

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 22, 2011**

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

I. ROLL CALL

PRESENT

ABSENT

Mr. Bruce DeGroot
Ms. Wendy Geckeler
Ms. Laura Lueking
Ms. Debbie Midgley
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Mr. Steven Wuennenberg
Chair Amy Nolan

Mayor Bruce Geiger
Councilmember Randy Logan, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Kristian Corbin, Project Planner
Ms. Susan Mueller, Principal Engineer
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Nolan acknowledged the attendance of Mayor Bruce Geiger; Councilmember Randy Logan, Council Liaison; and Councilmember G. Elliot Grissom, Ward II.

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

P.Z. 01A-2011 McDonald's Corporation Delaware (13559 Olive Blvd): A request for a change of zoning from "C8" Planned Commercial District to "PC" Planned Commercial District for a 220 square foot section of land located within 13559 Olive Boulevard. (16Q241471)

and

A. P.Z. 01B-2011 McDonald's Corporation Delaware (13559 Olive Blvd): A request for a change of zoning from "C8" Planned Commercial District to "PC" Planned Commercial District for a 225 square foot section of land located within 13559 Olive Boulevard. (16Q241471)

STAFF PRESENTATION:

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

- The Petitioner is requesting to change the zoning to a Planned Commercial District to allow for an upgrade to the current facility to accommodate new technologies.
- State and local Public Hearing notification requirements have been met.
- The site was zoned "C6" Planned Commercial District in 1981. In 1986, it was rezoned to "C8" Planned Commercial District.
- Both the tower and the corresponding equipment were constructed in 2001.
- The requested use is *Telecommunication tower or facility*.
- The Comprehensive Land Use Plan designates the site as *Retail Community*.
- Staff has no issues with the petitions.
- If a vote is taken tonight, Staff recommends removing items *I.D. Parking and Loading Requirements; I.F. Sign Requirements; I.G. Light Requirements; and I.H. Architectural* from the Attachment A's for both P.Z. 01A-2011 and P.Z. 01B-2011.

PETITIONER'S PRESENTATION:

Mr. Matthew Jurson, representing AT&T, 30150 Telegraph Road, Ste. 355, Bingham Farms, MI stated the following:

- AT&T is in the process of working on all its sites in the Missouri market to do upgrades for 4G, the latest technology in data service.
- AT&T is requesting a change of zoning with respect only to the parcels leased by AT&T. The change of zoning is being requested to conform to the City's current wireless ordinance.
- The existing facility includes a light pole with existing whip antennas.
- The Scope of Work would include:
 - Removing and replacing the existing light pole in the same location.
 - Removing three existing whip antennas and replacing them with six panel antennas and six TMAs (behind the antennas).
 - Adding cabinets within the existing equipment enclosure.

- The 4G Network is a service that is much quicker than the current 3G equipment. The systems are meant to work together – voice is operated on 2G and 3G. For AT&T, the 4G network is a data only service.
- Speaker noted the following facts about Wireless:
 - 85% of the U.S. population owns a wireless phone. The use of smartphones is increasing dramatically.
 - More than 50% of 911 calls in the U.S. are made from wireless phones – this is more than 296,000 calls per day.
 - As of December 2010, there were 26.6% U.S. wireless-only households. Five years ago, 8.4% were wireless-only households.
 - AT&T data has grown 8,000% in the past four years.
 - Approximately 50% of all wireless data in the U.S. is carried by AT&T.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

- C. P.Z. 06-2011 Pets & Company (667 & 671 Trade Center Boulevard):** A request for a change of zoning from “M3” Planned Industrial District to “LI” Light Industrial District for a 1.072 acre tract of land and .946 acre tract of land totaling 2.018 acres located a half mile southwest of the intersection of Chesterfield Airport Road and Trade Center Boulevard. (17V340275 & 17V340242).

STAFF PRESENTATION:

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

- The Petitioner is requesting a change in zoning to the “LI” Light Industrial District to allow *boarding kennel* as a permitted use.
- State and local Public Hearing notification requirements have been met.
- The site was zoned “M3” Planned Industrial District in 1982 prior to the incorporation of the City of Chesterfield.
- A Boundary Adjustment Plat was approved on August 15, 2011 consolidating the two parcels of land into one. The boundary adjustment was requested because 671 Trade Center Boulevard was not large enough to meet the minimum lot size requirements for the “LI” District. The boundary adjustment removed the property line between the two parcels to make it one larger property.
- The Light Industrial District is one of the City of Chesterfield’s straight zoning districts. With a straight zoning district, no Attachment “A” or Preliminary Plan is required.

- The site will be developed directly from the District's requirements listed in the Zoning Ordinance.
- Permitted Uses allowed in the "LI" Light Industrial District are as follows:
 - (1) Administrative office for education or religious facility
 - (2) Car wash, self-service
 - (3) Cemetery
 - (4) Church and other place of worship
 - (5) Commercial service facility
 - (6) Educational facility—Vocational school, outdoor training
 - (7) Kennel, boarding
 - (8) Laboratory—Professional scientific
 - (9) Local public utility facility
 - (10) Local public utility facility—Over sixty (60) feet in height
 - (11) Mail order sale warehouse
 - (12) Manufacturing, fabrication, assembly, processing, or packing
 - (13) Office, general
 - (14) Park
 - (15) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
 - (16) Police, fire, and postal stations
 - (17) Professional and technical service facility
 - (18) Public buildings owned or leased by the City of Chesterfield
 - (19) Public safety facility
 - (20) Self-storage facility
 - (21) Telecommunications structure
 - (22) Warehouse—General
- The Comprehensive Land Use Plan designates the site as *Service/Business Park*.
- Staff has no issues with the petition.

PETITIONER'S PRESENTATION:

Ms. Coral Wallace, Pets & Company, LLC, 17701 Edison Avenue, Chesterfield, MO stated that they are requesting the rezoning in order to move their existing kennel to a larger piece of land.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner DeGroot read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner DeGroot made a motion to approve the minutes of the July 25, 2011 Planning Commission Meeting. The motion was seconded by Commissioner Puyear and passed by a voice vote of 9 to 0.

VI. PUBLIC COMMENT

Mayor Geiger acknowledged Mrs. Kim Curry, who accompanied Boy Scouts Logan Henderson and Josh Curry of Troop 321 who were attending tonight's meeting as part of their work towards earning the "Community Merit" badge.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. Chesterfield Commons, Outlot 7 (Tahoe Joe's): Amended Architectural Elevations for a 1.9 acre lot of land zoned "C8" Planned Commercial District located on the south side of Chesterfield Airport Road, east of the intersection with Boones Crossing.

Commissioner Puyear, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations for Chesterfield Commons, Outlot 7 (Tahoe Joe's) with a limitation of LED accent lighting to the cornice on the upper roofline. The motion was seconded by Commissioner Lueking and passed by a voice vote of 9 to 0.

- B. Spirit of St. Louis Airpark, North Bell Hangars: A Site Development Section Plan, Landscape Plan, Lighting Plan, and Architectural Elevations for a 1.732 acre tract of land zoned "M3" Planned Industrial District located on the northeast corner of the intersection of Edison Avenue and North Bell Avenue.

Commissioner Puyear, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Landscape Plan, Lighting Plan, and Architectural Elevations for Spirit of St. Louis Airpark, North Bell Hangars. The motion was seconded by Commissioner Proctor and passed by a voice vote of 9 to 0.

VIII. OLD BUSINESS

- A. P.Z. 01A-2011 McDonald's Corporation Delaware (13559 Olive Blvd): A request for a change of zoning from "C8" Planned Commercial District to "PC" Planned Commercial District for a 220 square foot section of land located within 13559 Olive Boulevard. (16Q241471); and

- B. P.Z. 01B-2011 McDonald's Corporation Delaware (13559 Olive Blvd):** A request for a change of zoning from "C8" Planned Commercial District to "PC" Planned Commercial District for a 225 square foot section of land located within 13559 Olive Boulevard. (16Q241471)

Project Planner Kristian Corbin stated that these are two separate petitions located on the same parcel of land and will require separate votes. The proposal is to change to a Planned Commercial District to allow for the *telecommunications tower or facility* use. Staff recommends removing items *I.D. Parking and Loading Requirements*; *I.F. Sign Requirements*; *I.G. Light Requirements*; and *I.H. Architectural* from the Attachment A's for both P.Z. 01A-2011 and P.Z. 01B-2011.

Commissioner DeGroot made a motion to approve P.Z. 01A-2011 McDonald's Corporation Delaware (13559 Olive Blvd) with the removal of items I.D; I.F; I.G; and I.H from the Attachment A. The motion was seconded by Commissioner Wuennenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner DeGroot, Commissioner Geckeler,
Commissioner Lueking, Commissioner Midgley,
Commissioner Proctor, Commissioner Puyear,
Commissioner Watson, Commissioner Wuennenberg,
Chair Nolan

Nay: None

The motion passed by a vote of 9 to 0.

Commissioner Geckeler made a motion to approve P.Z. 01B-2011 McDonald's Corporation Delaware (13559 Olive Blvd) with the removal of items I.D; I.F; I.G; and I.H from the Attachment A. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Lueking,
Commissioner Midgley, Commissioner Proctor,
Commissioner Puyear, Commissioner Watson,
Commissioner Wuennenberg, Commissioner DeGroot,
Chair Nolan

Nay: None

The motion passed by a vote of 9 to 0.

- C. **P.Z. 06-2011 Pets & Company (667 & 671 Trade Center Boulevard)**: A request for a change of zoning from “M3” Planned Industrial District to “LI” Light Industrial District for a 1.072 acre tract of land and .946 acre tract of land totaling 2.018 acres located a half mile southwest of the intersection of Chesterfield Airport Road and Trade Center Boulevard. (17V340275 & 17V340242).

Project Planner Kristian Corbin stated that the rezoning request is to allow for the *boarding kennel* use. The Light Industrial District is a straight zoning district, which means that all development requirements are taken straight from the Zoning Ordinance with no exceptions, modifications or negotiations.

DISCUSSION

Commissioner Lueking expressed concern about some of the permitted uses and asked whether it is possible to remove any of them. Ms. Aimee Nassif, Planning and Development Services Director stated that with a straight zoning there is no development agreement or Attachment A so it is not possible to modify any of the uses or standards. At the time the Site Plan is submitted, the use will be reviewed for appropriateness and reviewed against the City’s parking requirements. The Site Plan will then come before the Planning Commission for recommendation of approval or denial. Ms. Nassif noted that the straight districts are limited to around 24 uses while the planned districts have over 80 uses.

City Attorney Heggie asked Ms. Wallace if she has had the opportunity to speak to her builder regarding what is provided for in the straight zoning district. Ms. Wallace indicated that she has.

Commissioner Watson made a motion to approve P.Z. 06-2011 Pets & Company (667 & 671 Trade Center Boulevard). The motion was seconded by Commissioner DeGroot.

Upon roll call, the vote was as follows:

**Aye: Commissioner Lueking, Commissioner Midgley,
Commissioner Proctor, Commissioner Puyear,
Commissioner Watson, Commissioner Wuennenberg,
Commissioner DeGroot, Commissioner Geckeler,
Chair Nolan**

Nay: None

The motion passed by a vote of 9 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

Ms. Nassif reminded the Commission that future Planning Commission meetings will begin at **6:30 p.m.** starting with the September 12th meeting.

XI. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Michael Watson, Secretary