

# MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning & Development Services  
James Eckrich, Director of Public Works/City Engineer

SUBJECT: Planning & Public Works Committee Meeting Summary  
Thursday, October 18, 2018



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, October 18, 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: Councilmember Tom DeCampi (Ward IV); Planning Commission Chair Merrell Hansen; Jim Eckrich, Director of Public Works/City Engineer; Justin Wyse, Director of Planning & Development Services; Jessica Henry, Assistant City Planner; Cassie Harashe, Planner; Mike Knight, Planner; 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 September 20, 2018 Committee Meeting Summary

**Councilmember Hurt** made a motion to approve the Meeting Summary of September 20, 2018. The motion was seconded by **Councilmember Flachsbart** and **passed** by a voice vote of 4-0.

## II. UNFINISHED BUSINESS – None.

## III. NEW BUSINESS

- A. **POWER OF REVIEW: Spirit Energy Convenience Store (Circle K) 4<sup>th</sup> Amended Architectural Elevations:** Amended Architectural Elevations and Project Narrative for a 0.84 acre tract of land zoned “PC” Planned Commercial District located on the southeast side of the intersection of Clayton Rd. and Wildwood Pkwy. (Ward 3)

## **STAFF REPORT**

**Cassie Harashe**, Planner, stated that the request is for Amended Architectural Elevations for the Circle K convenience store located on the southeast side of the intersection of Clayton Road and Wildwood Parkway. The request is for modifications to the convenience store only. Changes to the carwash building were previously approved by the Architectural Review Board

and the Planning Commission and were completed over the summer. Ms. Harashe then explained the proposed changes.

The Architectural Review Board reviewed the project on September 13, 2018. A motion was made to forward the Architectural Elevations to the Planning Commission with a recommendation for approval. The Planning Commission unanimously recommended approval on October 8, and on October 10, Power of Review was called.

### **DISCUSSION**

Councilmember Hurt explained the reason for Power of Review and referred to a nearby recent controversial development involving color. He compared the use of banding on a building at a nearby intersection and stated it was no more than 24 inches high. The proposed banding on this building is 60 inches. Both he and Councilmember Moore believe that the banding should be consistent throughout the area and want to restrict the height to no more than 24 inches tall.

**Councilmember Hurt made a motion to approve and forward to City Council the New Spirit Energy Convenience Store (Circle K) 4<sup>th</sup> Amended Architectural Elevations with the restriction that the red ACM band be no more than 24 inches tall.** The motion was seconded by Chair Ohley.

### **Discussion after the Motion**

Councilmember Mastorakos inquired about signage since the Circle K logo will be removed. Ms. Harashe stated that as long as signage complies with the Unified Development Code, it would be approved by Staff. Signage is generally not depicted on elevations.

The above motion **passed by a voice vote of 4-0.**

**[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on Spirit Energy Convenience Store (Circle K) 4<sup>th</sup> Amended Architectural Elevations.]**

**Councilmember Hurt made a motion to suspend the rules and move New Business Item C before Item B.** The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

- C. P.Z. 08-2018 Homewood Suites (Keller Ventures, LLC):** A request to amend Ordinance 2916 to establish new permitted uses and development criteria for 7.4 acres of land within an existing “C-8” Planned Commercial District and located at the northeast corner of Chesterfield Parkway West and Hilltown Village Center. (18S540138, 18S540149, 18S540150). (Ward 1)

### **STAFF REPORT**

Cassie Harashe, Planner, stated that the request is for an amendment to Ordinance 2916 to establish two new permitted uses in an existing “C-8” Planned Commercial District. The Applicant seeks to allow day-care center and kindergarten or nursery school as permitted uses. The site is located on the northeast corner of the intersection of Chesterfield Parkway West and Hilltown Village Center.

A public hearing was held on August 13 at which time issues were raised regarding the setbacks, cross access, and open space. At the October 8 Planning Commission meeting, there was significant discussion regarding the setbacks and cross access. The Applicant stated that due to the depths of Parcels A and B along Hilltown Village Center, reduced parking setbacks were needed. The Planning Commission passed a motion to reduce the setbacks along Hilltown Village Center from 30 feet to 15 feet. After considerable discussion regarding cross access between the Homewood Suites site and Hilltown Village Center, the Planning Commission expressed a desire that the connection be made, however, made no changes to the Attachment A.

### **DISCUSSION**

In response to Councilmember Hurt's question, Ms. Harashe confirmed that Staff recommends that the cross access be included in this phase of development. Councilmember Hurt then asked Planning Commission Chair Merrell Hansen to explain the reason behind the Planning Commission's decision not to include construction of the cross access in Attachment A. Planning Commission Chair Hansen stated that the Commission agreed that the cross access easement should be built, but that language does not need to be included in the Attachment A as the City already has the authority to enforce its construction per the approved 1998 Site Development Plan. With that understanding, the Planning Commission requested that Staff pursue the matter.

Ms. Harashe read the access condition in the 1998 Site Development Plan for Homewood Suites:

*The proposed secondary access is not required to be constructed immediately in conjunction with the site improvements of Homewood Suites, however, this secondary access must be constructed upon demand by the City of Chesterfield and St. Louis County Department of Highways and Traffic. St. Louis County Department of Highways and Traffic and the City of Chesterfield will monitor traffic conditions in order to determine the need for construction of said secondary access.*

Justin Wyse, Director of Planning and Development Services, outlined two options for the Committee's consideration regarding construction of the cross easement: (1) Staff's original recommendation was that the cross access should be constructed prior to the development of Parcels A or B. (2) The second option is to make a demand upon Homewood Suites now in accordance with the condition on the 1998 Site Development Plan.

It was noted that the Planning Commission did not add any language to the Attachment A regarding the cross access. Planning Commission recommended following up on the condition on the site plan by having both the City and County make a written demand of Homewood Suites to construct the cross access drive.

**Councilmember Hurt made a motion to forward to City Council P.Z. 08-2018 Homewood Suites (Keller Ventures, LLC) and to include Staff's recommendation to include the following language in Attachment A:**

### **III. Specific Design Criteria: "C-8" Along Olive Street Road**

**7. Cross access connecting Parcel C to Hilltown Village Center, as directed by the City of Chesterfield, shall be constructed with the development of either Parcel A or B, whichever comes first.**

The motion was seconded by Councilmember Flachsbart.

#### **Discussion after the Motion**

Mike Doster, representing Sachs Properties, stated that this is an unreasonable condition to put on the developer, Keller Ventures, LLC. He explained that the easement was conveyed to Homewood Suites. It is a one-way easement and Parcels A and B have no right to use that easement to get across the Homewood Suites' property. The language on the approved plan for Homewood Suites clearly states that the City and County can demand that Homewood Suites build the access. However, Mr. Keller is willing to build a common access for Parcels A and B.

Councilmember Mastorakos questioned the reasoning for a road if a daycare is going to be on the site. Councilmember Hurt explained that the condition was originally included because they did not know what the future use would be. A problem currently exists when exiting Homewood Suites as vehicles can only make a right out. In order to make a left, vehicles are making a U-turn at the Monsanto entrance. With the additional traffic generated by the new Pfizer building, traffic will only become worse.

To clarify, Councilmember Flachsbart stated that Staff recommends that before this construction is completed, the access easement from Homewood Suites to Hilltown Village Center Drive needs to be constructed. Mr. Wyse concurred adding that before occupancy is issued, the access would need to be completed.

Mr. Doster again expressed his disagreement with putting the burden on Keller Ventures, LLC to construct the access easement. Councilmember Hurt stated that the City needs the easement constructed and he does not have an issue with Homewood Suites paying for its construction. He offered that the City would cooperate in working to get Homewood Suites involved. Mr. Doster asked that the City issue a demand to Homewood Suites to build the easement in accordance with the approved Site Development Plan.

In response to Chair Ohley's question, it was uncertain as to whether the City Attorney had sent a demand letter to Homewood Suites. Staff will follow up with the City Attorney.

**The above motion passed by a voice vote of 4-0.**

**Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the November 5, 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. 08-2018 Homewood Suites (Keller Ventures, LLC).]**

- B. POWER OF REVIEW: Aventura at Wild Horse Creek (Above All Development): A Site Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road. (18T630205, 17T310016 18T630173, 18T640226). (Ward 2)**

## **STAFF REPORT**

### **Development Timeline**

Mike Knight, Planner, provided the following Development Timeline for the Aventura project:

- The property was zoned to “R-6AA” Residential in February 2018.
- The applicant submitted to the Architectural Review Board (ARB) in both July and August, at which time they requested that no action be taken, and that feedback be provided.
- In September 2018, the applicant again submitted to the ARB at which time ARB recommended approval with conditions that the applicant re-examine the carport.
- In October 2018, Staff completed its review and then Power of Review was called.

### **Building Design**

The Applicant is proposing three apartment buildings with a total of 169 units. The maximum height is 57 feet and all the roofs will be pitched. Some of the amenities include a pool, cabana, BBQ area, trash compactor with recycle center, maintenance building, and onsite carwash.

### **Site Design**

One primary access is proposed off Wild Horse Creek Road. Vehicular access is provided around the site and pedestrian access adjoins all the buildings to the site’s amenities. The site proposes 300 parking spaces with 16 carports providing 40% covered parking. Amenities include a trail shelter along the Riparian Trail, a bike lane along the north side of Wild Horse Creek Road, and a piece of public art in the form of a wild horse.

### **Landscape Plan**

The Landscape Plan meets all the requirements of the Unified Development Code (UDC) with a 30-foot landscape buffer along both roadways, and 30% tree preservation.

### **Lighting Plan**

The Lighting Plan also conforms to the UDC with all light fixtures being fully shielded and flat-lensed. Street lighting is proposed along both roadways and by the trail shelter.

### **Site Conditions**

The site is located on a hill with an elevation of 28 feet on the eastern side and approximately 68 feet of elevation on the western side. This topography will require tiered retaining walls, which will be visible from the roadways. There will be plantings in between the tiers and the maximum height of the tiers along Wild Horse Creek Road is 10 feet.

### **ARB Suggestions**

The applicant has changed a number of elements due to ARB’s suggestions:

- Front entry feature – sidewalk has been changed to a multi-use path with additional plantings along this walkway; traffic calming measures have been introduced through the use of stamped concrete; and potted accent plantings are proposed.
- Screening around mechanical units – The applicant has clarified the screening will include mulch, decorative gravel, 2-3 foot plantings of barberry, hibiscus, and sweetspire.
- Carports – The carports will have a metal roof and will include columns of thinset stone to match the building with a cultured stone cap.

## **Elevations**

Mr. Knight provided photos of the first elevations submitted compared to the most-recent elevations, which includes a tower feature, varied roofline, all stone at grade, and variation in color and material with a separate color scheme for each building.

## **DISCUSSION**

Councilmember Hurt stated his opinion that the submittal just presented is not acceptable and noted that he has had extensive discussions with the developer regarding access issues. Consequently, another plan has been developed, which he recommended be reviewed and then sent back to ARB. He suggested that after ARB review, the plan be forwarded to the Planning & Public Works Committee.

## **Access**

Mr. Wyse, Director of Planning & Development Services, stated that from a process standpoint the current plan needs to be reviewed and discussed to provide feedback to the applicant. If a new plan is then submitted showing that the driveway has been relocated, it will restart the review process. He then asked if there is a consensus that the driveway should be aligned with the future extension of Burkhardt Place. He pointed out that the current driveway location meets the City's access management standards, but he agrees that having the access align with Burkhardt Place is preferable.

Councilmember Flachsbart also noted his agreement that aligning with Burkhardt Place is a better solution.

## **Current Plan**

Councilmember Flachsbart voiced his opinion that there has been an improvement in the colors and materials as shown in the current elevations.

Because of its urban core location, Commissioner Mastorakos stated that she is looking for a development that speaks to walkability, neighborhood, and community, and includes a "wow factor." She feels the current submittal speaks to "basic apartment, carports, a little pool, clubhouse, and a lot of asphalt" and falls short of expectations. She agrees with the ARB's suggestions regarding a change in materials, and noted that some, but not all, have been provided by the applicant.

## **Updated Plans**

The applicant then provided copies of updated plans showing two, 4-story buildings vs. the current three, 3-story buildings, a pocket park near the front entrance, and the access point aligned with Burkhardt Place. The plan also features a pet park and water quality areas surrounded by green space. It was pointed out that the building changes allow for 7 more units (176 vs. the current 169), and that parking along Wild Horse Creek Road will be screened by a landscape berm

During discussion, Councilmember Hurt suggested that the public art be placed in the pocket park along Wild Horse Creek Road rather than the current location of Old Chesterfield Road.

The Committee members expressed agreement with the access being aligned with Burkhardt Place, and the idea of a pocket park.

**Councilmember Hurt made a motion to forward the updated plan of Aventura at Wild Horse Creek to the Architectural Review Board for comment, and then return it to the Planning & Public Works Committee for review.** The motion was seconded by Chair Ohley.

#### **Discussion after the Motion**

While she agrees with the proposed road change, the pocket park and more green space Councilmember Mastorakos stated that she still does not see a wow factor in the buildings. She feels that the plan should reflect the urban core standards of quality products, quality living, quality walking, and quality style. Chair Ohley indicated her agreement with Councilmember Mastorakos' comments.

When asked about what kind of improvements she is looking for with respect to colors and materials, Councilmember Mastorakos stated that she likes earth-tone colors, and would like to see a better rendering of the materials proposed. She added that the building styles appear to replicate the applicant's other developments in the County and she is hoping to see something "better."

Planning Commission Chair Hansen stated that the Planning Commission was looking for exceptional features – such as walkability and bikeability. She feels that the Riparian trail should be integrated into the experience of living there and suggested that more bike stands be provided at the trailhead. The applicant indicated their willingness to provide the same types of amenities at the trailhead as are provided at other trailheads in the City. It was suggested that Tom McCarthy, Director of Parks, Recreation, and Arts be contacted for his input.

The Committee and Planning Commission Chair Hansen then provided the following list for ARB to address and provide comment on:

- New access
- Landscaping
- Riparian trail
- New architecture of carports
- Building material samples
- Trail heads similar to other locations in Chesterfield
- Living experience
- Building structure with respect to quality and sophistication
- Proposed colors in context of area
- A/C units and screening
- Walkability/Connectivity of the entire site

Councilmember Hurt referred to the Washington University building on South Outer 40 at Timberlake as an example of a park-like seating area with a waterfall and suggested it as a possible concept for the pocket park along Wild Horse Creek Road.

The Committee members expressed their appreciation for the significant changes being proposed – specifically the new entrance, pocket park, and two buildings instead of three. Councilmember Mastorakos added that she would like to see benches integrated into the "seas of asphalt".

**Upon the call to vote, the motion to forward the updated plan to ARB passed by a voice vote of 4–0.**

## **D. Multi-Family Residential Occupancy Permitting**

### **STAFF REPORT**

Justin Wyse, Director of Planning and Development Services, explained that several months ago, the Committee directed Staff to research the idea of multi-family residential occupancy permitting. St. Louis County offers three different types of Occupancy Permits and inspections for multi-family developments.

1. Final Certificate of Occupancy: This permit is associated with new construction or exterior or interior renovations that require a building permit. The City currently contracts with the County for this service. They provide this service at no cost to the City. However, the County does charge the applicant a fee for the building permit.
2. Re-Occupancy Permit: This permit is associated with any change in occupancy to a specific unit. Inspectors examine the following items:
  - a. Trip Hazards from the parking lot into the building, including all common tenant areas such as hallways or laundry facilities.
  - b. The particular unit and deck are inspected to ensure that all electrical, mechanical, and building codes are met. This includes mold inspections, GCFI outlets, functioning plumbing, outlets, etc.
3. Pre-Occupancy Permits: This permit is granted in conjunction with an inspection that is conducted every 24 months. This inspection is a full inspection of the premises including exterior parking areas, amenity or recreational areas, hallways, stairwells, gutter systems, common areas, etc. This inspection covers all areas not included in the Re-Occupancy Permit inspection.

### **DISCUSSION**

In response to Councilmember Flachsbart's question, Jessica Henry, Assistant City Planner, stated the fee varies depending upon the number of units in the complex for the pre-occupancy inspection and per each individual unit every time there is turnover. She could not recall the exact fee, but stated that it is less than what is charged for a commercial re-occupancy.

Mr. Wyse stated the Mayor received a complaint from a tenant because there was mold in their apartment. This re-occupancy program does not directly address the issue of an existing tenant living in an apartment. Basically, this a program that is designed to help keep up the standards of the apartment complex, to ensure that it does not fall into disrepair. If someone occupies the same unit for 20 years, a re-occupancy permit is not required during the tenancy. The County does offer Code Enforcement services for mold or other issues while a tenant is living in the unit, however, there is a charge for that service. In the past, the City has rarely utilized this service.

After some discussion, the Committee decided not to pursue the issue because it a private matter which should not be under the City purview.

**Chair Ohley made a motion to receive and file the information.** The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 4-0.**

**E. Ordinance 2956 – Placement of Waste Containers, Tree Waste and Firewood**

Chair Ohley postponed discussion on this topic indefinitely.

**IV. OTHER**

**V. ADJOURNMENT**

The meeting adjourned at 7:23 p.m.