



MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Public Works Committee Meeting Summary
January 10, 2008

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, January 10, 2008 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV); **Councilmember Jane Durrell** (Ward I); **Councilmember Bruce Geiger** (Ward II); and **Councilmember Dan Hurt** (Ward III).

Also in attendance were Councilmember Mike Casey (Ward III); Councilmember Bob Nation (Ward IV); Mike Herring, City Administrator; Mike Geisel, Director of Planning & Public Works; Brian McGownd, Director of Public Works/City Engineer; Shawn Seymour, Project Planner; and Mary Ann Madden, Planning Assistant.

Chair Fults called the meeting to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the December 6, 2007 Committee Meeting Summary

Councilmember Durrell made a motion to approve the Meeting Summary of December 6, 2007. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

II. OLD BUSINESS - None

III. NEW BUSINESS

- A. **P.Z. 43-2007 Chesterfield Industrial Park Lot 8 (The Marten Building)**: A request for a change of zoning from “M3” Planned Industrial to “PI” Planned Industrial District for 1.283 acre tract of land located at the southeast corner of Chesterfield Industrial Boulevard and Edison Avenue (17U110167).

Staff Report

Mr. Shawn Seymour, Project Planner, stated the Public Hearing for the petition was held on November 15, 2007. At that time, Planning Commission raised one issue requesting that the Petitioner remove proposed uses that were not deemed appropriate or consistent with the surrounding properties. The Petitioner has complied with the Commission’s request.

On December 10, 2007 the Planning Commission voted to approve the rezoning by a vote of 8 to 0.

DISCUSSION

Reason for the Re-zoning Request

It was explained that under the existing “M3” ordinance, the Attachment A only allows office use:

- as an accessory use to the main use of the building; or
- when the entire building is utilized as office use.

The Petitioner is requesting a stand-alone office use for a portion of the building, which is not now permitted. The office use has been added to the Attachment A; the rest of the Attachment A from the original “M3” zoning still applies, along with all of its permitted uses.

It was also noted that the “M3” zoning is an old zoning category under St. Louis County so the zoning is being changed at this time to “PI”.

A door has been added to the front of the building and some of the landscaping has been changed, which was approved by the Planning Commission.

Petitioner’s Presentation

Ms. Florence Marten addressed the Committee stating that the subject building has three sections to it – 204, 206, and 208. Their business, Marco Screw Products, utilizes 8,000 square feet in section 204. Sections 206 and 208 are rented out. The current tenant in Section 206 is utilizing the space as office only. When the tenant applied to the City for a Municipal Zoning Application, the Martens were notified that office use for the site is not allowed under the governing ordinance. The tenant was then given a temporary license in August while the re-zoning process was initiated.

Councilmember Casey stated that he attended the Planning Commission meeting when the re-zoning was presented. He then complimented Mr. Seymour on his work with the Petitioners on this project. Ms. Marten added her thanks to Mr. Seymour.

Councilmember Hurt made a motion to forward P.Z. 43-2007 Chesterfield Industrial Park Lot 8 (The Marten Building) to City Council with a recommendation to approve. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the January 23, 2008 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. 43-2007 Chesterfield Industrial Park Lot 8 (The Marten Building).]

B. An Ordinance Amending Ordinance Number 35: Adds sections of Forest Crest Drive and Greentrails Drive North as snow routes.

Staff Report

Mr. Brian McGownd, Director of Public Works/City Engineer, stated that during the last snow storm in mid-December, it was brought to the City's attention by a subdivision Trustee that Forest Crest Drive is not in the Traffic Code as a snow route. The proposed Ordinance amendment would add Forest Crest Drive as a snow route in the Traffic Code.

Councilmember Durrell made a motion to forward the Ordinance Amending Ordinance Number 35 to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the January 23, 2008 City Council Meeting.
See Bill #**

C. Acceptance of Public Streets: An Ordinance pertaining to the acceptance of Edison Avenue between Long Road and Baxter Road; and An Ordinance pertaining to the acceptance of public streets within Chesterfield Commons and Chesterfield Commons East Subdivisions.

Staff Report

Mr. Mike Geisel, Director of Planning & Public Works, stated Bill No. 2506, which was the acceptance of RHL Drive and Chesterfield Drive, was tabled by City Council because of sight distance concerns. Since that time, THF Realty has cut down a lot of vegetation but the work is not yet complete.

The proposed Ordinances would replace Bill No. 2506 – it was noted that Chesterfield Commons East has been added to the bill. Chesterfield Commons East has been conveyed to the City. The City now has all the property conveyances, and the roads have been constructed under the City's supervision.

It was noted that THF Boulevard is still a private road and will remain private. All the north/south roads are public roads.

Mr. Geisel stated that the conveyance of streets and rights-of-way to the City was the first in a series of sequential actions that had to happen per the settlement. The next sequential step is to improve THF Boulevard (the east/west roadway) - THF will be re-landscaped; some of the access points will be changed to further limit them; and the intersection will be changed. All of these improvements will be done through the use of TDD money. It was noted that the rights-of-way had to be conveyed to the City before THF could move to the next step.

Chair Fults made a motion to forward the Ordinances pertaining to the Acceptance of Streets to City Council with a recommendation to approve. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

**Note: Two bills, as recommended by the Planning Commission, will be needed for the January 23, 2008 City Council Meeting.
See Bill #**

D. Consolidation of Sureties: An Ordinance amending certain sections of the City Code to standardize surety and bond requirements related to development.

Staff Report

Mr. Mike Geisel stated that as a result of the consolidation of the Planning & Public Works departments, it became apparent that there are a dozen separate sureties – each with a separate financial instrument and a separate financial document. All of the sureties had different terms, different terms of handling, and different terms of expiration. The Department had an Intern work with Staff in an effort to standardize the sureties by making the terms and document language consistent.

Staff recommends approval of the Ordinance, which would standardize surety and bond requirements related to development.

It was noted that the consolidation would also simplify the process for developers.

DISCUSSION

Involvement of Finance Department

Once the deposits are executed, the Finance Department takes possession of the financial instruments and holds on to them until they are released.

Cash and checks are deposited by the Finance Department in a Trust and Agency Account. Any interest earned is credited to the City. A purchase order is then issued to return the money to the depositor at the appropriate time

Letters of Credit are kept in a safe - copies of which are stored in multiple locations. A release is then issued to the underlying bank at the appropriate time.

Forms of Sureties

The term "other negotiable instrument" refers to a readily negotiable instrument, which has to be a liquid asset.

The City typically receives cash or bonds as sureties. Letters of Credit are also accepted but the terms of the Letters of Credit have to be very specific.

Commissioner Hurt made a motion to forward the Ordinance pertaining to the Consolidation of Sureties to City Council with a recommendation to approve. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the January 23, 2008 City Council Meeting.
See Bill #**

E. Bus Stops/Shelters

Commissioner Durrell referred to an e-mail recently sent to Councilmembers regarding bus stops/shelters. She asked who would pay for bus shelters on private property. Mr. Mike Herring, City Administrator, replied that buses do not run on private roads.

Mr. Herring then stated that the subject e-mail referred to bus stops along Chesterfield Airport Road. He has responded to the e-mail indicating that Airport Road is owned by St. Louis County.

He then explained the process whereby Wall Advertising has a contract with Metro to put up shelters at specific bus stops. The shelters are paid for by the advertising on them. The shelters are put up where a need has been demonstrated in terms of ridership. The County has to agree to the placement of shelters within rights-of-way.

The City is in the process of coordinating with Wall Advertising to have them formally petition the County, with Metro support, to allow shelters along County rights-of-way. Mr. Herring referred to shelters along Olive Road and noted that the same type of shelter is being planned for other bus stops within the City. One panel of the shelter would be reserved for community news and updates – such as Chesterfield Arts and the City's Fourth of July celebration.

After further discussion, it was agreed that Staff would investigate the costs involved for the erection and annual maintenance of shelters without advertising – such as along Chesterfield Parkway.

F. Permitted Uses

General discussion was held on the current process of adding a permitted use to a site.

Councilmember Nation asked if it would be appropriate for Staff to suggest to a Petitioner that additional uses, which are appropriate for the site, could be requested in order to avoid going through the entire process a few years later for another use.

It was noted that the Planning Commission's practice has been to ask Petitioners to limit and remove uses. It was felt that the Commission wants to be consulted when there is a change in use.

Mr. Geisel explained the process of adding uses. He stated that when one or more uses are added, the zoning ordinance must be amended. This requires a Public Hearing before the Planning Commission. The entire process can take 4-7 months to get it through City Council.

Chair Fults pointed out that citizens generally express concern when uses are changed or added to sites near residential areas. She felt that the citizens deserve a full Public Hearing when uses are being changed.

Discussion was held on whether it would be possible to streamline the process for smaller developers. Councilmembers Nation and Durrell felt that Petitioners should be able to request a number of appropriate uses for a site to avoid having to go through the entire process every few years for a new use.

After further discussion, it was agreed that Staff would review the possibility of streamlining the process for smaller developers and land owners.

G. Blue Valley

Councilmember Hurt suggested that verbiage be included in the Ordinance for Blue Valley with respect to the right-of-way for four lanes and left-hand turn lanes. He added that access management still needs to be addressed, which he felt should be done when reviewing the two parcels together.

Mr. Geisel reported that the petition to amend the Ordinance for Blue Valley is going before the Planning Commission on January 14th.

With respect to access issues, Mr. Geisel stated the City has an Access Management Ordinance which is fairly restrictive. He noted that the City will not receive MoDOT's comments on the traffic study in the immediate future and that they won't make specific comments until they are sent a Site Development Plan. On the Site Development Plan, the City will reserve a corridor for the internal roadway and future access to the Chesterfield Airport ramp where building will not be allowed.

Since access management is a concern, Mr. Geisel suggested language similar to the language used for Spirit Trade Center. Councilmember Hurt suggested language stating "no more than a specific number of accesses would be allowed, as directed by the City of Chesterfield." He also would like language that specifies the distances between accesses. It was noted that the Access Management Ordinance already specifies distances between accesses.

After further discussion, it was agreed that Mr. Geisel would craft proposed language with respect to access management, which could be incorporated into the Ordinance.

IV. ADJOURNMENT

The meeting adjourned at 6:40 p.m.