

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Mike Knight, Assistant City Planner *Joseph Knight*

SUBJECT: Planning & Public Works Committee **Virtual Meeting Summary** Thursday, November 19, 2020



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held virtually via Zoom on Thursday, November 19, 2020.

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

Also in attendance were: Mayor Bob Nation; Councilmember Michael Moore (Ward III); Planning Commission Chair Merrell Hansen; Mike Knight, Assistant City Planner; Chris Dietz, Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:31 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the November 5, 2020 Committee Meeting Summary

Councilmember Ohley made a motion to approve the Meeting Summary of November 5, 2020. The motion was seconded by Councilmember Monachella and **passed by a voice vote of 4-0**.

II. UNFINISHED BUSINESS

There was no unfinished business.

III. NEW BUSINESS

A. Board of Adjustment Nominee Interview

Chair Hurt introduced Brendan Block.

Brendan Block stated that he is a St. Louis native. His family moved to Fienup Farms last September. He is committed to living in Chesterfield as his law office is located in Chesterfield. He wants to serve Chesterfield in any way that he can and feels that his legal expertise will be beneficial to the Board of Adjustment Committee.

Councilmember Monachella inquired as to whether Mr. Block had any experience with zoning issues. Mr. Block replied that he took a class in real estate law during law school but he does not have a lot of experience with zoning. However, he is familiar with basic zoning laws, eminent

domain, variances and setbacks. He believes that his attention-to-detail skills would be most helpful in this position.

In response to Councilmember Ohley's questions, Mr. Block replied that he specializes in criminal defense, traffic law, estate planning and contract drafting and negotiation. He added that he loves living in Fienup Farms noting that Chesterfield is a great place to raise a family and every convenience is located within five to ten minutes.

Councilmember Ohley made a motion to forward the Board of Adjustment nomination of Brendan Block to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

- B. POWER OF REVIEW: Downtown Chesterfield Category C, Lot A (WILDHORSE) Sign Package:** A request for a Sign Package to establish sign criteria for a 7.3-acre tract of land located northeast of the intersection of Wild Horse Creek Road and Old Chesterfield Road. (Ward 2)

STAFF PRESENTATION

Mike Knight, Assistant City Planner, explained that Section 405.04.050 of the City Code defines a series of standard signage in which City Staff can approve. If a development wishes to seek flexibility from the standard signage requirements, they must submit a request for a sign package. Great Lakes Capital has requested a sign package for Lot A of Downtown Chesterfield.

The project was reviewed by the Planning Commission on November 9, 2020 at which time the sign package was approved 7-1. Power of Review was then called on November 10, 2020.

DISCUSSION

Chair Hurt pointed out that there were primarily two issues that came up during the Planning Commission meeting: the number of proposed signs for the restaurant and the size of the monument sign fronting I-64. Chair Hurt requested that these two issues be discussed separately.

Councilmember Mastorakos stated that she called Power of Review because of the proposed location for two of the restaurant signs. She is opposed to the restaurant sign on the north façade and the east façade of the building because the signs would be located on a residential building. She believes that this would set a precedent and she is not sure that this is a precedent that the City wants to make. The sign on the north side of the building would be above two windows that would be residential. She would also prefer that the sign on the east side of the building be relocated on top of the actual tenant structure rather than on the apartment building. She realizes the applicant is looking for identification for the restaurant and the City does want the restaurant to succeed; however, she did not think that the residential buildings should be adorned with restaurant advertising signs. If in the future the restaurant would leave, then the City would be setting a precedent for the future tenant to be able to put signs on residential buildings. Commercial signage on residential buildings may again come up with the development of Wildhorse Village and Chesterfield Mall. Councilmember Monachella concurred.

Councilmember Mastorakos made a motion to amend the Downtown Chesterfield Category C, Lot A (Wildhorse) Sign Package to exclude the restaurant (Ruth Chris) tenant sign on the north façade of the building and to relocate the restaurant (Ruth Chris) tenant sign from the east façade of the multi-family building to the east façade of the restaurant tenant space. The motion was seconded by Councilmember Monachella.

Discussion after the Motion

Mr. Rich Obertino, TR,i Architects, stated that this is the first mixed-use building in Chesterfield. In reality, they are not putting signs on the 'apartment building' or 'retail building' as this is considered all one building. When uses are intermingled within a building such as this, one must be creative with the placement of signs. Since a restaurant is being placed inside an apartment building, they have found it very difficult to restrict themselves to the sign requirements. They are trying to put signs in places that are easily seen so patrons know what is inside the building; otherwise there is the possibility that they will drive by not knowing that this is a mixed-use building. While the restaurant does not have frontage on the north, it is hoped that Council would not prohibit them from having a sign there. He pointed out that if this were a free-standing 15,000 sq. ft. building, there would be signs on multiple sides of the building. The restaurant is integrated into the multi-use building and they feel they should not be penalized by not being able to identify themselves. The sign on the east side of the building has been placed higher because if it were lower, it would be on the outdoor dining space for the restaurant, which would not be very conducive to outdoor dining.

Chair Hurt agreed that signage is very important to retail, however, with the advent of GPS, signage is not as significant as it used to be. He further stated that the Stoney River Steak House is attached to the Drury Inn. If the City was to allow signage on different tenant spaces to uses that were attached to each other, then the Stoney River sign could be placed on top of the Drury. Mr. Knight confirmed that they could request the same. Chair Hurt commented that the retail community wants signage as high and as large as possible, but that is what Chesterfield is trying to keep under control.

Mr. Jeff Tegethoff, Owner, Developer of Wild Horse Village, then spoke and stated that this development would not have happened if not for Ruth's Chris. The building was designed around the restaurant. Before the property was purchased, there was an agreement with Ruth's Chris to design the whole building around them. He pointed out that across the street, there is a very large back-lit Dierberg's sign. If Dierberg's were to move and another tenant takes their place, they could place a sign on the building as well. This site is not much different than an office building where there are multiple users and only one tenant has their sign on the building. They want the building to be known as the "Ruth's Chris Building."

Regarding the sign on the east façade, Mr. Tegethoff pointed out that it is not conducive to put the sign on the tenant space and also allow for outdoor dining. The metal panels located there are not conducive to mounting signs on. He also feels that this is a very tasteful location for the sign noting that it is set back and the public will think it is Ruth's Chris' wall anyway. The sign is not dramatically out of place, and it is the desired place for where the sign can be located.

Councilmember Monachella stated that Ruth's Chris is a very well-known restaurant like Dominic's in Clayton, which is located at the bottom of a high-rise. At that location, there is only a monument sign out front and one around the corner where the parking lot is. This restaurant can be located quite easily so she does not see the need for the additional signage. Mr. Tegethoff replied that a large percentage of Ruth's Chris' business is driven by office users and from out of town visitors who do not identify with Ruth's Chris. Dominic's is a smaller, local operator that probably does one-tenth of the revenue that Ruth's Chris does. This site was chosen because of the visibility from a number of angles. Visible, clear signage will spark someone's interest and that is critical to the restaurant's success. This might be the largest Ruth's Chris restaurant in the County and they intend for this to be the number one performing Ruth's Chris in the country.

Councilmember Ohley stated that the proposed signage is fine noting that this is a new development and the future of Chesterfield. She feels that the City has the opportunity to make this particular site a one-of-a-kind, stand-out location.

The above motion to amend the Sign Package passed by a voice vote of 3-1, with Councilmember Ohley voting nay.

The Committee then discussed the monument sign facing I-64. Mr. Knight presented a slide depicting the location of the sign. He stated the sign is 120 ft. in length, which is approximately 14 parking spots. The maximum height is 10 ft. which tapers down to about 2 ft. in both directions. The signage area is 240 sq. ft.

Chair Hurt stated that the Planning Commission addressed the sign area during the Planning Commission meeting. He pointed out that frequently monument signs list multiple tenants but this particular monument will only say "Wildhorse." Typically, monument signs along I-64 are 50 or 60 sq. ft. This one is basically 5 times larger and has only one word. If the ownership were to change, the monument sign could include other tenants, however, the City cannot control content of the sign. Even more concerning is the size of the sign area. He would prefer that the sign area be at least half the size. Councilmember Monachella concurred and stated that if "Wildhorse" is the only word on the sign, then it should be reduced in size.

Councilmember Ohley again stated that the City has an opportunity to make this development unique. She feels that the sign is very tasteful and would look very attractive next to the berm.

In response to Councilmember Mastorakos' question, Mr. Knight provided information on other signs within the City for comparison.

Councilmember Monachella made a motion to amend Downtown Chesterfield Category C, Lot A (Wildhorse) Sign Package to reduce the content size of the monument sign to 120 square feet. The motion was seconded by Chair Hurt.

Councilmember Ohley stated that you cannot compare signs located on buildings to signs located at ground level. This monument sign will be located at a corner by a highway exit and the development needs recognition. Since this is the City's first multi-use development, she feels caution is needed in what the City is trying to regulate. She noted that things are changing, and what was good in the past may no longer be appropriate.

Mayor Nation stated that the City is extraordinarily fortunate to have this marquee development at a prime location that is directly adjacent to an interstate highway. It is common sense that the investors want to take advantage of the visibility, within good taste and within the City's guidelines. The City has to allow them every opportunity to be successful.

Chair Hansen stated that the Planning Commission discussed all the same issues, but they ultimately felt comfortable with the treatment of the signage. This is the City's first mixed-use building. It is very different and unique, and this is a good location for it.

Mr. Tegethoff explained that the monument sign is not for one development. There are essentially two developments within Wildhorse. This is a 99-acre planned development. This is the grand entry for a brand. It is his passion and mission to bring a world-class development to Chesterfield and St. Louis County. He is investing over \$600 million dollars in this development, and pointed out that there is no other comparable development in Chesterfield, St. Louis County or the state of Missouri. He has delivered on his promise to bring Chesterfield a world-class building, a world-

class development and world-class vision for not just one building but a 99-acre planned development. He stated that to this point he has funded the entire building without any incentives from the City. They are creating a lifestyle and a brand and this is an opportunity for Chesterfield to plant a flag and say we mean serious business.

The above motion to reduce the content size of the monument sign failed by a voice vote of 1-3 with Councilmembers Mastorakos, Ohley and Hurt voting nay.

Councilmember Ohley made a motion to forward Downtown Chesterfield Category C, Lot A (Wildhorse) Sign Package, as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos.

Discussion after the Motion

Mr. Knight clarified that the previously approved amended motion was to eliminate the restaurant sign on the north façade (Interstate I-64), and to move the restaurant sign on the east façade off the multi-family building and on the east façade of the restaurant tenant space.

The above motion passed by a voice vote of 3-1 with Councilmember Ohley voting nay.

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on Downtown Chesterfield Category C, Lot A (Wildhorse Sign Package.)]

- C. P.Z. 06-2020 15310 Conway Road (SMS Group):** A request to repeal and replace Ordinance 2463 to establish a new “PC” Planned Commercial District to modify development criteria for a tract of land totaling 1.492 acres located at the southwest corner of the intersection of Chesterfield Parkway East and Conway Road (18S310557). (Ward 2)

STAFF PRESENTATION

Chris Dietz, Planner, stated this is a request to amend the governing ordinance and to establish a new “PC” Planned Commercial District in order to modify development criteria for the site by changing structure and parking setback requirements and to update the list of permitted uses to reflect the same permitted uses for the adjacent site at 15320 Conway Road.

A Public Hearing was held on September 30, 2020. Several issues were raised including parking setbacks, landscape buffers, open space, building design, and public art. These issues have since been addressed and on November 9, the Planning Commission unanimously approved the Ordinance Amendment.

Mr. Dietz then presented a PowerPoint depicting the requested uses, structure setbacks and parking setbacks relative to 15320 Conway Road, the adjacent building.

DISCUSSION

Chair Hurt pointed out that there was discussion regarding the public art at the Planning Commission. It was suggested that the public art be located on the east side of the building as it would be more visible for traffic exiting the highway. Planning Commission Chair Merrell Hansen confirmed that the Commission was comfortable with the requested uses. She stated that this is a well-trafficked area, and while not knowing what the art piece would be, she suggested that the art could be suitable for a highly visible location.

Councilmember Mastorakos made a motion to forward P.Z. 06-2020 15310 Conway Road (SMS Group) to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the December 7, City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 06-2020 15310 Conway Road (SMS Group).]

IV. OTHER

As the City begins to move forward with the updated Comprehensive Plan, Planning Commission Chair Merrell Hansen suggested that the Ordinance germane to landscaping be looked at again. Because landscaping was such an important topic of the residents, she felt she should mention it. Mr. Knight explained that there is a landscape architect on the Architectural Review Board and as part of their process, they review all landscape plans before they are presented to the Planning Commission. The City's arborist also reviews landscape plans and Staff verifies that tree preservation is maintained. Mr. Knight stated that he would speak to Justin Wyse, Director of Planning about the best process to move forward with what the chair is looking to accomplish, and work to understand more specific information on what is needed and what areas need to be reviewed.

Councilmember Mastorakos agreed and stated that the City cannot keep going forward with business as usual. She pointed out that the residents have been very vocal on greenspace, landscaping and loss of trees as this is very important to them. It is not just a matter of trees, but the whole green effect on the City. She is in favor of closer examination of what the Comprehensive Plan dictates and what the City has in place.

V. ADJOURNMENT

The meeting adjourned at 7:00 p.m.