PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 10, 2010

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	
Mr. Stanley Proctor	
Mr. Robert Puyear	
Mr. Michael Watson	
Chairman Maurice L. Hirsch, Jr.	

Councilmember Matt Segal, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Shawn Seymour, Senior Planner
Ms. Susan Mueller, Principal Engineer
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Matt Segal, Council Liaison.

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

A. **P.Z. 04-2010 Chesterfield Blue Valley (Chesterfield Blue Valley LLC)**: A request for a change of zoning from an existing "PC" Planned Commercial District and "NU" Non-Urban District to a new "PC" Planned Commercial District for 10 tracts of land totaling 137.606 acres located on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road. (17W520058, 17W540078, 17W530025, 17W530123, 16W210033, 16W210022, 16W230042, 16W230053, 16W510014, 16W230031)

STAFF PRESENTATION:

Mr. Shawn Seymour, Senior Planner, presenting for Ms. Annissa McCaskill-Clay, gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

- State and City requirements for Public Hearing notification were met.
- In the Public Hearing notice there was a discrepancy with the image as it included the entire subdivision known as Chesterfield Blue Valley. The two existing parcels that are part of the Chesterfield Blue Valley development directly to the north of the levee are not part of the change of zoning request.
- Site History
  - A portion (55.8 acres) of the Chesterfield Blue Valley development was zoned "PC" Planned Commercial on February 6, 2006 via City of Chesterfield Ordinance 2236.
  - A second, adjoining tract consisting of 75.063 acres was zoned "PC" Planned Commercial via City of Chesterfield Ordinance 2425 on January 23, 2008.
  - The two original subject tracts were consolidated under one governing ordinance via City of Chesterfield Ordinance 2443 on February 20, 2008.
- Petitioner's Request
  - Inclusion of the Brasher property, a six acre "NU" Non-Urban District-zoned tract of land into the Blue Valley development.
  - Rezoning of the subject "PC" and "NU" tracts to the new "PC" District.
- Staff has worked with the Petitioner to insure that all entitlements, land uses, and development standards are equal to the original "PC" Planned Commercial Ordinance.
- The Comprehensive Plan designates the site as *Mixed Use – Office/Retail/Warehouse.*
- Issues under review by Staff
  - Reduction of the required open space percentage. The previous "PC" Planned Commercial enabling ordinance required a 30% open space; the new enabling ordinance requires 35%.

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, Attorney representing the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - Since inception of this project, a lot of time was spent in addressing the various issues for the entire development. One of the questions raised early on related to the Brasher property. It was always hoped that this property could be included in the development. The Brasher property is now under contract.

- The subject petition incorporates the Brasher property into the development.
- Because of the repeal of the old "PC" Ordinance and the adoption of the new "PC" Ordinance, the Petitioner is requesting that the entire site be rezoned in order to keep the site under one ordinance.
- They have worked with Staff to insure that the uses and performance standards matched what was originally approved by the City.

2. Mr. Enrico J. Bertucci, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO was available for questions.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:
1. Open Space reduction
2. Uses – Are the requested uses the same uses as those in the original ordinance? *Mr. Seymour replied that the "intent of the uses are the same" but the definitions and language of the uses have changed.*

B. T.S.P. 19-2010 Verizon Wireless (1819 Clarkson Road): A request to obtain approval for a Telecommunication Siting Permit for the purpose of removing existing antennas, replacing them with a different antenna type on the building located at 1819 Clarkson Road in the C8-zoned Bull Moose Tube Executive Center. (19T340367)

STAFF PRESENTATION:
Mr. Shawn Seymour, Senior Planner, presenting for Ms. Annissa McCaskill-Clay, gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

- State and City Public Hearing notification requirements were met.
- The existing whip antennas are roof-mounted on the top of the building. These will be removed and replaced with flush-mount, roof-mounted side antennas.
- Site History
  - The site was zoned "C-8" Planned Commercial District prior to the incorporation of the City of Chesterfield.
  - The existing tower was approved administratively by the City of Chesterfield on November 15, 2000 under the conditions of City of Chesterfield Ordinance 1214.
- Petitioner's Request
  - Replace the existing antennas with a newer-styled antenna, which has better technology.
  - Add roof-mounted equipment behind the parapet wall.

- Staff has no issues at this time.

PETITIONER'S PRESENTATION:
Mr. Chuck Beck, 11 Santa Anita Court, St. Peters, MO stated that Verizon is proposing the modification to upgrade the technology. Verizon has been at this site since 1996 and this is the first upgrade to the system. The new antennas are panel antennas that will be painted to match the existing parapet and will not be visible from Clarkson Road.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

C. T.S.P. 21-2010 Clearwire US LLC (Baxter Estates): A request to obtain approval for a Telecommunications Siting Permit for the purpose of adding additional antennas and equipment to a monopole telecommunications tower on a 4,314 square foot lease area zoned "NU" Non-Urban at 724 Straub Road (20R110111)

STAFF PRESENTATION:
Mr. Shawn Seymour, Senior Planner, presenting for Ms. Annissa McCaskill-Clay, gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

- State and City Public Hearing notification requirements were met.
- Site History
  - The site was zoned "NU" Non-Urban District prior to incorporation of the City of Chesterfield.
  - The existing tower was approved administratively by the City of Chesterfield on November 15, 2000 under the conditions of City of Chesterfield Ordinance 1214.
- Petitioner's Request
  - Collocate additional antennas
  - Add additional equipment at the base of the monopole tower
- Staff has no issues at this time.

PETITIONER'S PRESENTATION:
Mr. John King, Attorney representing the Petitioner, 7701 Forsyth, Clayton, MO stated that Clearwire will be the fourth user on the tower. He was available for additional questions.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

Mr. Aaron Manwill, 728 Straub Road, Chesterfield, MO stated the following:

- His home is located on Straub Road, which is a private road that he and his family maintain, along with help from Parkway West High School.
- The users of the telecommunications tower have not cared for the land and they have used Straub Road without contributing to its maintenance. When trying to contact the users, they have been unable to connect with anyone.
- He has concern that the new user will bring in equipment that will damage the road. In the past, a user drove a semi on the road damaging the road and his lawn when they left equipment on his property for a day.
- They do not call ahead of time asking permission to be on the Manwill's property while doing surveying of the site, which is unsettling to his family.
- He asked that the additional antenna not be allowed as he has concerns that Straub Road will be damaged again and he will be responsible for repairing it.

City Attorney Heggie asked Mr. King to help Mr. Manwill get in touch with the property owner to address his concerns. Mr. Manwill stated that if the property owner "makes this right", he has no problem with the additional antennas. Mr. Manwill was also advised to get Mr. Seymour's contact information.

Mr. John King stated that Crown Castle is the owner of the tower and he assumes that they also own the land. He stated he would get personally involved in this situation to make sure Mr. Manwill gets some answers and satisfaction.

Commissioner Nolan read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the April 26, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Puyer and **passed by a voice vote of 6 to 0 with 1 abstention from Commissioner Nolan.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

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Michael Watson, Secretary