

# I.A. MEMORANDUM



TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Public Works Committee Meeting Summary  
June 18, 2009

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A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, June 18, 2009 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV); **Councilmember Barry Flachsbart** (Ward I); and **Councilmember Mike Casey** (Ward III).

Also in attendance were: Councilmember Bruce Geiger (Ward II); Councilmember Randy Logan (Ward III); Maurice L. Hirsch, Jr. Planning Commission Chair; Mike Geisel, Director of Planning & Public Works; Brian McGownd, Public Works Director/City Engineer; City Attorney Rob Heggie; Annissa McCaskill-Clay, Lead Senior Planner; Mara Perry, Senior Planner; Shawn Seymour, Project Planner and Kristine Kelley, Administrative Assistant.

The meeting was called to order at 5:30 PM.

## I. APPROVAL OF MEETING SUMMARY

A. Approval of the May 21, 2009 Committee Meeting Summary.

**Councilmember Flachsbart made a motion to approve the Meeting Summary of May 21, 2009.** The motion was seconded by Councilmember Casey and **passed by a voice vote of 3 to 0.**

## II. OLD BUSINESS

A. **South Woodsmill Speed Limit Study** - Final Report

### **STAFF REPORT**

**Brian McGownd, Public Works Director/City Engineer** stated that on March 19, 2009 the Committee directed Staff to review the speed limit on South Woodsmill Road. The posted speed limit varies along the road, and is inconsistent.

Staff performed a detailed speed study on the road and determined that even though the 85<sup>th</sup> percentile speed is over 40 MPH, the actual curvature/alignment and sight distance of the street dictates that the speed limit should be 35 MPH.

Therefore, the Street Maintenance Division will be erecting 35 MPH speed limit signs along South Woodsmill Road, and will be removing all the inconsistent speed limit signs. Our current Traffic Code indicates that the speed limit on this road is 35 MPH, thus no revision to the code will be necessary. Also, per the study, horizontal alignment signs will be added to certain sections of the road to alert motorists to the change in alignment of the roadway.

**Councilmember Flachsbart** noted that since the 85<sup>th</sup> percentile speed is 40 MPH, the posted speed should also be 40 MPH.

There is no vote required pertaining to the speed study. The documents were then "Received & Filed".

### **III. NEW BUSINESS**

- A. **Monarch Chesterfield Levee Trail** – Missouri Highways & Transportation Commission License Agreement.

#### **STAFF REPORT**

**Brian McGownd, Public Works Director/City Engineer** stated that it will be necessary for the Monarch Chesterfield Levee Trail to cross underneath Hwy 40/I-64 at both the east end and west end of Chesterfield Valley. The trail will cross underneath the highway at the bridge spanning Bonhomme Creek on the east end and underneath the Daniel Boone Bridge which spans the Missouri River on the west end. Both of these crossings will be located on MoDOT right-of-way, therefore, the City will have to enter into the attached license agreements with MoDOT for both crossings.

The Committee had no issues with the License Agreement.

**Councilmember Flachsbart** made a motion to allow the City Administrator to execute the license agreements with the Missouri Highways & Transportation Commission, which will allow the Monarch Chesterfield Levee Trail to cross underneath the Commission's right-of-way, and forward to City Council with a recommendation to approve. The motion was seconded by **Councilmember Casey** and **passed** by a voice vote of 3 to 0.

**Note: One Bill, as recommended by Planning & Public Works Committee, will be needed for the July 20, 2009 City Council Meeting. See Bill #**

**[Please see the attached report prepared by Brian McGownd, Public Works Director/City Engineer, for additional information on Monarch Chesterfield Levee Trail – Missouri Highways & Transportation Commission License Agreement.]**

- B. P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village Inc.)** A request for an amendment to St. Louis County Ordinance 13,759 and City of Chesterfield Ordinance 1170 to modify the legal descriptions of a 10.895 acre parcel and a 3.038 acre parcel located on the southwest and southeast corners of the Baxter Road and Wild Horse Creek Road intersection.

### **STAFF REPORT**

**Shawn Seymour, Project Planner,** gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

A Public Hearing was held on November 10, 2008 and at that time the Planning Commission did not have any outstanding issues. The project was placed on hold shortly after the Public Hearing as the applicant had issues with St. Louis County relating to Trust Fund requirements. Those concerns have been addressed and the Petitioner requested to be placed back on the May 27, 2009 Planning Commission agenda for a vote meeting.

The Planning Commission recommended approval of the above reference matter, as amended, by a vote of 6 – 2.

### **Issues**

Several open issues were discussed at the vote meeting which was described in Staff's report to the Planning Commission.

The first, relating to the number of points of ingress/egress along Wild Horse Creek Road to parcel C-148, is no longer being contested by the Petitioner.

The second issue was the Petitioner's request to the Planning Commission to maintain a building setback along the eastern property line of 0 feet in lieu of the required 30 feet. The Planning Commission granted the request; however, the parking setback was not amended. The Petitioner is requesting an amendment to correct this so that all setbacks on the eastern property line are consistent. To ensure that no inconsistent requirements exist for this development, a variance to the landscape buffer requirement along the eastern property line has been granted by the Planning and Development Services Director. The amendment being requested at this time is:

### **Amendment 1, Section 2. Parking Setbacks, page 5**

- a. ~~Thirty (30)~~ **Zero (0)** feet from the eastern boundary of the "C8" District.

Lastly, the Petitioner raised an additional concern pertaining to the language in Section II.C. of the Attachment A. This section states that if a site development plan is not submitted within 18 months of zoning approval, then the zoning will expire and a new public hearing will be required. It was noted that the request was just a preliminary plan.

## **DISCUSSION**

### **Ingress/Egress**

Staff noted that parcel C119 has a full ingress/egress along Wild Horse Creek Road and on Baxter Road. Parcel C-148 was originally permitted one full ingress/egress along Baxter Road and three full points of ingress/egress along Wild Horse Creek Road. Through Staff review it was determined that three points along Wild Horse Creek Road in their current configuration would not meet the City of Chesterfield Access Management Guidelines. Therefore, Staff has revised the language in the Attachment A to not provide a specific number of ingress/egress points, but rather to require that this C8 District meet all MoDOT, St. Louis County, and City of Chesterfield Access Management Guidelines.

### **PLANNING COMMISSION REPORT**

**Commissioner Hirsch** stated that Commissioners Geckeler and Watson, who voted in opposition, felt that the 110-foot buffer from the Riparian Way was sufficient.

**Councilmember Flachsbart** made a motion to approve **P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village Inc.)** with removal of the parking setback and subject to further deliberations relative to site plan review then to forward to City Council with a recommendation to approve. The motion was seconded by **Councilmember Casey** and **passed by a voice vote of 3 to 0.**

**Commissioner Hirsch** recognized Commissioner Grissom and stated that he will be representing the Planning Commission throughout the year.

**Note: One bill, as recommended by Planning & Public Works Committee, will be needed for the July 20, 2009 City Council Meeting.  
See Bill #**

**[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village Inc.)].**

- C. P.Z. 07-2009 Stallone Pointe (Conway Pointe LLC):** A request for a text amendment to City of Chesterfield Ordinance 2500 to revise the required improvements to Conway Road in a "PC" Planned Commercial District for a .68 acre tract of land located west of Conway Rd. and Chesterfield Parkway intersection (18S220050 and 18S310085).

## **STAFF REPORT**

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

A public hearing was held on June 8, 2009 and at that time, the Planning Commission and Staff did not have any outstanding issues. The Planning Commission then voted to recommend approval by a count of 9 – 0.

The Petitioner is requesting an ordinance amendment in order to modify the required road improvements to Conway Road. As part of the Attachment A of Ordinance 2500, improvements were required to be made to Conway Road from the Stallone Pointe site to both the east and west where construction of full pavement width has already been made. This requirement would have the Petitioner improving portions of Conway Road for which their property does not have frontage.

The requested modification would limit the required improvements to only those portions of Conway Road for which the Stallone Pointe development has frontage. Mr. Geisel clarified that when the ordinance was originally written, it was written to coincide with the Conway Pointe development which would bring the improvements to 75 feet east of the property line.

## **PLANNING COMMISSION REPORT**

Commissioner Hirsch stated the Planning Commission had no issues with the above stated request.

Councilmember Casey made a motion to forward P.Z. 07-2009 Stallone Pointe (Conway Pointe LLC) to City Council with a recommendation to approve. The motion was seconded by Chair Fults and passed by a voice vote of 3 to 0.

**Note: One bill, as recommended by Planning & Public Works Committee, will be needed for the July 20, 2009 City Council Meeting.  
See Bill #**

**[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 07-2009 Stallone Pointe (Conway Pointe LLC)].**

- D. P.Z. 03-2009 Four Seasons, Lot 3, Plat 6 (Schuyler Corporation): A request for a change of zoning from “C8” Planned Commercial to “PC” Planned Commercial for a 2.35 acre shopping center located at 13700-13732 Olive Boulevard, on the south side of Olive Boulevard, directly across from the intersection of Olive Boulevard and River Valley Drive. (LOCATOR NUMBER 16Q230260)**

## **STAFF REPORT**

**Ms. Annissa McCaskill-Clay, Lead Senior Planner**, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

Schyler Corporation, the owners of the development referenced above, has submitted a request for a change of zoning from "C8" Planned Commercial to "PC" Planned Commercial. The Petitioners wish to construct an Automated Teller Machine (ATM) within the parking lot of the development. Therefore, they are requesting deletion of language that limits drive-thru facilities to the easternmost portion of the existing building.

At the public hearing on April 27, 2009, two issues were raised:

- 1. The Petitioner's representative advised that the Missouri Department of Transportation would be reversing its earlier requirement from 2006 to close the first internal driveway onto the cross access drive due to concerns expressed by the Monarch Fire Protection District.**

During the creation of the subject site's governing ordinance in 2006, the City also required this closure because access to this site does not comply with the City of Chesterfield's Access Management guidelines. The referenced internal driveway is spaced closer than is allowed by ordinance. Olive Boulevard is an arterial and as the first conflict point, it may not be closer than 80 feet. The Attachment A has been written in adherence with the City's Access Management guidelines. Closing of this access point will be required when the site redevelops.

- 2. Limitation of drive-thru facilities to the easternmost portion of the building.**

There is currently a restriction that limits drive thru facilities to the easternmost portion of the building. However due to City access management requirements, this location may be problematic. Therefore the Attachment A no longer includes this restriction.

The Planning Commission recommended approval by a vote of 6 - 2.

## **PLANNING COMMISSION REPORT**

**Commissioner Hirsch** stated that Commissioners Puyear and Proctor voted in opposition because they felt that the site needed more than one access point.

## **DISCUSSION**

**Councilmember Flachsbart** had questions concerning the number of drive-thru facilities on the site, fire truck accessibility and parking. Ms. McCaskill-Clay clarified that

the Petitioner is willing to work with Staff on the Site Development Plan to allow some adjustments for Fire Department access and ATM access. It was noted that the site is slightly over-parked by approximately six or seven parking spaces, so there is adequate room to make adjustments.

### **Permitted Uses in Attachment A**

Drive-thru for said facilities will be limited to “low intensity” financial institutions and restaurants in the form of bakeries and/or coffee shops and similar or comparable uses.

### **Motion #1**

**Councilmember Flachsbart made a motion to approve P.Z. 03-2009 Four Seasons, Lot 3, Plat 6 (Schuyler Corporation) and to forward to City Council with a recommendation to approve.** The motion was seconded by Councilmember Casey

### **Motion #2**

**Councilmember Flachsbart then amended the motion to include the following;**

- 1. Submittal of Site Development Plans to have Automatic Power of Review.***
- 2. To allow only one drive-thru facility on the site.***

**Councilmember Casey accepted the amendment and the motion, as amended, passed by a voice vote of 3 to 0.**

**Note: One bill, as recommended by Planning & Public Works Committee, will be needed for the July 20, 2009 City Council Meeting.  
See Bill #**

**[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 03-2009 Four Seasons, Lot 3, Plat 6 (Schuyler Corporation)].**

**E. P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.): A request for an Ordinance Amendment to City of Chesterfield Ordinance 2133 to modify the permitted uses within a “R1A” Residence District with a Planned Environmental Unit (PEU) Procedure for part of a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovian Commons Parkway and west of Old Riverwoods. (17R5300582, 17R5300593, 17R5300607, 17R5300616, 17R5300625, 17R5300634, 17R5300643, 17R5300652, 16R210333, 16R210342, 16R210351, 17R530681, 17R5300692, 17R4400184, 17R4400195, 17R4400205, 17R4400214, 17R4400241, 17R4400250, 17R4400283, 17R4400294, 17R4400342, 17R4400351, 17R4400360, 17R4400371, 17R4400382, and 17R4400393)**

## **STAFF REPORT**

**Ms. Mara Perry, Senior Planner**, gave a PowerPoint presentation showing the recorded Site Development Plan and the recorded Record Plat for the existing development. Ms. Perry stated the following:

Initially the request was made to amend City of Chesterfield Ordinance 2133 to allow for either attached or detached residential units on 27 un-built lots within the existing subdivision.

The Petitioner, after the public hearing notice was posted, asked that 12 of the lots be removed from the Ordinance Amendment request. A letter from the Petitioner dated May 20, 2009 is included in the packet to the Committee. The Planning Commission report in the packet identifies lots colored in **red** as part of the original Ordinance Amendment request and lots colored in **blue** are the ones being removed from the request.

Currently the Planned Environmental Unit (PEU) for the development only allows for attached units. No other changes are being requested to the Attachment A.

At the June 8, 2009 meeting of the City of Chesterfield Planning Commission, a recommendation for approval of the above-referenced matter was approved by a vote of 8 – 1 with the following Amendment:

Section I. Specific Criteria, A. Permitted Uses, page 1. The following language was added:

- c. Single Family attached or detached residential units for Lots 64, 65, 66, 67, 68, and 69 as recorded in Plat Book 355 Pages 14 -17 of the St. Louis County Recorder of Deeds. Upon the commencement of construction of either attached or detached residential use within the above stated lots then all remaining lots stated above **must** have the same use.

## **PLANNING COMMISSION REPORT**

**Commissioner Hirsch** stated that the main concern by Planning Commission was whether the development should remain an all attached community. The Planning Commission was in concurrence with the new language for the Attachment A as prepared by Counsel. There were several speakers at the public hearing who were for and against the change to detached units in the development.

**Commissioner Grissom**, who voted in opposition, stated that the appearance of the subdivision would change by going from a three-car garage down to a two-car garage. He noted that the development was advertised and approved as being an attached subdivision, so he felt it should remain that way.

**Councilmember Flachsbart** asked from a planning review what impact changing to both attached and detached units would have on the development. Ms. Perry stated



that the development has an underlying zoning that allows for single-family residential, but does not designate the use as being detached or attached. Ms. Perry highlighted several points.

- The overall density will remain the same.
- The product will remain the same as what was reviewed and approved by the Architectural Review Board in terms of materials and quality.
- The developer will be meeting the approved setbacks under the “PEU” for the attached units.
- The lot locations will remain the same, so the building footprint has to remain within the existing building envelopes with the existing setbacks that were already approved under the original ordinance.

Mr. Geisel stated that traditionally most developments actually do contain a mix and there are a number of developments within the City that contain a variety of housing types.

**Councilmember Flachsbart made a motion to forward P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.) to City Council with a recommendation to approve.** The motion was seconded by Councilmember Casey

#### **Discussion on the Motion**

**Councilmember Casey** asked whether there were additional developments within the City of Chesterfield that have attached and detached homes. Ms. Perry responded that the most recent development is The Reserve at Chesterfield Village, which includes attached, detached and condominiums.

#### **Street Parking**

The detached homes will have two-car garages which may cause additional parking along the street. It was stated that there is no requirement within the Attachment A for the development requiring three-car garages. It was also noted that the street within the development has no parking restrictions.

The motion then **passed** by a voice vote of 3 to 0.

**Note: One bill, as recommended by Planning & Public Works Committee, will be needed for the July 20, 2009 City Council Meeting.  
See Bill #**

**[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 06-2009 Villages of Kendall Bluff, Villages B & C (Partial) (Fischer & Frichtel, Inc.)].**

#### **IV. ADJOURNMENT**

The meeting adjourned at 6:10 p.m.