



**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
August 26, 1996**

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

PRESENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Dave Dalton
Mr. Robert Grant
Ms. Carol Kenney
Mr. Dan Layton, Jr.
Ms. Linda McCarthy
Chairman Michael J. Casey
Mr. Douglas R. Beach, City Attorney
Mayor Jack Leonard
Council Liaison Barry Streeter - Ward II
Mr. Jerry Kelley, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Patricia Detch, Planner I
Mr. Mike Walker, Planning Technician
Ms. Sandra Lohman, Executive Secretary
Ms. Linda DaLay, Administrative Secretary

ABSENT

Mr. Allen Yaffe

INVOCATION - Commissioner Rick Bly

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Mayor Jack Leonard ; Councilmember Barry Streeter, (Ward II); Councilmember Larry Grosser (Ward II).

PUBLIC HEARINGS: Commissioner Kenney read the "Opening Comments."

- A. The Planning Commission of the City of Chesterfield will hold a Public Hearing on the Update of the City of Chesterfield Comprehensive Plan. Proposed revisions are per recommendations of the Planning Commission Comprehensive Plan Committee on issues and policy statements concerning telecommunication towers and facilities.

Planner I Patricia Detch noted:

- The presentations tonight are an effort to provide necessary information in order to facilitate the task of updating the Comprehensive Plan.
- We are looking primarily at land use, public safety issues, as well as the aesthetics.
- This evening is primarily an informational forum, and the speakers will be from the providers of the telecommunications agencies .
- After we have heard from these individuals, it is anticipated we will need to schedule another meeting of the Comprehensive Plan Committee to review their presentations and then review the current amendment outline for the Comprehensive Plan.

Mr. David C. Hale, AT&T Wireless Services, 424 S. Woods Mill Road, Chesterfield, MO 63017, gave a presentation on "Understanding Wireless Technology." He gave a written copy of his presentation to Department Staff, and noted the four basic components of the 1996 Telecommunications Act Sec. 704: Wireless Industry Provisions

1. Non-discrimination/Barrier to Entry
2. Timely Processing of Applications
3. Federal RF Emission Standard
4. Permission to site on Federal Property

The four (4) types of Cell Site Designs depicted in the presentation were: 1) Roof or Facade Mounted Antennas; 2) Guy Tower; 3) Free Standing Lattice; and 4) Monopole.

Questions/Concerns addressed:

Gil Schmitt, Spirit Spectrum L.P. Wireless Telecommunication Services, 2310 Mill Park Drive, St. Louis, MO. 63043, and Mr. Joe LaFreniere, Sprint Spectrum L.P. Wireless Telecommunication Services, 2310 Mill Park Drive, St. Louis, MO 63043, addressed questions, along with Mr. David C. Hale.

- All cells are 100 watts. When they reach capacity, the system is enhanced to accommodate the population.
- Cell sites have a finite capacity as to the number of calls they can process; therefore, the provider tailors the size of the cell site (i.e., adjusting the height, power and other engineering techniques) in order to encompass a known number of population/demand for the system.

- Cell sites located in more densely urban areas typically have a very small service radius (less than one (1) mile). The power is a little greater at Cell sites in more sparsely populated areas which cover a larger footprint. The area served by a particular Cell site generally has the same amount of demand for the service encompassed within that geography.
- The 100 watt site is typical for all suburban-type communities. Power levels are inconsequential by the time they reach the ground.
- Specific areas for Cell sites cannot be planned ahead (i.e., placed on a map as a group) due to the "Anti-Trust" laws. Cell sites have to be considered on a site-by-site basis.
- There are six (6) providers at this time; however, the Federal Government has control over all carriers.
- The types of Cell structures proposed are light structure-type devices that are more aesthetically pleasing than the existing Ameritech Tower along Wild Horse Creek Road.

Chairman Casey recognized Councilmember Linda Tilley (Ward IV).

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL:

1. Mr. Joe LaFreniere, Sprint Spectrum L.P. Wireless Telecommunication Services, 2310 Mill Park Drive, St. Louis, MO 63043.

Commissioner Grant noted a copy of the presentation has been left at the desk and is available to Commissioners.

City Attorney Doug Beach noted the following for the record:

- The City of Chesterfield, along with Wildwood and seven (7) other cities, have formed a group and hired experts from of Atlanta, and are looking very carefully at all issues as they relate the wireless services.
- We have a moratorium in place at the moment, and we hope to come back within thirty (30) days with a draft, or proposed ordinance which will attempt to find some middle ground between the needs of the providers, the needs of the citizens, and the needs of the City, while trying to protect everything in between.
- The Federal Government is still trying to figure this out and, unfortunately, we are thrust into trying to figure this out for them.

- We have met with providers, individual cities, and hired people to give the other side of the spectrum.
- We are concerned with “stealth.” If you are going to have towers, have towers which don’t look like towers.
- We can require lower towers, but if later on some new provider asks for a higher tower, we cannot discriminate against them.
- We may have to ask the Planning Commission to consider things like; do you want to have several high towers with multiple users; the more users you put on, which cuts down the number of towers, the higher they go. There are many questions, but tonight has been an introduction into the many facets of this technology.
- The first step tonight is to bring into the Comprehensive Plan some guidelines (wording) to help us address these issues.

REBUTTAL: - Waived

Commissioner Kenney read the next portion of the “Opening Comments.”

- B. P.Z. 22-96 City of Chesterfield**; a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1A" 22,000 square foot Residence District and "FPR1-A" Flood Plain "R1-A" 22,000 square foot Residence District for a 33.5 acre tract of land located on the north side of Wild Horse Creek Road approximately 1,100 feet east of the intersection of Long Road and Wild Horse Creek Road (State Highway CC). (Locator Numbers 18U44-0014 and 18U51-0030)

Assistant Director Laura Griggs-McElhanon presented slides of the proposed site and surrounding area, and noted the following:

- City Council directed the Department of Planning initiate the rezoning process in the Wild Horse Creek Road area to reflect the densities approved with the West Area Study.
- The City is currently involved in litigation on the subject property due to a Rezoning and a PEU petition which were denied by the City Council approximately two (2) years ago.
- The petition was initiated by the City, not the property owners nor the developer, and this is the first time this has happened in Chesterfield.
- The zoning requested by the City is “R-1A” 22,000 square feet.
- If approved, this zoning would allow development of a single-family subdivision, with all lots being a minimum of 22,000 square feet.

- Because this petition does not involve a Planned District nor a Special Procedure, the staff report and recommendation will be presented at the next meeting on September 9, 1996.
- This recommendation is in accordance with the Comprehensive Plan, as amended by the West Area Study.

SPEAKERS IN FAVOR:

1. Carolyn Rehder, 1257 Bluffview Ridge Drive, Chesterfield, MO 63005, spoke as an individual. (She presented a petition in support of this petition signed by residents of The Bluffs of Wildhorse Subdivision.)
2. Dr. T. Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO 63005, spoke on behalf of Citizens for Responsible Growth.

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

Commissioner Kenney read the next portion of the "Opening Comments."

- C. **P.Z. 21-96 Hayden Homes, Inc. and Chesterfield Village, Inc. (Parcel C118)**; a request for a change in zoning from "C-8" Planned Commercial District to "R-5" 6,000 square foot Residence District for a 3.1 acre tract of land located on the north and south sides of Baxter Road, approximately 2,500 feet north of the intersection of Baxter Road and Justus Post Road. (Locator Number 18T33-0059)

Assistant Director Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

Mr. David Volz, Volz Engineering, 10849 Indian Head Industrial Blvd., St. Louis, MO 63132, spoke on behalf of Hayden Homes and Chesterfield Village, Inc.

- Planning Staff is currently reviewing the Site Development Plan for a residential development. The existing "C-8" zoning will be eliminated completely.
- There are no plans for the parcel to the south.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

Commissioner Kenney read the final portion of the "Opening Comments."

APPROVAL OF THE MINUTES:

A. Approval of Minutes from the Meeting of July 22, 1996.

A motion to approve the minutes was made by Commissioner Grant, seconded by Commissioner McCarthy and passes by a voice vote of 8 to 0.

B. Approval of Minutes from the Meeting of August 12, 1996.

A motion to approve the minutes was made by Commissioner Grant, seconded by Commissioner McCarthy and passes by a voice vote of 8 to 0.

PUBLIC COMMENTS: - None

Commissioner Dalton left the meeting at this time.

NEW BUSINESS:

- A. P.Z. 34-95 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.167 Miscellaneous Regulations; 1003.145 "C-8" Planned Commercial District Regulations; 1003.155 "M-3" Planned Industrial District Regulations; 1003.157 "MXD" Mixed Use Development District Regulations; 1003.181 Conditional Use Permits; 1003.182 Commercial Service Procedures; 1003.187 Planned Environment Unit Procedure; 1003.189 Commercial-Industrial Designed Development Procedure; 1003.191 Landmark and Preservation Area Procedure. (Relative to additions to grading, building, etc. permits in certain districts.)

Director of Planning Jerry Kelley noted the Department recommends this matter be Tabled.

Commissioner Grant made a motion to table this matter. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

- B. P.Z. 18 & 19-93 Nooning Tree Partnership**; amendment to a Planned Environment Unit (PEU) in the "R-3" 10,000 square foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

Director of Planning Jerry Kelley noted the Department recommends this matter be Tabled.

Commissioner Grant made a motion to table this matter. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

- C. Comprehensive Plan Update**; proposed revisions concerning text relative to the Office Campus designation located on Wild Horse Creek Road.

Director of Planning Jerry Kelley noted the Department recommends this matter be Tabled.

Commissioner Grant made a motion to table this matter. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 7 to 0.

- D. P.Z. 13-96 A & O Investments, Ltd. (Marriott Courtyard);** "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District and an amendment to St. Louis County Ordinance Number 12,561 establishing a "C-8" Planned Commercial District and an amendment to City of Chesterfield Ordinance Number 408 establishing a "C-8" Planned Commercial District; northwest corner of the intersection of Chesterfield Parkway North and Conway Road.

Director Jerry Kelley noted corrections to Attachment "A" as follows:

- Page 3, Item g. - "Verify, if required, that adequate sight distance can be provided at the access locations. Begin new sentence with the word "Acquisition."
- Page 7, Category Sanitary Sewer - eliminate this, as it's covered by Item 5.a.
- Page 2, Building Setbacks 5.a.(2) and Parking Setbacks 5.b.(2) - eliminate" required by St. Louis County Department of Highways and Traffic" and replace with "required by City of Chesterfield."

Director Kelley noted the following:

- The staff report is a significant deviation from what was presented at the public hearing one (1) month ago. He noted the staff believes the intensity of this proposal, as submitted by the applicant, is severe for this site, and requests the size be limited to three (3) stories, with a maximum room size of seventy-five (75).
- If the Commission desires to pursue this matter tonight, with the conditions in Attachment "A," we need the concurrence of the applicant to go in that direction. In this case, it would be appropriate to continue this meeting and let the conditions set forth tonight be accommodated on a revised plan from the petitioner.
- Given the conditions, staff would need at least two (2) weeks to amend the site plan.

Comments/Discussion :

- Concurrence with the requirement of three (3) stories for the hotel.
- The room count of seventy-five (75) was determined by the elimination of one (1) story from the proposed hotel (i.e., quartered the room count proposed on the original site plan for a four (4) story hotel). Staff would be amenable to increasing the number of rooms, if so desired by the Commission, but retaining the requirement of a three (3) story level.
- The colors will be reviewed at the time of Site Plan review.

Director Kelley noted the Department requests the Commission hold this matter until the September 9, 1996 meeting.

- The conditions in the staff report were discussed briefly earlier today in a phone conversation with the petitioner. The report was faxed to the petitioner today, and he did not agree with the comments.

A motion to hold P.Z. 13-96 until the meeting of September 9, 1996, was made by Commissioner Kenney, seconded by Commissioner Layton and **approved by a voice vote of 7 to 0.**

Commissioner McCarthy left the meeting at this time.

- E. **P.Z. 20-96 The Courtyard at Kehrs Mill (Hackett Custom Builders, Inc.);** "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; east side of Kehrs Mill Road, approximately 500 feet south of Wildhorse Creek Road.

Assistant Director Griggs-McElhanon stated the recommendation for approval of the requested change in zoning to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District.

A motion to approve the recommendation was made by Commissioner Kenney and was seconded by Commissioner Grant.

Upon a roll call the vote for approval was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Chairman Casey, yes.

The motion passes by a vote of 6 to 0.

Commissioner McCarthy returned to the meeting at this time.

- F. **P.Z. 1-96 Sverdrup Investments, Inc. (Timberlake Crossing);** an amendment to an existing "C-8" Planned Commercial District approved by City of Chesterfield Ordinance Number 563; south side of Conway Road, Approximately 250 feet west of White Road.

NOTE: This petition was previously "tabled" by the Planning Commission. The only action at this time will be to take this item "off the table". The Planning Department will present the staff report and recommendation at the Wednesday, September 25, 1996 Planning Commission Meeting, which is the first opportunity the Commission will have to vote on this item.

Assistant Director Griggs-McElhanon noted the Department anticipates a preliminary plan being submitted sometime this week, and requests this matter be taken off the table, but the Department will not be coming back with a report until the meeting of Wednesday, September 25, 1996.

A motion to take P.Z. 1-96 off the table was made by Commissioner Broemmer, seconded by Commissioner Layton and **passes by a voice vote of 7 to 0.**

Commissioner Bly left the meeting at this time.

- G. **P.Z. 31-95 Premier Homes (Cambridge Cove)**; amendment to a Planned Environment Unit (PEU) Procedure in the "R-6A" 4,500 square foot Residence District; southeast corner of Chesterfield Parkway North and Peach Hill Lane.

Assistant Director Griggs-McElhanon noted the Department recommends approval of the amendment to City of Chesterfield Ordinance Number 1124, as stated in its report.

Discussion

- If the petitioner didn't get the setback requested, they would probably have to re-design some of their structures.
- Typically, we would require any portion of a lot fronting on a street to be considered a front yard.

A motion for approval of the Department's recommendation was made by Commissioner Grant and seconded by Commissioner McCarthy.

Upon a roll call the vote for approval was as follows: Commissioner Broemmer, no; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 5 to 1, with Commissioner Broemmer voting no.

- H. **P.C. 235-87 Chesterfield Village, Inc.**; request for an amendment to "C-8" Planned Commercial District Ordinance Number 13,756 (St. Louis County); east side of Clarkson Road, west of Chesterfield Parkway North, north side of Highway 40.

Assistant Director Griggs-McElhanon stated the request and the Department's recommendation for approval of the amendment to St. Louis County Ordinance Number 13,756, as stated in its report; and updating St. Louis County Ordinance Number 13,756 to refer to the City of Chesterfield, where appropriate, and to include the standard condition relative to requiring a Landscape Maintenance Bond.

A motion to approve the Department's recommendation was made by Commissioner McCarthy and seconded by Commissioner Grant.

Upon a roll call the vote for approval was as follows: Commissioner Broemmer, yes; Commissioner Grant, yes; Commissioner Kenney, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Chairman Casey, yes.

The motion passes by a vote of 6 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **Forum Center (Hollywood Video)**; "C-2" Shopping District Architectural Accent (Neon); northwest corner of the intersection of Olive Boulevard and Woods Mill Road.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to hold this matter. The motion was seconded by Commissioner Grant and passes by a voice vote of 6 to 0.

- B. **Baxter Gardens Nursery (Wholesale)**; "NU" Non-Urban District Site Plan and Architectural Elevations; south side of Wild Horse Creek Road, west of Long Road.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve this matter. The motion was seconded by Commissioner Grant and passes by a voice vote of 6 to 0.

- C. **P.Z. 8 & 9-96 W.J. Byrne Builders & Ruth Fleming (Sycamore Road Tract)**; Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District Site Development Plan; east side of Sycamore Drive at Hester Street.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve this matter, with the condition that the landscaping be approved by the Department. The motion was seconded by Commissioner Kenney and passes by a voice vote of 6 to 0.

- D. **P.C. 86-80 Murphy Company Mechanical Contractors and Engineers (Spirit 40 Park - St. Louis County Incubator)**; "M-3" Planned Industrial District Future Use of Site Sign; north side of Chesterfield Airport Road, west of Goddard Avenue.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve this matter. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 6 to 0.

- E. **P.C. 172-71 Chesterfield Village (Wildhorse Hills)**; Planned Environment Unit (PEU) Procedure in the "R-5" 6,000 square foot Residence District Site Development Plan and Landscape Plan; west side of Baxter Road Extension, south of Wild Horse Creek Road.

Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve this matter, noting the architectural elevations will come back to the Commission once they have been submitted to the Department. The motion was seconded by Commissioner Grant and passes by a voice vote of 6 to 0.

- F. **P.Z. 22-95 O'Sullivan-Muckle Funeral Home**; "C-8" Planned Commercial District Site Development Plan, Landscape Plan and Architectural Elevations; south side of Olive Boulevard, east of Hog Hollow Road.

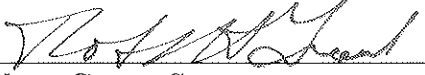
Commissioner McCarthy, on behalf of the Site Plan Committee, made a motion to approve this matter. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 6 to 0.

COMMITTEE REPORTS:

- A. **Ordinance Review Committee** - No report.
- B. **Architectural Review Committee** - No report.
- C. **Site Plan/Landscape Committee** - No report.
- D. **Comprehensive Plan Committee** - No report.
- E. **Procedures and Planning Committee** - No Report

A motion to adjourn was made by Commissioner McCarthy, seconded by Commissioner Broemmer and passes by a voice vote of 6 to 0.

The meeting adjourned at 8:43 p.m.



Robert Grant, Secretary

[MIN8-26.096]