

A.

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, December 8, 2011

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, December 8, 2011 in Conference Room 101.

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

Also in attendance were: Mayor Bruce Geiger; Councilmember G. Elliott Grissom (Ward II), Councilmember Mike Casey (Ward III), Councilmember Bob Nation (Ward IV); Planning Commission Chair Amy Nolan; Planning Commissioner Wendy Geckeler; 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; Shawn Seymour, Senior Planner; and Kristine Kelley, Recording Secretary.

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

I. APPROVAL OF MEETING SUMMARY

A. Approval of the November 17, 2011 Committee Meeting Summary.

Councilmember Logan made a motion to approve the Meeting Summary of November 17, 2011. The motion was seconded by Councilmember Grier and **passed by a voice vote of 4 - 0.**

II. OLD BUSINESS

- A. **T.S.P 37-2011 AT&T (14804 Clayton Road):** A request to obtain approval for a Telecommunication Facility Siting Permit for a collocation of additional antennas and equipment on an existing stealth tower in a "PC" Planned Commercial District – zoned property located at 14804 Clayton Road on the south side of Clayton Road west of Wildwood Parkway (21R420714).

STAFF REPORT

Shawn Seymour, Senior Planner presenting on behalf of Kristian Corbin gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

The site is located on Clayton Road north of the Clayton and Baxter Road intersection. The Petitioner is requesting to remove the existing flagpole and replace with a new flagpole along with three (3) upgraded antennas to upgrade to the 4G LTE data service. During the November 17th Planning & Public Works Committee meeting, this application for amendment, as well as, T.S.P 38-2011, was held due to the following issues:

- T.S.P. 37-2011 (14804 Clayton Road) was found to have site maintenance issues; and
- The Committee requested a schedule for AT&T's site upgrades and eventual system "operational" date.

Staff has inspected the site and the damaged fence around the perimeter of the site has been repaired.

AT&T has provided a schedule for start dates of upgrades to their sites in the City of Chesterfield. Mr. Seymour was notified by AT&T that construction has begun on four sites and the project located at Parkway Central High School is complete. There are three sites that will begin construction on December 12, 2011 and there are still six TSP's currently under review. The potential turn on date will be forwarded to Staff and then eventually to City Council.

DISCUSSION

Councilmember Logan questioned as to whether construction pertaining to the oldest applications has begun. Mr. Seymour confirmed that construction has started on those sites. It was pointed out that the main concerns were that the permits are being approved but work had not started and that AT&T may need to come back for an extension or re-approval. Since AT&T is working towards completion of the projects, Councilmember Logan has no objections with moving forward.

Steve Walters, on behalf of AT&T, responded that they are working as fast as they can to get the system up and running. He added that the system cannot be launched until 90% of the sites throughout the area are complete.

Councilmember Logan made a motion to forward T.S.P 37-2011 AT&T (14804 Clayton Road) to City Council with a recommendation to approve. The motion was seconded by Councilmember Grier and **passed by a voice vote of 4 – 0.**

Note: This is a Telecommunications Siting Permit which requires a voice vote at the January 4, 2012 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P 37-2011 AT&T (14804 Clayton Road)].

- A. **T.S.P 38-2011 AT&T (17259 Wild Horse Creek Road)**: A request to obtain approval for a Telecommunication Facility Siting Permit for a collocation of additional antennas and equipment on an existing stealth tower in a “NU” Non-Urban District–zoned property located at 17259 Wild Horse Creek Road approximately 550 feet east of the intersection of Wild Horse Creek Road and Long Road (18U420104).

STAFF REPORT

Shawn Seymour, Senior Planner presenting on behalf of Kristian Corbin gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

The Petitioner is requesting to remove sections of the existing flagpole and replace with new sections along with three (3) upgraded antennas to upgrade to the 4G LTE data service. The flagpole is 80 feet in height.

Councilmember Logan made a motion to forward T.S.P 38-2011 AT&T (17259 Wild Horse Creek Road) to City Council with a recommendation to approve. The motion was seconded by Councilmember Grier and **passed by a voice vote of 4 – 0.**

Note: This is a Telecommunications Siting Permit which requires a voice vote at the January 4, 2012 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P 38-2011 AT&T (17259 Wild Horse Creek Road)].

III. NEW BUSINESS

- A. **T.S.P. 35-2011 AT&T (14759 Deerhorn Drive)**: A request to obtain approval for a Telecommunication Facility Siting Permit for a collocation of additional antennas and equipment on an existing lattice tower in a “FPR1” Residence District and “FPR1A” Residence District–zoned property located at 14759 Deerhorn Drive north of the intersection of Greenleaf Valley Drive and Deerhorn Drive (19R420441).

STAFF REPORT

Shawn Seymour, Senior Planner presenting on behalf of Kristian Corbin gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

The Petitioner is requesting an amendment to a Telecommunication Facility Siting Permit to allow (3) additional antennas and equipment to an existing AmerenUE transmission line tower that is currently in use. This is the first time this application has been submitted to the City for permit. The tower is located within the Greenleaf Estates Subdivision and is 171 feet in height.

At the public hearing on November 28th, one (1) outstanding issue was identified. That issue was brought to the attention of the Planning Commission by a resident of the Greenleaf Estates Subdivision. It was detailed to the Commission that, for some time, the subdivision has been maintaining the vegetation around this AT&T site due to lack of regular maintenance by those parties responsible. Mr. Seymour provided pictures of the site that were presented to the Planning Commission from the subdivision resident.

Staff has contacted AT&T and has requested information regarding who is responsible for the upkeep and maintenance of their sites in the City. Staff has also requested that AT&T contact the Greenleaf Estates Subdivision to work to resolve the maintenance issue at this site. Since that time, AT&T has stated to Staff that they are indeed responsible for the maintenance and upkeep of their sites within the City of Chesterfield. Staff has been provided a direct contact with AT&T so that if this issue occurs in the future, AT&T can be contacted directly and this problem can be resolved as quickly as possible.

In addition, Staff has been notified that AT&T is working out a maintenance agreement with the Greenleaf Estates Subdivision whereby AT&T will compensate the subdivision for maintenance of the site.

PLANNING COMMISSION REPORT

Planning Chair Nolan stated that there were no concerns with the actual tower, but with the maintenance of the vegetation. Chair Fults questioned as to whether an agreement has been made between AT&T and the subdivision. Mr. Seymour responded that they had not at this point but both parties are working towards an agreement.

Councilmember Segal suggested holding the T.S.P until a maintenance agreement has been provided. For clarification, Ms. Nassif asked if the Committee would want the project to come back to them or forwarded on to Council once the agreement is

provided. Councilmember Segal indicated that if the maintenance agreement is provided, he has no issue with moving it forward to Council.

Councilmember Segal made a motion to forward T.S.P. 35-2011 AT&T (14759 Deerhorn Drive) to City Council but for staff to hold until they have an affirmative from both AT&T and the Greenleaf Estates Subdivision that a maintenance agreement has been made. The motion was seconded by Councilmember Logan and passed by a voice vote of 4 – 0.

- B. T.S.P. 36-2011 AT&T (1972 Baxter Road):** A request to obtain approval for a Telecommunication Facility Siting Permit for a collocation of additional antennas and equipment on an existing high structure in a “R2” Residence District (15,000 sq. ft.) – zoned property located at the intersection of Baxter Road and an AmerenUE transmission line easement on the northeast side of Baxter Road (20S540700).

STAFF REPORT

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

The Petitioner is requesting a collocation on an existing telecommunications high structure to allow three (3) additional antennas and equipment to an existing AmerenUE transmission tower in order to upgrade to 4G LTE data service. It was noted that this is a new T.S.P. application. At the Public Hearing on November 28, 2011, no outstanding issues were identified that related to the request. The tower is 125 feet in height and is located along Baxter Road and south of Summer Ridge Drive.

Mayor Geiger had concerns with the reoccurring maintenance issues of the sites. Mr. Seymour performed a field visit and found no issues on the site. Planning Chair Nolan mentioned that the bushes required trimming. Staff will notify AT&T to address that issue.

Councilmember Grier made a motion to forward T.S.P. 36-2011 AT&T (1972 Baxter Road) 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: This is a Telecommunications Siting Permit which requires a voice vote at the January 4, 2012 City Council Meeting.

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on T.S.P. 36-2011 AT&T (1972 Baxter Road)].

C. Pathway on the Parkway Pedestrian Bridge - Update

STAFF REPORT

Brian McGownd, Public Works Director/City Engineer stated that back in 2010 the City Council authorized a contract for the design of the pedestrian bridge over Highway 40 at Chesterfield Parkway East. He then gave a PowerPoint presentation showing the Committee preliminary drawings of the Pathway on the Parkway Pedestrian Bridge project. Mr. McGownd stated the following:

Proposed Improvements:

- New sidewalk from Schoettler Valley Drive to I-64
- Pedestrian bridge spanning I-64
- New sidewalk from I-64 North to Conway
- Improved intersection at Conway to facilitate pedestrian movements
- Upgrade sidewalks from Conway to just North of SpringHill Suites
- Pathway on the Parkway standard lighting through entire corridor
- Bicycle protective railing on top of the existing barrier wall on the Chesterfield Parkway East bridge

Additional enhancements

- The bridge colors will be determined when the project goes out for bid.
- The City's logo can also be added

Cost Analysis:

- Design fully funded by North Outer 40 Trust Fund – the design is basically completed.
- Construction Opinion of Probable Cost = **\$1,900,000**
- If successful in obtaining Federal Funding the City's share would be ~ **\$675,000** (No federal funds available for lighting so the cost is included in the City's share).

Mr. McGownd stated that there is no longer Federal Funding for just enhancement projects, so a project like this would have to compete for funding with standard road and bridge projects, which reduces that chance of being successful in obtaining funding.

Mr. Geisel mentioned that the General Fund earmark which was previously approved by City Council for the Pathway on the Parkway East was \$450,000. If Federal Funding is available, the City will fall short by approximately \$200,000 for its local match. Mr. McGownd felt there are other grant opportunities, but not to cover the entire amount.

Bridge Style

The design is a 12 foot wide free-standing pedestrian bridge. Mr. McGownd added that the City would be responsible for the maintenance. Distance from the new railing to the new bridge is approximately 50 feet. The other option would have been a cantilever sidewalk off the existing bridge, but MoDOT was opposed to the idea. Again, it was noted that the design study was funded out of the North Outer 40 Trust Fund.

This is for information purposes only, no action is required.

D. Home Builders Association Request Regarding Ordinance 2640

STAFF REPORT

Aimee Nassif, Planning & Development Services Director stated that Section 2.5 of City Code includes a provision to allow for Residential Open House Directional Signs on certain days of the week. One of the provisions states that Open House Directional Signs are allowed on Saturdays but a sunset clause is attached to it, which ends in December.

The Home Builders Association (HBA) has requested an amendment to the City of Chesterfield Ordinance 2640 to extend the provision in Section 3(c) one year from December 31, 2011 to December 31, 2012.

Councilmember Grier made a motion to extend the provision of Ordinance Number 2640 Section 3(c) pertaining to Open House Directional Signs two years from December 31, 2011 to December 2013. The motion died due to the lack of a second.

Councilmember Logan then made a motion to extend the provision of Ordinance Number 2640 Section 3(c) pertaining to Open House Directional Signs one year from December 31, 2011 to December 31, 2012 and to forward to City Council with a recommendation to approve. The motion was seconded by Councilmember Segal

Councilmember Logan questioned as to whether there have been any issues or comments from residents pertaining to the signs. Ms. Nassif responded that Staff has not received any negative feedback from the residents.

Both Councilmembers Logan and Segal felt that the issue should be revisited on a yearly basis.

As a real estate agent, Councilmember Nation suggested that the City get some input from the St. Louis Realtors Association on the matter as he felt that most realtors would like the option of holding an open house on Saturday or Sunday. Chair Fults responded that the issue was discussed approximately three years ago with the St. Louis Realtors Association and at that time, it was determined that the open house signs were only necessary on Tuesdays and Sundays. However; because of the economy, approval was granted to allow an open house on Saturdays.

Jerry Duepner, as representative of the HBA, stated that he appreciated the favorable consideration in the past and would like the extension for one year. Although the HBA would appreciate a two-year extension, he understands the Committee's concerns.

Since the provision will expire at the end of this year, Ms. Nassif recommended that the HBA submit their request for an extension in November of 2012 prior to the December deadline.

The motion then passed by a voice vote of 4 – 0.

**Note: One Bill, as recommended by the Planning Commission, will be needed for the January 4, 2012 City Council Meeting.
See Bill # _____**

[Please see the attached report prepared by Aimee Nassif, Planning and Development Services Director, for additional information on Home Builders Association Request Regarding Ordinance 2640].

- E. Power of Review is being exercised for the following project: Drury Plaza Hotel (Hyatt Place): Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for a 4.851 acre tract of land zoned “PC” Planned Commercial District located adjacent to Chesterfield Mall at the intersection of Clarkson Road and U.S. Highway 40/Interstate 64.**

MAYOR’S REPORT

Mayor Geiger stated that at its November 28th meeting, the Planning Commission approved the Site Development Plan for the proposed Hyatt Place hotel by a vote of 6 – 2. Since he had some concerns with it, he asked that a Power of Review be added to the subsequent City Council agenda.

Mayor Geiger stated the he has since met with Mr. Hasselfeld from Drury Development, along with Councilmembers Grissom and Grier but still has some concerns. His main concern relates to the black brick on the building.

It was noted that the Drury Development has supplied the Committee with a computer-generated rendering of the existing Drury Hotel depicted next to the proposed Hyatt Place. Mayor Geiger added that the Architectural Review standards indicate that buildings near each other must complement each other and he felt that the buildings are not compatible. He then recognized former Mayor Nations who was deeply involved in the Drury Hotel project. Mayor Geiger feels that the Drury is a beautiful hotel and does not want to make any decisions that would detract from it.

PLANNING COMMISSION REPORT

Planning Chair Nolan reported that the Planning Commission voted 6 – 2 in favor of the project. She explained that the two Commissioners who voted against it felt there needed to be more color consistency between the Hyatt Place and the Drury Plaza. She noted that Drury Development had indicated to the Commission that there were only two colors of brick materials from which to choose for the Hyatt Place.

DISCUSSION

Councilmember Grissom concurred that his main issue relates to the brick color of the proposed hotel. He felt it takes away from the existing structure.

Councilmember Logan explained that he understands the concerns; however, he felt that the Drury Development is attempting to build a distinct brand so the building is recognized as a Hyatt Place. He mentioned that he would have liked to have seen the other color choices of brick.

Chair Fults pointed out that this project came through as one zoning proposal and she felt that there needed to be some consistency and cohesion between the two hotels and felt that the easiest way to accomplish this would be through a complementary color.

Councilmember Segal agreed with Councilmember Logan that the Hyatt Place will be a distinct hotel but felt that the colors need to complement the Drury. He then pointed out other distinct buildings throughout the Chesterfield Valley, such as; Dicks Sporting Goods, Aldi's, and Gordmans noting that while there are bold colors on them, they still flow with the other buildings in the Commons. He felt that the entire site needs to flow by having the buildings be compatible, but did not want to dictate the color palette.

Site Background History

Former Mayor Nations then gave background history of the site stating that the development of the entire site was extremely controversial. Originally there were a couple of design options, but City Council did not feel that they fit in that site. He felt that the location is a signature site and is one of the most prominent sites in St. Louis County and West St. Louis County. He wanted the site to have community identification and something that the City could be proud of. The concept was ultimately and unanimously approved and he knew that it would be an attractive feature to that site. The Drury hotel has quality architecture, community branding and a distinct feeling about the quality of the hometown in which the hotel resides. He then questioned whether the Hyatt Place will keep the site a signature place.

Councilmember Casey thanked former Mayor Nations for the history of the site. He then stated that he is interested in what the Architectural Review Board has to say regarding the project since they are the people who the City has entrusted to review such projects.

Architectural Review Board (ARB) Comments

Rick Clawson, as a professional architect and current member of the ARB, stated that there was considerable discussion at the last Board meeting regarding the building. The conclusion was that the Hyatt Place is a "new upper-scale, trendy professional-type hotel." The Board felt that the black brick, along with the light colored EIFS, is a good design choice. Mr. Clawson felt that the brown brick would not work with the proposed style of architecture and would greatly detract from the modern-style of architecture of the proposed hotel. The proposed features such as the EIFS colors, glass, mullion

colors, etc. on the Hyatt Place are cohesive with the existing Drury Hotel. He felt that the two styles work because they are designed to target different clientele and business travelers. As an ARB group, they were happy with the fact that the proposed hotel is not a mimic of the other building. Mr. Clawson added that matching a color rendering to an actual material is extremely difficult due to the different style of printers. He agreed with the Committee that he did not want to approve a design that would detract from the Drury Hotel.

Ms. Nassif explained that when a project is submitted to Staff, a color rendering is provided to the Architectural Review Board; however, the purpose of the rendering is only to get a depiction of how the building sits on the lot and to see its design. Staff does not rely on the rendering to determine the color of the building because once copies of the rendering are made, the colors are not identical. She added that color elevations and the building material samples are used to review the actual color choice.

Councilmember Segal asked Mr. Clawson for his professional opinion as to what he felt was the strongest architectural feature on Hyatt Place. Mr. Clawson replied that he favored the darker base and the lighter color on top, which makes the building visually smaller, and still allows the Drury Hotel to dominate the corner. In addition, the dark stone gives the building a stand-alone feature and the building materials are meant to complement each other.

Mayor Geiger indicated that he wants the site to remain a signature site with the buildings complementing one another. He pointed out that the architectural features of the Hyatt Place are distinctively different from the Drury Hotel and that the hotels do not complement each other.

Councilmember Logan replied that there are differences but he does not feel that either hotel detracts from the other – he sees them as separate entities that have their own distinct architectural elements. Councilmember Nation noted that, based upon the color renderings, only one hotel is visible depending on the direction in which you are driving.

Petitioner Response

Larry Hasselfeld of the Drury Development team stated that the objective was to bring the Hyatt Place brand to Chesterfield. He feels that it brings a different customer to Chesterfield than the Drury brands and is extremely proud of the product. He noted that the brand is important and while they have to meet Hyatt's design criteria, Hyatt is not designing the building. The main objective is to be compatible and he feels there's just a difference of opinion of architecture and design. Since there appears to be a favorable response to the brown brick color, he noted that there is a color rendering showing the brown brick, which is an approved brick by Hyatt. He thanked Rick Clawson for offering a professional explanation as to the decision by the Architectural Review Board. Mr. Hasselfeld felt strongly that the black brick was chosen to be compatible with that of the Drury Hotel. He added that Mrs. Drury, along with the architectural design group, personally picked out the black brick that they felt would look best. He added that the proposed hotel is a Drury-owned building and there will be the

same quality construction, same ownership group and the same management team to manage the property when it is complete. Although the brown brick is an option, the design team still feels that the black brick would be the best choice. Mr. Hasselfeld then presented samples of the brown and black bricks, along with color renderings, for review.

Mayor Geiger agreed that, based upon the sample selections, the brown is not a good choice but noted that there are many different shades of brown that may work better. Mr. Hasselfeld replied that right now the brown and black are the only options available. He has concerns because his design team is telling him that a brown color will not work on this building – and that black is their choice. He added that Mrs. Drury was unavailable, but she would welcome the opportunity to discuss the concerns with the Committee.

During discussion, Mr. Hasselfeld noted that there is a problem in that the deadline to begin construction is June of 2012. He does not want this to be a controversial selection, but the Drury team needs to move beyond the design phase. Chair Fults stated that although approval has been granted to build the hotel, Council is exercising its option to review the project.

Councilmember Grissom asked for clarification as to whether black is being used because the Drury team felt the black brick was the best choice or because there were only two colors from which to choose. If there is a third choice, he would like the Committee to have the option to review it. Mr. Hasselfeld replied that although they were not restricted by the choices of Hyatt, the design team was leaning towards the black brick. The design team did not expect Mrs. Drury to approve the black brick. Instead, she specifically requested the black brick for the hotel.

Rick Clawson strongly feels that the black choice is appropriate for the hotel and noted that to try and match the red burgundy brick of the Drury would be very difficult because of the wide color ranges of “red burgundy”.

If the Committee chose not to select the black brick, Councilmember Grissom asked Mr. Clawson what he would choose to complement the Drury hotel. Mr. Clawson noted the difficulty in choosing a color based upon the angle and proximity of the buildings. He recommends getting away from the natural tones (brown, buff and burgundy) and going with a black or deep grey brick color.

Planning Chair Nolan questioned as to whether there were options other than the brick material - such as cast concrete. Mr. Hasselfeld felt that if it was an option, the question would still pertain to the color.

Councilmember Logan felt that the black brick would be a distinct design feature to the hotel.

Councilmember Grier responded that people will ultimately have a difference of opinion as to the color palette. He has confidence in the specialists and their decision as to the color scheme and does not have a problem with the black brick for the hotel.

Mayor Geiger did not feel that having a distinctive building would draw in customers. He would like the opportunity to view additional brown brick materials.

Commissioner Geckeler suggested that the amount of black brick be reduced and not as pronounced. Mr. Clawson had concerns with going with a natural color brick because from a distance it will not match the colors of the Drury. He stated that at a distance, the black brick will have monolithic, consistent-color and is ideal for the modern design of the building.

Councilmember Segal agreed with Councilmember Grissom that there are probably other sources for color options available and would like that to be investigated. He did not feel comfortable with reducing the amount of brick on the building. He further added that he would prefer a brown color brick but does not disapprove of the black brick for this development.

After further discussion, it was suggested that a third color palette choice be made available for review at a Special Meeting of the Committee. Ms. Nassif stated that if this is the Committee's decision, she recommends that it be presented to the Architectural Review Board for their input. She further recommends that the petitioner provide color renderings, color elevations, and building material samples. It was then agreed that the Special Meeting be held December 15th either before or after the scheduled ARB meeting with invitations to the ARB members.

Mr. Hasselfeld expressed concern about picking a new color in such a short span of time for a \$15 million building. If they can't come up with an alternative by next week, he requested that the project still move forward to Council at its January 4th meeting.

Councilmember Segal made a motion to hold the Drury Plaza Hotel (Hyatt Place) in order to have a special meeting to coincide with the next Architectural Review Board Meeting being held on December 15th. The time of the meeting is to be determined. The motion was seconded by Councilmember Fults and **passed by a voice vote of 4 – 0.**

IV. OTHER

V. ADJOURNMENT

The meeting adjourned at 7:25 p.m.