PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JUNE 14, 2010

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

I. ROLL CALL

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

Mayor John Nations
Councilmember Matt Segal, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Shawn Seymour, Senior Planner
Mr. Kristian Corbin, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Mayor John Nations and Councilmember Matt Segal, Council Liaison.

IV. PUBLIC HEARINGS – Commissioner Watson read the "Opening Comments" for the Public Hearings.

A. P.Z. 05-2010 414 N. Eatherton (Mark Antonacci): A request for a change in zoning from "NU" Non Urban District to a "LI" Light Industrial District for a 2.903 acre tract of land located 1/3 of a mile southeast of the intersection of Wings Corporate Drive and North Eatherton Road (18W430046).

STAFF PRESENTATION:

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

- All State and local requirements for public notification have been met.
- The existing structures on the site were constructed in 1919 and are not on the Chesterfield Landmarks Preservation Commission's list of historic places.
- The subject site was zoned "NU" Non Urban District prior to the incorporation of the City of Chesterfield. Since then, there has been no zoning-related activity on the site.
- The requested zoning classification of "LI" Light Industrial is one of the City's straight zoning districts. Under such districts, there is not a Preliminary Plan or an Attachment A. Zoning entitlements are per the City of Chesterfield Code – there are no modifications or negotiations.
- The Petitioners are requesting the following "Permitted Uses":
  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 *Industrial–Low Intensity*, which is by definition:

  > *Activities which the primary use of the land and building will include manufacturing, fabrication, assembly, processing, distribution, warehousing, and/or storage.*

  The external effects of such activities can be controlled, such as smoke, noise, vibration, and truck traffic.
- All adjacent properties to the subject site have the same Comprehensive Land Use category.

Chair Hirsch noted that this is the first "LI" petition before the Commission since the new ordinances went into effect. He thanked Mr. Corbin for his comprehensive presentation.

Commissioner Banks requested that meeting packets for future petitions for the "LI" district include a listing of the permitted uses.

Ms. Nassif noted that with the Light Industrial zoning category, the Petitioners would be permitted everything per the City Code regulations with no exception, no variance, and no modification. The 22 permitted uses come with the district by right, once zoned - as opposed to the Planned Industrial District, which has 109 uses that can be requested. In addition, the setback, hours of operation, building height, and open space requirements under the "LI" District are already in place with no variances allowed.

PETITIONER'S PRESENTATION:
Mr. Mark Antonacci, attorney representing the Petitioners, 122 South Central Avenue, Eureka, MO stated the following:

- The property is currently listed for sale and the Petitioners wish to rezone it from Non-Urban to Light Industrial.
- Such a rezoning will make the property consistent with the adjoining and surrounding properties and will broaden the market for any potential buyers.
- The residence and sheds on the subject site, along with any other improvements, will be left for disposition by the buyers. The uses for the site will also be determined by the buyers.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

B. T.S.P. 20-2010 Clearwire US LLC. (14550 South Outer 40 Road): A request to obtain approval for a Telecommunication Facility Siting Permit for the location of antennas and equipment on an existing AmerenUE transmission tower in a "NU" Non-Urban District-zoned right-of-way located southeast of the US Highway 40 and Timberlake Manor interchange (19R540055).

STAFF PRESENTATION:

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

- All Public Hearing notifications per State statute and City requirements were met.
- The site was zoned "NU" Non-Urban District prior to the incorporation of the City.
- The City of Chesterfield is currently reviewing a request for a change of zoning for the adjacent Suburbia Gardens site.
- The Petitioners are requesting the addition of antennas atop an AmerenUE transmission tower and the addition of equipment to be located at the base of the tower. The tower is 146 feet tall and the proposed antennas are 6 feet tall.
- Staff has one outstanding issue with the request. Ordinance No. 2391 requires that all ground-located equipment be screened to provide a physical and visual barrier. The Site Plan, as submitted, does not provide such a screen. Staff has talked with the Applicant and they have agreed to provide a visual and physical barrier.

PETITIONER'S PRESENTATION:

Mr. Jeff Wagener, attorney with Lathrop & Gage representing Clearwire US LLC, 607 Sappington Barracks Road, St. Louis, MO stated the following:

- They have no problem with providing any fencing or landscaping required by City Ordinance around the equipment at the base of the tower.
- The antennas at six-feet tall will "hardly be noticeable on this tower".
- Clearwire is building a network of broadband, high-speed internet service and this request will be a critical part of it.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Site plan does not illustrate a fenced enclosure to provide a physical and visual barrier for the ground located equipment.

Commissioner Watson read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the May 24, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Banks and **passed by a voice vote of 7 to 0.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS

A. P.Z. 05-2010 414 N. Eatherton (Mark Antonacci): A request for a change in zoning from "NU" Non Urban District to a "LI" Light Industrial District for a 2.903 acre tract of land located 1/3 of a mile southeast of the intersection of Wings Corporate Drive and North Eatherton Road (18W430046).

Project Planner Kristian Corbin stated that the Public Hearing was held earlier this evening. Staff has no outstanding issues with this petition.

Commissioner Banks made a motion to approve P.Z. 05-2010 414 N. Eatherton (Mark Antonacci). The motion was seconded by Commissioner Puyear.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 7 to 0.

Chair Hirsch then addressed the Commission stating that he appreciates the honor that he has had to serve as the Chair. He appreciates the support and comradeship that was shared among the members of the Commission. He noted that this was “an interesting time of transition over these years”.

- Four new Council members were elected.

- The Planning & Public Works Committee "was a changing cast of characters" but the Committee and Council have always taken the work of the Planning Commission very seriously and have provided a good partnership in moving forward.
- Changes in the professional staff have resulted in very rewarding relationships. Staff has "always been extremely supportive" of what the Commission has done.
- Seven new Commissioners were appointed by the Mayor to serve.

Chair Hirsch acknowledged his appreciation for the support and advice he has received from Commissioner Banks over the years. He also thanked City Attorney Rob Heggie for his support during this time.

Chair Hirsch then noted the following projects on which the Commission has worked together over the past years:

- Comprehensive Plan including:
  - The Transportation chapter
  - Valley improvements
  - Urban core policies
  - Land Use Plan in reference to the 141 Corridor
- Recommended Ordinances included:
  - Residential Districts – PUD and Teardowns & Additions
  - Planned Commercial & Residential District in the urban core
  - Planned Commercial, Planned Industrial, Neighborhood Business, Light Industrial, and Urban Core districts
  - Architectural Review Standards
  - Wild Horse Overlay
  - Parking requirements
  - Tree Preservation Requirements
  - Telecom Requirements

Chair Hirsch expressed his deep appreciation to the entire Commission as colleagues and for the work that they do.

On behalf of the Commission, Commissioner Proctor thanked Chair Hirsch for his work and leadership over the past four years.

IX. NEW BUSINESS

A. Report from the Nominating Committee and Election of Officers

On behalf of the Nominating Committee, Commissioner Proctor presented the following slate of nominations for the 2010-2011 offices:

Chair:	G. Elliot Grissom
Vice-Chair:	Amy Nolan
Secretary:	Michael Watson

Chair Hirsch asked for any other nominations from the Commission. No other nominations were offered.

Commissioner Banks then made a motion to approve the slate as presented. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 7 to 0**.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:26 p.m.

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Michael Watson, Secretary