

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning & Development Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, May 24, 2018

JW



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, May 24, 2018 in Conference Room 101.

In attendance were: **Chair Michelle Ohley** (Ward IV), **Councilmember Barry Flachsbart** (Ward I), **Councilmember Mary Ann Mastorakos** (Ward II), and **Councilmember Dan Hurt** (Ward III).

Also in attendance were: Mayor Bob Nation; Planning Commission Chair Merrell Hansen; Justin Wyse, Director of Planning & Development Services; Jessica Henry, Senior Planner; Mike Knight, Project Planner; Steve Merk, Civil Engineer; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:45 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the April 19, 2018 Committee Meeting Summary

Councilmember Hurt made a motion to approve the Meeting Summary of April 19, 2018. The motion was seconded by Councilmember Mastorakos and **passed** by a voice vote of 4-0.

Councilmember Flachsbart made a motion to move New Business Items E and F to the beginning of the agenda. The motion was seconded by Councilmember Hurt and **passed** by a voice vote of 4-0.

III. NEW BUSINESS

E. Human Rights Commission Nominee Interview

Nominee Ferne Wolf was introduced. Councilmember Flachsbart and Ms. Wolf discussed some of the challenges in dealing with human rights and how to ensure that the rights of the accused and the accuser are taken into account and protected.

Mayor Nation advised that the Human Rights Commission is a statutory Commission that should consist of three members. For quite some time now, the City has only had one member serving on the Commission. He also pointed out that the Commission rarely meets. The purpose of this Commission is to investigate discrimination in housing, mortgages, sales, rental, etc. It is not likely that Chesterfield would be involved in a situation, however, if need be, Ms. Wolf is uniquely qualified.

In response to Councilmember Hurt's question, Ms. Wolf stated that she read in the Chesterfield Newsletter that there were vacancies on various City commissions and since this is what she does for a living, she volunteered to serve on this Commission.

Councilmember Mastorakos made a motion to forward the Human Rights Commission nomination of Ferne Wolf to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4-0.**

F. Planning Commission Nominee Interview

Nominee Gene Schenberg was introduced. The Committee discussed his previous tenure as a Councilmember and member of the Planning Commission. In response to Chair Ohley's questions, Mr. Schenberg stated that he does travel quite a bit but he works from home and sets his own schedule. He will have time to prepare for upcoming meetings and he has the flexibility to adjust his schedule so he can attend the meetings.

Mayor Nation advised that Wendy Geckeler will be retiring June 4 and he feels that Gene's background and expertise will be a good fit for the Planning Commission.

Councilmember Flachsbart made a motion to forward the Planning Commission nomination of Gene Schenberg to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 3-1 with Chair Ohley voting nay.**

Mayor Nation stated that City Council will vote on these nominations at the June 4, 2018 meeting.

II. UNFINISHED BUSINESS - None.

III. NEW BUSINESS

- A. P.Z. 02-2018 Summit-Topgolf (Topgolf USA Chesterfield LLC):** An ordinance repealing City of Chesterfield Ordinance 2932 to establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. (17T510063, 17T520105, 17T520116) (Ward 4)

STAFF REPORT

Mike Knight, Project Planner, presented the request for a zoning map amendment to establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. The tract is made up of three lots; Lots A, B, and C. Topgolf is currently under construction on Lot B.

Originally, there were four requests associated with this project. Three of the requests were solely for Lot C, which were directed towards the Carvana element, however, after the Public Hearing on March 26, 2018, the applicant removed these requests. The remaining request is to increase the total building floor area within the development (Lots A, B, and C combined) from 150,000 square feet to not exceed 200,000 square feet.

After clarification of the Floor Area Ratio calculation in relation to the Topgolf field area, the Planning Commission unanimously recommended approval of the request on May 14, 2018.

DISCUSSION

There was further discussion regarding the increase in square footage in relation to the size of the three lots. Permitted uses were also discussed. A hotel is currently under review for Lot A and at this time, nothing has been proposed for the development on Lot C which will most likely be a hotel, restaurant or an entertainment venue. Further discussion took place regarding the F.A.R. and the parking calculation for Lot C.

Councilmember Flachsbart made a motion to forward P.Z. 02-2018 Summit-Topgolf (Topgolf USA Chesterfield LLC) to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the June 4, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 02-2018 Summit-Topgolf (Topgolf USA Chesterfield LLC).]

B. Replacement Construction and Maintenance Escrows for the Arbors at Wilmas Farm, Plat 1 (Ward 4)

C. Replacement Construction and Maintenance Escrows for the Arbors at Wilmas Farm, Plat 2 (Ward 4)

STAFF REPORT

Jessica Henry, Senior Planner, stated these are replacement construction and maintenance escrows for the Arbors at Wilmas Farm subdivision located off of Wild Horse Creek Road. The developer initially submitted escrows for the construction and maintenance of the required improvements for the subdivision. The land developer has since completed their work and the lots have been purchased by two home builders. The home builders would now like to take over the remaining escrow obligations and have submitted replacement escrows.

In accordance with the Unified Development Code, the replacement construction and maintenance escrows and agreements are being presented to the Planning and Public Works Committee for review and recommendation prior to proceeding to City Council.

Councilmember Hurt made a motion to forward Replacement Construction and Maintenance Escrows for the Arbors at Wilmas Farm Subdivision, Plat 1, to City Council with a recommendation to approve. The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 4-0.**

Councilmember Ohley made a motion to forward Replacement Construction and Maintenance Escrows for the Arbors at Wilmas Farm Subdivision, Plat 2, to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4-0.**

Note: Two Bills, as recommended by the Planning & Public Works Committee, will be needed for the June 4, 2018 City Council Meeting. See Bills #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on Replacement Construction and Maintenance Escrows for the Arbors at Wilmas Farm Subdivision Plats 1 and 2.]

D. A resolution pertaining to Architectural Specialty Lighting Packages

STAFF REPORT

Jessica Henry, Senior Planner, stated that at the May 7, 2018 City Council meeting, revisions to Articles 4 and 10 of the Unified Development Code (IDC) were approved. The revisions resulted in the creation of a Specialty Architectural Lighting Package that will be required going forward for lighting applications that deviate from traditional architectural lighting. During review of the draft regulations, the Planning and Public Works Committee raised concerns regarding the process for implementing the new regulations and specifically desired that particular caution and sensitivity be exercised by Staff in making the determination of whether or not a Specialty Architectural Lighting Package is required. In order to address these concerns, Staff has prepared a draft resolution for the Committee's consideration.

DISCUSSION

Chair Ohley stated that she did not feel a resolution was necessary. The Department Staff are already experts at what they do. If the Council requires oversight for the Planning Department, then the same will have to be done for Public Works and the Police Department. Council's expectation of Staff is that they do the job they were hired to do.

There was further discussion on how to regulate a concept that is rapidly evolving. Ms. Henry stated that the Article 10 amendments clearly define traditional lighting and specialty lighting applications. City Hall is considered traditional lighting. Specialty lighting utilizes motion, color, patterns and color changes, which all fall under the specialty designation. Staff can readily make a determination when the Specialty Lighting Package is required because the Article establishes specific guidelines for submission.

Councilmember Hurt stated that a resolution may not be the answer. Staff can always alert the Council when they receive this type of submittal and pointed out that Council can call Power of Review.

There was some discussion on rewording the resolution to say that Staff *will continue to be vigilant* as opposed to *they will exercise sound judgement*.

Mayor Nation stated that there is no need for the resolution. The guidance is in the Code and Staff are experts in interpreting the Code.

Councilmember Flachsbart made a motion to remove the Architectural Specialty Lighting Package resolution from the agenda and future unfinished business. The motion was seconded by Councilmember Ohley and **passed by a voice vote of 4-0.**

IV. OTHER

V. ADJOURNMENT

The meeting adjourned at 6:47 p.m.