

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JANUARY 12, 2009**

The meeting was called to order at 7:00 p.m.

I. ROLL CALL

PRESENT

ABSENT

Mr. David Banks
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Amy Nolan
Ms. Lu Perantoni
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

Councilmember Dan Hurt, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Ms. Susan Mueller, Principal Engineer
Mr. Charlie Campo, Project Planner
Mr. Shawn Seymour, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Dan Hurt, Council Liaison; Councilmember Bob Nation, Ward IV; and City Administrator Mike Herring.

IV. PUBLIC HEARINGS – Commissioner Banks read the “Opening Comments” for the Public Hearings.

- A. **T.S.P. 06-2008 Verizon Wireless (18301 Wild Horse Creek Road):**
A request to obtain approval for a Telecommunication Facility Siting Permit on an "NU" Non-Urban District-zoned 1.47 acre tract of land located at 18301 Wild Horse Creek Road, northeast of the intersection of Wild Horse Creek Road and Eatherton Road. (19W510095).

STAFF PRESENTATION:

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:

- The Proposed Facility Includes:
 1. Placement of three antennas to an existing stealth telecommunications tower.
 2. Addition of a whip antenna to the top of the tower.
 3. Expansion of the equipment yard.
 4. Construction of a pre-fabricated equipment shelter to be located in the equipment yard.
- All Public Hearing notification requirements were met.
- The existing equipment yard includes an AT&T equipment building and equipment for Cricket Communications.
- The Petitioner is proposing to enlarge the equipment yard to accommodate Verizon's equipment.
- Staff is reviewing the issue of additional landscaping and buffering toward the adjacent properties. Some of the existing landscaping is dying and is not sufficient to provide proper buffering.

With respect to the location of the tower, Chair Hirsch noted that "Eatherton Road" is commonly known as "Old Eatherton Road".

Commissioner Perantoni asked for information about the site's location relative to the Bonhomme archeological area. Mr. Mike Geisel, Director of Planning & Public Works, responded that the artifacts site is at Old Olive and Eatherton, near the pumpkin farm. The subject site is on top of the bluff approximately 1-1/2 miles from the artifacts site.

Commissioner Perantoni said she has been informed that there are remains of old home areas on the bluff. Mr. Geisel stated that there are various sites on the historic register all along Wild Horse Creek Road but he is not aware of any active sites.

Commissioner Perantoni asked if the equipment yard expansion will require sub-surface construction. Ms. McCaskill-Clay replied that a concrete slab will be put down and a pre-fabricated building will be placed upon it.

Commissioner Watson asked if the existing fence is in compliance with the City's guidelines. Ms. McCaskill-Clay replied that this is a six-foot tall fence and has passed St. Louis County building code inspections.

Ms. McCaskill-Clay then addressed the following issues expressed in the letter received January 12th from Mr. Harry Edwards, 18257 Wild Horse Creek Road:

- Removal of the heavy vegetation along the fence line that was a 12 foot tall screen between the properties: The Commissioners were given the Tree Stand Delineation and Preservation Plan, which was required when the property was approved administratively for the original construction. There was no 12 foot-tall buffer in between the subject site and the Edwards property. The existing vegetation has been maintained. There were no trees along the subject site – there was only a four-foot tall fence, which is remaining on the site.
- 24x14 foot building to remain as a buffer to the site: Once construction started, issues arose regarding the stability of the building. The original Petitioners of the St. Charles Tower demolished the building without receiving the proper permit from St. Louis County. St. Louis County issued a citation to the original Petitioners and fined them for the demolition of the building. St. Charles Tower has indicated their understanding that they will need to provide additional buffering. Before any municipal zoning approval is granted by the Department, St. Charles Tower will be required to show the additional buffering.
- Inadequate vegetation along the wood fence: There is vegetation along the fence but it is dying. Staff is requiring that additional landscaping be provided, along with replacement of the dying bushes.

City Attorney Heggie stated that under the City's new cell tower and antenna ordinance, the Planning Commission is the body that conducts the Public Hearing. Any comments/issues are passed on to the Planning & Public Committee of City Council for review. Council then deliberates on the matter and decides whether or not to grant the permit for antenna usage.

PETITIONER'S PRESENTATION:

1. Mr. Michael Tassone, Dolan Realty Advisors – representing Verizon Wireless, 7718 Forsyth Blvd, St. Louis, MO stated the following:
 - Verizon is looking to improve its coverage in the area, which includes video capabilities and enhanced e-911.
 - They are trying to comply with all City regulations and requests.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Landscaping on the site, as well as proper buffering to adjacent properties.
2. Determine whether anything happening on the subject site could possibly disturb any historical or archeological sites.

3. Staff to review whether the notation on Page E-0 of the submitted plans is “too open-ended”. The notation states “existing trees to be cut back as necessary for access to exiting compound”.

B. P.Z. 07-2008 Valley Gates (Summit Outer 40 Developers, LLC.):

A request for an amendment to City of Chesterfield Ordinance 2377, to revise the parking setback from the northern boundary of the development and to revise the parking setback from an internal street for a 7.698 acre tract of land located north of U.S. Highway 40 and east of Boones Crossing (17T520073).

STAFF PRESENTATION:

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

- The request is for an Ordinance Amendment to revise the parking setback from the north property line from 170 feet to 60 feet; and to revise the parking setback from internal streets from 15 feet to 10 feet.
- The Public Hearing and petition were advertised per State statute and City of Chesterfield requirements.
- The City of Chesterfield Comprehensive Land Use Plan designates the property as “mixed commercial use”.
- The development is not located in any sub-area of the Comp Plan.
- Staff has no outstanding issue with this property.

City Attorney Heggie directed Mr. Seymour to check with the City Engineer to determine if the City needs any recreational easements.

PETITIONER'S PRESENTATION:

1. Mr. Enrico J. Bertucci, Project Engineer with Stock & Associates representing Summit Development, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
 - One of the lots of the subject subdivision has already had a Concept Plan and Improvement Plans go before the City for Value Place Hotel.
 - At this time, the Value Place Hotel is on hold and Summit Development Group is asking that the parking setbacks be revised to give a little bit more flexibility to the site, as far as parking is concerned.
 - As has been done at other sites in the Valley, they are hoping to use a portion of the under-seepage berm for parking. The area would be paved and there would be an under-drain system if deemed necessary by an engineer.

Commissioner Banks asked if the City has previously allowed parking over the seepage line. Mr. Geisel replied that there are numerous projects within the City where the under-seepage berm is paved over. Such work is done with the Monarch Chesterfield Levee District's approval. When the berm is paved, it has to have an extensive under-drain system. The first project where this was done was Chesterfield Grove in 1995. He also pointed out that Edison Avenue is on

top of the seepage berm. This is routinely done and is part of the review process with the Levee District.

Ms. Aimee Nassif, Planning & Development Services Director, then gave some background history on the Valley Gates Ordinance Amendment and its original rezoning. When this project was first rezoned, the City was writing Attachment A's strictly to reflect what was shown on a Preliminary Plan. Valley Gates had originally shown parking closer to North Outer 40 Road, which is why the setback was written as 170 feet.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Work with the City Engineer to determine if any recreation easements are needed.

Commissioner Banks read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the **December 8, 2008 Planning Commission Meeting**. The motion was seconded by Commissioner Puyear and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

A. Towne Centre: Amended Sign Package

Petitioner:

1. Mr. Gary Cowles, representing Gundaker and Towne Centre, 4065 Wedgeway Ct., St. Louis, MO was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. St. Louis Family Church (101 & 139 Valley Center Dr.-17501 Edison Ave.): An Amended Site Development Plan, Amended Landscape Plan, and Architectural Elevations, for a 16.17 acre tract of land zoned "PI" Planned Industrial District located at the southwest corner of Chesterfield Airport Rd. and Valley Center Dr

Commissioner Watson, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Plan, Amended Landscape Plan, and Architectural Elevations for **St. Louis Family Church (101 & 139 Valley Center Dr.-17501 Edison Ave.)**. The motion was seconded by Commissioner Proctor and **passed** by a voice vote of 9 to 0.

- B. Towne Centre:** Amended Sign Package for an 18.34 acre tract of land, zoned "PC" Planned Commercial District located on the west side of Long Road, south of Edison Road.

Commissioner Watson, representing the Site Plan Committee, made a motion recommending approval of the Amended Sign Package for **Towne Centre**. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 9 to 0.

VIII. OLD BUSINESS

- A. P.Z. 25-2008 City of Chesterfield (Tree Preservation and Landscape Requirements):** A request to repeal City of Chesterfield Ordinance 2367 and replace it with a new ordinance that revises the procedures and requirements for the preservation of trees and landscaping requirements within the City of Chesterfield.

Project Planner Charlie Campo stated that several changes have been made throughout the document as outlined below:

- Section II and III – These sections were reorganized and revised to help clarify what projects must adhere to the tree preservation and landscape requirements.
- Section IV – Definitions were updated to reflect new terms used in other development related ordinances and were also suggested revisions from the City Arborist.
- Section V – The table was revised to reflect the current submittal, review and decision making authorities for various development processes.
- Section VI – The "Protection of Public or Private Trees" section was revised to include language related to fines and to reflect updated terms and titles.
- Section VII and VIII – These sections were updated with regard to when Tree Stand Delineation Plans and Tree preservation plans are required.
- Section X – This section was revised to reflect updated terms and processes.
- Section XI – The "Plant Selections" section was changed to require an increase in variation to tree types and species required to be used.
- Section XII – This section includes changes for information required to be shown on landscape plans. Additional changes focus on planting near vehicular areas.

- Section XIII – Changes were made to the section regarding the instances when a Tree Protection Surety is required.
- Section XV – This section was amended to clarify the approval process for projects that cannot adhere to the standards of the tree manual including information required from the developer and the approval process of the City.
- Appendix A – The Tree List was revised with input from the City Arborist.

The Public Hearing was held on December 8, 2008 and no issues were identified at that time. Subsequently, a letter was submitted by the Home Builders Association-St. Louis Area outlining concerns about some of the standards in the Ordinance. Mr. Campo addressed the HBA's concerns as follows:

- Definition of a Tree Mass – HBA asked for clarification of this definition with respect to whether three trees are considered a “mass” if the trees are young trees. *It is Staff's opinion that a “tree mass” is three trees regardless of the age of the trees. No changes have been made to the definition.*
- Requirement of a Tree Preservation Plan during Concept Plan Review – HBA questioned how a Tree Preservation Plan can be submitted at the Concept Plan stage. *Staff understands that, at the Concept Plan stage, the Tree Preservation Plans are conceptual in nature. During the Section Plan and Improvement Plan process there may be changes. No change has been made to this language.*
- Protection of Public and Private Trees on Common Areas – HBA feels removal of dead or diseased trees in common areas could be a burden for Home Owners Associations. *Mr. Campo pointed out that dead or diseased trees are not covered by this ordinance. Dead and diseased trees are covered under the City's nuisance ordinance and need to be removed.*
- Plant Selections –HBA feels that the requirement to utilize a variety of tree species in projects installing over 50 trees may be an additional expense not currently advisable to employ on the building industry. *The City has always required a variety of trees to be planted on a site. This benefits the health and longevity of the trees.*
- Landscape Plan Requirements – HBA feels that the 2.5” caliper requirement doesn't permit using clump redbuds or river birch. *The Tree Manual requires that trees be at least 2.5” caliper – no change has been made.*
- Street Trees, Shrubs and Plantings in Parking Areas – HBA asked for clarification of the “sight distance triangle” with respect to parking lots. *The trees that are allowed for parking lots and islands were selected because they minimize obstructed views in parking lots and right-of-ways.*

Mr. Campo stated that all the issues raised by the HBA were reviewed by the City Arborist and she concurs with the points outlined by Mr. Campo. Staff has no outstanding issues.

Commissioner Watson made a motion to approve P.Z. 25-2008 City of Chesterfield (Tree Preservation and Landscape Requirements). The motion was seconded by Commissioner Banks.

Upon roll call, the vote was as follows:

**Aye: Commissioner Banks, Commissioner Geckeler,
Commissioner Grissom, Commissioner Nolan,
Commissioner Perantoni, Commissioner Proctor,
Commissioner Puyear, Commissioner Watson,
Chairman Hirsch**

Nay: None

The motion passed by a vote of 9 to 0.

Commissioner Geckeler thanked Staff for all the work that has been done on the Tree Manual. She feels that having the City Arborist on Staff has been a big help.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

- A. Comprehensive Plan Committee – Meets Jan. 14th, 4:00 p.m.**
- B. Ordinance Review Committee – Meets Jan 21st, 3:00 p.m.**

XI. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Michael Watson, Secretary