

LA

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, May 10, 2012

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, May 10, 2012 in Conference Room 102/103

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 Barry Flachsbart (Ward I); Michael Herring, City Administrator; Mike Geisel, Director of Planning, Public Works and Parks; Brian McGownd, Public Works Director/City Engineer; Aimee Nassif, Planning & Development Services Director; Mara Perry, Senior Planner; Justin Wyse, Senior Planner; and Mary Ann Madden, Recording Secretary.

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

I. APPROVAL OF MEETING SUMMARY

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

Councilmember Segal made a motion to approve the Meeting Summary of April 19, 2012. The motion was seconded by Councilmember Grissom.

DISCUSSION

Councilmember Fults stated that the minutes do not include the discussion regarding the Committee's desire to see a variation of materials on the Chesterfield Blue Valley project. Councilmember Fults then made a motion to amend the motion to correct the Meeting Summary to include the discussion on variation of materials. Councilmembers Segal and Grissom accepted the amendment to the motion. The motion, as amended, **passed by a voice vote of 4 – 0.**

After review of the meeting packet, it was determined that page 13 of the Meeting Summary was missing, which was then distributed to the Committee members.

It was noted that page 13 includes the discussion regarding variation of materials for Chesterfield Blue Valley.

Councilmember Fults then withdrew her amendment to the motion.

Councilmember Segal made a motion to approve the Meeting Summary of April 19, 2012 as presented. The motion was seconded by Councilmember Grissom and passed by a voice vote of 4 – 0.

II. OLD BUSINESS

- A. **Chesterfield Blue Valley, Proposed Lot 10 (Premium Outlets):** A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for a 50.72 acre tract of land zoned "PC" Planned Commercial District in the northeast corner of the development located on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road.

STAFF REPORT

Mara Perry, Senior Planner stated that the Committee reviewed the plans on April 19th at which time a recommendation to hold was approved by a vote of 4 – 0 for the applicant to address concerns with the Architectural Elevations.

The Site Development Section Plan has been amended to include the items requested by both the Planning Commission and Planning & Public Works Committee. These include:

- New connections for the walkways to parking area; and
- A note on the plans indicating that landscaping will be addressed once the area for the bridge has been defined.

Ms. Perry then gave a PowerPoint presentation showing the prior submission compared to the revised submission. The revised elevations show additional articulation and material changes on the tower areas and along the outside primary walls of the development. The elevations now include additional stone, metal, masonry, and decorative cornices. A new aerial perspective was also provided to show the relationship of all the buildings as a whole with the updated materials and landscaping around the edges of the buildings.

PETITIONER'S PRESENTATION

Mr. Andy Atkinson, Director of Architecture for Premium Outlets stated that they have made significant changes based on the Committee's feedback and they now feel they have a better project. He noted that the project has four exposed sides and that the new improvements go around the entire development.

Mr. Atkinson pointed that the development has six entrances, which are key places where architecture, landscape and streetscape come together. The corners are related to the parking areas and are where people enter the project. The middle entrances lead to the central court space, which is nearly an acre of open space.

The following architectural changes have been made to the east, west and northeast entries:

- Increased masonry base areas where EIFS previously existed.
- Continuous base of masonry at all public gateway entries with varying textures and colors.
- Added masonry, metal, and stone details to all towers, which expands the material palette. The glass in the towers has been modified in order to be “less yellow”.
- Decorative cornice along entire length of project perimeter.
- Refined color palette.

Mr. Atkinson pointed out the metal channels on the recessed “window” areas of the towers and stated that these channels could possibly include attached channeled letters for future tenant identification, project branding and project identification. If signage is not approved for these areas, he feels the design “could stand on its own”.

Mr. Atkinson also pointed out the amount of landscaping that has been added to the corner entrance plazas. Through the use of towers, a variety of heights, and articulated corners, they are striving for the “look of many buildings” – such as a “retail village” vs. a shopping center. The towers are important to demark the gateways and entry courts. The facades between the towers now include brick piers and cornices in order to effectively break up the walls on all four sides of the project. The screen walls are a combination of brick piers and stucco panels and do an effective job of screening the loading docks.

They feel they have made tremendous improvement and look forward to taking the project to the next step of approval.

DISCUSSION

Councilmember Fults thanked the Petitioners for listening to the Committee’s concerns and indicated that she now feels the project has been significantly improved. The Mayor and Committee members agreed that the proposed changes have greatly improved the appearance of the development.

Chair Logan noted that the Site Plan now includes a designation for the landmark marker, along with a note on the Landscape Plan stating: *Additional landscape along the Interstate 64/Highway 40 right of way shall be required after bridge design and/or construction is complete by MoDOT and comments on additional plantings received by MoDOT as directed by the City of Chesterfield in accordance with City Code.*

Councilmember Fults made a motion to forward the Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for Chesterfield Blue Valley, Proposed Lot 10 (Premium Outlets) to City Council with a recommendation to approve. The motion was seconded by Councilmember Grissom and **passed** by a voice vote of 4 - 0.

Note: This is a Site Development Section Plan which requires a voice vote at the May 21, 2012 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on Chesterfield Blue Valley, Proposed Lot 10 (Premium Outlets)].

B. Request to study erosion control issues – Councilmember Flachsbart

Councilmember Flachsbart distributed copies of an email regarding "Erosion Discussion" outlining the following four points for consideration. Chair Logan stated that he met with Staff prior to the meeting to get their input regarding these items, which are also noted below:

1. Can the Department get a handle on the extent of the problem in Chesterfield?

Mr. Mike Geisel, Director of Planning, Public Works and Parks indicated that Staff is capable of handling the problem, but not at the present time with the existing Staff. He added that he does not want to underestimate the magnitude of such a task.

Councilmember Fults asked if Councilmember Flachsbart is interested in obtaining an inventory of erosion problems or whether he is asking for something more entailed. Councilmember Flachsbart replied that he would like Staff to keep track of noted problems "as a start in the right direction".

Mr. Geisel explained that erosion problems are currently being tracked through the City's Work Order system and that only about two such problems have been brought to the City's attention during the last year. Because of Council's past direction to Staff, technical assistance and practical advice are provided to any resident who calls about an erosion issue; however, the City does not accept any responsibility for correcting any stormwater issues or issues arising from creeks on private property.

2. Can they see any changes to our development requirements that would be helpful going forward – e.g., requirements that are, perhaps, more strict than MSD requirements?

Mr. Geisel stated that the City was the first one in the area to develop a best management practices manual which County has adopted. He noted that on a number of projects, MSD requires that the stormwater discharge be lessened with development

– not just restricted or detained. It was pointed out that the City has adopted MSD's requirements regarding Phase II water quality improvements; consequently Mr. Geisel felt that the City cannot do anything more restrictive than what is already required by MSD.

3. Can they give us a high-level view of the kinds of actions that might have to be taken to address the problems, recognizing that there are different kinds of erosion problems?

Chair Logan stated that Staff gives advice to residents who call regarding erosion issues.

Councilmember Flachsbart suggested publicizing erosion advice through an "engineering column" in the City's newsletter.

Mr. Geisel indicated Staff is agreeable to generating an article that would be oriented towards advice on what *shouldn't* be done to correct an erosion problem. It would be difficult to provide advice on what *should* be done since each situation is so unique.

4. Are there engineering best practices to deal with specific kinds of erosion that we can make known to residents with problems?

Chair Logan indicated that this item was covered in the discussion above.

Councilmember Flachsbart asked that Staff provide periodic reports on erosion issues – such as the number and kinds of problems being reported.

It was then noted that Town & Country has a process in place dealing with erosion/stormwater issues. Mr. Geisel explained that when a resident in Town & Country reports an erosion/stormwater problem, it is logged in with the City. Their staff then identifies and prioritizes the problem. At the end of the year, the problems are presented to Council to determine which, if any, projects will be funded.

Mr. Geisel went on to say that MSD is responsible for stormwater concerns, as well as providing adequate drainage. He does not feel the City should take on these responsibilities as the City is not capable of funding them whereas MSD has the money for such matters. He noted that stormwater issues City-wide could amount to billions of dollars in order to correct them.

Councilmember Segal then asked whether Staff feels there is an erosion problem at the Amphitheater. Mr. Geisel stated that there is not an erosion problem; however, there are maintenance issues in some areas that are being addressed.

C. Schoettler Road Concept Study

STAFF REPORT

Mr. Brian McGownd, Public Works Director/City Engineer stated that at the January 19th Planning & Public Works Committee meeting, Staff was authorized to apply for an \$8,000 grant through the Transportation Engineering Assistance Program (TEAP) for a concept study for Schoettler Road. Such a study would determine the appropriate alignment/geometry, required drainage improvements, locations for new sidewalks, evaluation of bridge replacement alternatives, new right of way/easement needs, and cost estimate for proposed improvements to the roadway. This would put the City in a better position to secure federal funding.

Recently, the City was notified that it would not be receiving the grant for this project. However, Staff still believes that a concept study for Schoettler Road is warranted. It is also Staff's understanding that the Committee is interested in funding the project without any grant assistance.

Staff is requesting authorization to proceed with funding a concept study of Schoettler Road in an amount up to \$60,000. It is felt that the study is even more important now considering the proposed Mercy Health System development on Chesterfield Parkway.

DISCUSSION

Chair Logan asked if there are any other City roads that would take a priority over Schoettler Road at this time. Mr. McGownd felt that Schoettler Road takes precedence noting that there are residential subdivisions lining it; sidewalks have always been an issue along this road; and the bridge must be replaced.

Mr. Geisel added that the City needs to define the nature and character of Schoettler Road so plans can be made for the improvements over a period of time. It was noted that the road qualifies for federal funding and the City will apply for 70/30 grants at the appropriate time.

Councilmember Fults questioned as to how long a concept study would remain pertinent. Mr. Geisel replied that it is a permanent study and would be used as a guide with respect to how wide the road should be; where right of way would need to be acquired; etc. The study would not become outdated if not utilized within a couple of years. In addition, the study could possibly assist the City in qualifying for particular grants.

Councilmember Grissom asked for information on the difference between the original request of \$25,000 for a concept study to the current request of \$60,000. Mr. McGownd explained that \$8,000 would have come from grant funding while the remaining \$17,000 would have come from City funds; \$17,000 is what was felt could be absorbed moving forward from the 2012 budget. With a budget of \$60,000, the study will allow a more in-depth review of right-of-way/easement needs, and will also allow for field surveying work to be performed to accurately define existing conditions in key areas.

It was explained that the City will need to acquire right of way in order to widen the road to possibly three lanes.

Councilmember Segal questioned the need of redesigning the road considering the fact that the current design has worked for an extensive time, along with the fact that development in the area has been complete for approximately 20 years.

City Administrator Mike Herring noted that the City just recently took over maintenance of Schoettler Road and it is now the City's responsibility to insure the road is safe. In addition, there have been numerous occasions when Staff has been asked to add sidewalks along Schoettler, which is not possible with the current design. Mr. Geisel also pointed out that a new bridge would have to be constructed at current standards in order to qualify for federal funding.

Mr. McGownd stated that "widening" is not the correct term when discussing Schoettler Road improvements – rather the road needs to be brought up to current standards. There are some areas where the width is not large enough and shoulders are not provided.

Mr. Geisel emphasized that the City is not doing a "traffic study" to propose widening the road. The study will be used to provide information regarding improving the alignments of the road, bringing it up to current standards, and providing sidewalks. It was noted that the City will be applying for funding to reconstruct the bridge within the next year or two as the first part of improvements. Once the study is complete, the City will know how to phase in the improvements, which could possibly take place over a period of 10-15 years.

Councilmember Fults made a motion to approve up to \$60,000 for a Schoettler Road Concept Study with funds coming from General Fund – Fund Reserves 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 is required at the May 21, 2012 City Council Meeting.

[Please see the attached report prepared by Brian McGownd, Public Works Director/City Engineer, for additional information on Schoettler Road Concept Study].

III. NEW BUSINESS

A. Power of Review Procedure and Project Notification Recommendation

Project Notification

Aimee Nassif, Planning and Development Services Director stated Staff was asked to look at ways to increase communication with the Mayor and Council regarding new and ongoing projects. She noted that developers and design teams are always advised by Staff to reach out to the Mayor and the respective Councilmembers but this doesn't always occur.

Ms. Nassif recommends that she provide a brief presentation on new projects, major ongoing projects, and significant pre-application meetings at the Planning and Public Works Committee meetings. A written report would not be provided to insure that the most up-to-date information is being given to the Committee; but the Meeting Summary will be available for all Councilmembers' information.

Power of Review

Staff was asked to review the current process of "power of review" in an effort to streamline it. Currently, Council either has Automatic Power of Review when it is placed in the ordinance at the time of rezoning; or Council can call for Power of Review on projects when it is not included in the ordinance. When Council calls for Power of Review on a project where it is not in the ordinance, the project must first go to Council, then to Planning & Public Works Committee and then back to Council. This process requires three extra weeks.

Staff recommends an amendment to Section 1003.167 which would allow for a project to go directly to PPW Committee in lieu of having to first be heard at City Council. This would require that Power of Review be requested no later than 24 hours after Planning Commission review.

In order to give Council adequate notification of projects on which they may want to request Power of Review, Ms. Nassif will send an e-mail to the Mayor and respective Councilmembers advising them when the project will be on Planning Commission agenda.

Ms. Nassif also pointed out that the current language states that the request must be made after Planning Commission review **and approval**, which technically would not allow Power of Review if a project is not approved. It is recommended that "*and approval*" be deleted.

Staff also recommends expanding the definition in the Code to indicate the specific plans on which Power of Review can be called.

Following is the recommended change to the current language (changes shown in **bold**):

Amendment 1 to Section 1003.167(21) for Power of Review in General

21. Power of Review. Either Councilmember of the Ward where a development is proposed, or the Mayor, may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours ~~before posting the agenda for the next City Council meeting~~ after Planning Commission review and approval. The City Council will then take appropriate action relative to the proposal. **The plan for a development, for the purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plan, sign package or any amendments thereto.**

Ms. Nassif then explained that when Automatic Power of Review is included in an ordinance, it requires that any future amendments to the site be reviewed by Planning Commission, PPW Committee, and Council, no matter how minor – such as ATMs, awnings, etc. Staff proposes language be added to allow Council some flexibility in the future if they do not wish to have power of review on certain minor amendments.

Following is the recommended change to the current language (changes shown in **bold**):

Amendment 2 - Update to the Attachment A template for Automatic Power of Review.

1. The City Council shall review and provide final approval of the Site Development Plans for the proposed development subsequent to Planning Commission review **and recommendation as described in Section 1003.167(21) of the Zoning Ordinance unless otherwise directed by the Mayor or Council person in Ward ____.**

If such a change is desired, Staff would contact the Mayor and respective Councilmembers via e-mail to determine if Power of Review is needed for minor amendments.

Mr. Herring indicated his endorsement of the recommended changes and commended Staff on their practical approach to solving concerns previously expressed by Council on this matter.

Because the process is new to everyone, Chair Logan requested that Staff be extremely diligent in notifying Council about Power of Review matters to insure nothing is overlooked. Mr. Geisel also encouraged the Mayor and Council to call him or Ms. Nassif if they ever have any concerns about any project.

Councilmember Segal made a motion directing Staff to move forward with the recommendations as outlined above. The motion was seconded by **Councilmember Fults** and **passed** by a voice vote of 4 – 0.

B. [Amendment to Ordinance 2498 to add language pertaining to stormwater facilities per MSD requirements](#)

STAFF REPORT

Aimee Nassif, Planning and Development Services Director stated that as a Co-Permittee with MSD, the City is required to include language in its policies and procedures which would require maintenance of post construction BMPs under the City's nuisance and enforcement codes. The update would define *Stormwater* and *Stormwater Management Facility*. It would also explain that any failure to maintain a stormwater management facility would be declared a nuisance. These updates would assist MSD in the enforcement process.

Proposed changes to Ordinance No. 2498 are shown below in **bold**:

Sec. 20-01. Definitions:

- k) ***Stormwater*** – Rainfall runoff, snow melt runoff and surface runoff and drainage.
- l) ***Stormwater Management Facility*** – Structure and constructed feature designed for the collection, conveyance, storage, treatment and disposal of stormwater runoff into and through the stormwater system. Stormwater management facilities include vegetative or structural measures, or both, to control the increased volume, rate, and quality of stormwater runoff caused by manmade changes to land.

Sec. 20-03. Public Nuisance declared:

- m) **Any stormwater management facility located on any lot or land shall be declared a public nuisance for failure to maintain the private stormwater management facility if it has conditions impairing its proper operation, including, but not limited to, excessive sediment, extensive ponding of water, rubbish and trash, noxious weeds or invasive plants or nuisance plants exceeding twelve (12) inches in height, or any material which is unhealthy or impacts the proper operation of the private stormwater management facility.**

Native plants, turf grass, ornamental grasses, or shrubs, including plants that are part of an approved, designed private stormwater

facility or MSD approved guidance document do not constitute a public nuisance.

Councilmember Grissom made a motion to accept the proposed amendments to Ordinance No. 2498 and to forward to City Council with a recommendation to approve. The motion was seconded by Councilmember Fults and **passed** by a voice vote of 4 - 0.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the May 21, 2012 City Council Meeting. See Bill #

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on Amendment to Ordinance 2498 to add language pertaining to stormwater facilities per MSD requirements].

IV. OTHER - None

V. ADJOURNMENT

The meeting adjourned at 6:46 p.m.