloped subdivisions.

DISCUSSION

When advertising the program to the non-participating, eligible subdivisions, Councilmember DeGroot recommended the letter state that the program is not retroactive. He also suggested that Staff contact City Attorney Chris Graville prior to mailing the letter to ensure subdivisions cannot request money from previous years. Mr. Eckrich stated he would contact Mr. Graville and send the letter if Mr. Graville corroborates the Staff opinion that the subdivisions are not eligible for snow removal costs from previous years.

B. Accident Debris Cleanup

Councilmember Tilman inquired as to who is responsible for cleaning up debris after an accident. Mr. Eckrich stated that whoever is responsible for the roadway is responsible for the cleanup. The Police Department or Fire Department will typically remove debris after an accident. Councilmember Tilman stated that he will bring up the issue at the next Public Health and Safety committee meeting.

C. Schoettler Road Left-Turn Lane

Chair Hurt advised the Committee that he will be requesting money In January for a left-turn lane on Schoettler Road. He stated there has been an on-going effort to improve safety on Schoettler Road.

IV. ADJOURNMENT

The meeting adjourned at 6:27 p.m.