PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 26, 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 Mike Casey, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Annissa McCaskill-Clay, Senior Planner
Ms. Mara Perry, Senior Planner
Mr. Shawn Seymour, Senior Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Mike Casey, Council Liaison; Councilmember Bruce Geiger, Ward II; Councilmember Randy Logan, Ward III; Councilmember Connie Fults, Ward IV and City Administrator Mike Herring.

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

A. <u>P.Z. 03-2010 Suburbia Gardens (40-Timberlake SE, LLC):</u> A request for a change of zoning from "FPNU" Flood Plain Non-Urban District to a "PC" Planned Commercial District for an 8.7 acre tract of land located on the southeast corner of the intersection of S. Outer 40 and Timberlake Manor Parkway. (19R540055)

STAFF PRESENTATION:

<u>Ms. Mara Perry</u>, Senior Planner gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The project was posted according to City of Chesterfield and State statute requirements.
- <u>Site History</u> – The site was zoned "NU" Non-Urban and "FPNU" Flood Plain Non-Urban prior to the incorporation of the City of Chesterfield
- The following Permitted Uses are being requested. All the uses are from the new Planned Commercial District list of uses.
    1. Administrative office for educational or religious facility
    2. Cafeteria for employees & guests only
    3. Church and other place of worship
    4. Coffee shop
    5. Day care center, adult
    6. Day care center, child
    7. Educational facility - vocational school
    8. Educational facility - college/university
    9. Financial institution
    10. Nursing home
    11. Office, dental
    12. Office, general
    13. Office, medical
    14. Park
    15. Parking area, including garages, for automobiles
    16. Professional and technical service facility
    17. Research facility
- The surrounding zoning was noted as follows:
    - On the west and on the south – includes "R2" Residence Districts, "NU" Non-Urban, Flood Plain Residence Districts – "R1A" and "R2"'
    - On the east – "R3" Residence District
    - Across I/64-Hwy 40 – "C8" Planned Commercial District
- Under the new Planned Commercial Districts, the Preliminary Plan will be attached to the Attachment A and will become an exhibit that the Petitioner will be held to as the project moves through the Site Plan stages.
- The Comprehensive Land Use Plan designates the site as *Residential – Single Family*.

- Issues Under Review by Staff:
    1. Comprehensive Plan
    2. Access and Circulation both to, and within, the site
    3. Traffic
    4. Flood Plain
    5. Stream Buffer location
    6. Landscape Buffers
    7. Lighting
    8. Hours of Operation
    9. Building Height

At this point, Chair Hirsch explained the Public Hearing process to the audience.

PETITIONER'S PRESENTATION:

Mr. George Stock, Stock & Associates Consulting Engineers – representing 40 Timberlake SE, LLC - 257 Chesterfield Business Parkway, Chesterfield, MO gave a PowerPoint presentation and stated the following:

- **Zoning:** The site is currently zoned "FPNU"; the City's Comprehensive Plan designates the site as *Residential, Single Family, Attached or Detached.* The Petitioner is requesting that the site be rezoned to "PC" Planned Commercial.
- The surrounding sites include the following:
    - To the north - I/64, Timberlake Corporate Center and Ameren substation
    - To the east – Thousand Oaks Townhomes
    - To the south – Thousand Oaks single-family homes
    - To the west – Timberlake Manor Parkway
    - Through the property – Two (2) Ameren transmission towers; right-of-way of approximately 215 feet that cuts the northwest corner of the property
    - Along the southern boundary – Creve Coeur Creek runs from the southwest to the northeast adjacent to the Thousand Oaks common area, club house and lake
- The Petitioner does not believe the site is conducive to residential development due to a number of constraints, such as the flood plain, the transmission lines, and the proximity to the interstate.
- **Uses:** The Petitioner is requesting only 17 uses out of the 103 potential uses permitted under the Planned Commercial District. The requested uses are primarily office, day care, or nursing home. Many of the other requested uses would be within an office building – such as a coffee shop. There is the potential for a single-level deck of parking that could be associated with the development of the property. The *Financial Institution* use would not be a bank with a drive-thru facility – but a use such as, Scott Trade or Wachovia.

- **Performance Criteria:**
  - Open Space – the request is for 65%
  - Of the 8.705 acres, they propose to develop 2.80 acres in the northwest corner of the property.
  - Floor Area Ratio (F.A.R.) – the maximum square footage being requested is 60,000 sq. ft., which equals a F.A.R. of 0.17. It was noted that under the Planned Commercial District, a F.A.R of .55 is allowed, which would permit a building of 180,000-190,000 square feet on this site.
  - The site would include a storm water management pond, which would be designed as a wet lake. The lake would manage storm water but is also anticipated to be an architectural feature with a fountain.
- **Flood plain elevations** – The existing flood elevation as it comes in under the bridge – Timberlake Manor - is at elevation 506.64**.** The following elevations were noted:
  - The site is generally at elevation 502.
  - The intersection of Timberlake Manor and the I-64 ramp is at elevation 525. The site, as it sits today, is about 23 feet lower than the intersection.
  - The South Outer Road, where the existing access drive is, is at elevation 509.
  - The cul-de-sac for the street to the east is at elevation 587 – about 85 feet above the existing site.
  - The cul-de-sac immediately to the south is at elevation 533.
  - The lake is at elevation 506.40; the tennis courts are at 506.60.

  The objective is to take the northwest corner of the site and elevate it above the 100-year flood elevation. The parking lots would be two feet above the 100-year flood elevation and the buildings a couple feet higher than that.
- **Preliminary Plan Sections** – The Site Plan has been cut into sections to put the flood plain elevations in perspective to the adjoining properties:
  - Section A-A hits the north wall of the clubhouse and goes through the tennis courts and is 479 feet from the edge of the proposed development
  - Section B-B is cut at 14615 & 14619 Mallard Lake Drive. The elevation at the back of these homes is 513, about 5 feet above the 100-year flood plain and is 544 feet from the edge of the proposed development.
  - Section C-C is cut at 14607 & 14611 Mallard Lake Drive. The elevation at the back of these homes is 514, about 6 feet above the 100-year flood plain and is 465 feet from the edge of the proposed development.
  - Section D-D is cut at 14603 Mallard Lake Drive. The elevation is 520 and is 418 feet from the edge of the proposed development.
  - Section E-E is cut at 14602 Mallard Lake Drive. The elevation is 534 and is 497 feet from the edge of the proposed development.
  - Section F-F is cut at the townhomes. The elevation is 581 and is 485 feet from the edge of the proposed development.

- In order to develop the site, approximately 24,000 cubic yards of fill will be needed to elevate the northwest corner of the property.
- **Traffic Study** – The Traffic Study was performed using the use that would generate the most traffic – a 60,000 square foot medical office building. CBB was engaged to perform the study, which has been submitted to the City for review.
  With 60,000 square feet of medical office building, the number of trips generated would be as follows:
  - 80 trips during the a.m. peak hours and 90 trips during the p.m. peak hours on the North Outer Road and Timberlake.
  - 110 trips during the a.m. peak hours and 55 trips during the p.m. peak hours at the intersection of Timberlake Manor and South Outer Road.

  CBB describes the traffic impact "*as a low level of traffic generation and would have nominal impact upon the current traffic operating conditions."*
- **Access** – The intent is to make an improvement to the access from the south outer road. There would be no other access to the property and no access from Timberlake Manor. The Petitioner has received conceptual approval from MoDOT.
  CBB feels it is highly unlikely that cars would be misguided within the Timberlake Manor subdivision. If the site is developed as a general office, the traffic would be repeat customers; as a medical office, the people would be familiar with the area.
  - The location of the drive is considered safe. From a sight-distance standpoint, there is plenty of visibility. The separation from the bridge overpass is adequate.
  - The Petitioner is open to putting in a right-turn lane associated with the drive.
- **Flood Plain** – An extensive flood plain study has been conducted.
  - Through this process, an illegal berm was found on the site near the creek. In addition, a wall has been built on the site in connection with the operations of Suburbia Gardens. These two items have an adverse impact on the flood plain and on the properties to the south and to the east.
  - Under the development plan, the berm and wall would be removed. A corridor would be re-established for conveyance of storm water through the site such that there is no adverse impact.
  - This study has been submitted to the Metropolitan Sewer District (MSD). The Petitioner has conceptual approval on the methodology and the results of the study. The City has also been given a copy of this study.
- **Storm Water** – Water detention will meet the most stringent requirements of MSD so there is no increase in run-off.

Chair Hirsch asked that the Petitioner present written comments regarding the issue of the Comprehensive Plan and the Land Use Plan designating the area to be *Single Family-Residential.* Mr. Stock noted that the site has challenges with

respect to developing it. Considering that the site is at the corner of the interchange, has transmission towers on it, and has flood plain issues, they do not feel it is practical to develop it as *residential.* Homes could not be built within the easements of the transmission towers but a parking lot/deck could. The requested 17 uses are limited and these types of uses are generally quiet on the weekends.

Commissioner Banks asked if MoDOT commented on a possible acceleration lane away from the proposed entrance. Mr. Stock stated that MoDOT did not offer a comment on this. MoDOT's letter had comments with respect to flattening the roadside slope, replacing some guardrail, narrowing the existing commercial to 30 feet, and adding a new culvert under the drive. CBB suggested a right-turn lane, but did not feel an acceleration lane is necessary. Commissioner Banks expressed his concern about the double-left turn lane off the bridge on the South Outer Road, which, in his opinion, makes the right-turn lane essential. He also feels that an acceleration lane should be considered.

SPEAKERS IN OPPOSITION:

1. Ms. Becky Nelson, 14604 Timberlake Manor Court, Chesterfield, MO questioned how the residents can be insured that the church property, which is currently for sale, will not be purchased by the same developer and having the entrance to their subdivision become flanked by commercial office buildings.

2. Ms. Carol F. Jones, 14623 Mallard Lake Drive, Chesterfield, MO questioned what assurances the residents around the lake will have that the project will not cause an overflow of the creek into the tennis courts, and that the creek and MSD lines won't back up into basements. She noted that the tennis courts have flooded in the past.

   City Attorney Heggie asked Ms. Jones if there has been a history of basements flooding. She replied that there have been MSD back-ups into some of the basements.

3. Ms. Gail Scannell, 1551 Timberlake Manor Parkway, Chesterfield, MO asked the following questions:
   - Given that the engineer who designed the Washington U. orthopedic building is involved in this development and given that there are boulders already falling off the Wash. U. site onto the shoulder, how can the residents be assured that any proposed development will not have similar structural problems – especially given the complexity of the proposed underground vault system?
   - How can the commercial feel of the site be minimized? Given that they live in a residential area that is increasingly surrounded by commercial properties, how does the City propose to assist the residents in minimizing

the feeling that they are “living in the midst of a concrete jungle with large lighted signs?”

- In keeping with Chesterfield’s Tree-City mentality and in anticipation that a large number of trees will be cut down for this development, how does the City intend to insure that lines of sight from their neighborhood and the Outer Road are protected? And how will the City propose to require the development to maintain or install new trees to minimize the environmental impact and to minimize noise pollution from the highway?
- Given the increased traffic at the site and anticipated wrong turns into their subdivision, how will traffic be controlled to minimize danger to runners, walkers, and bikers on Outer 40 and to the children that are near the pool at the entrance to the subdivision?

4. Mr. Matt O’Connor, President of the Thousand Oaks Board of Trustees, 1526 Timber Point Court, Chesterfield, MO stated the following:
   - They have had the opportunity to meet with Mr. Stock on a number of occasions and appreciate his time.
   - He asked for clarification that the subject site’s entrance is on South Outer 40 vs. Timberlake Manor Parkway. *It was noted that the entrance to the site is from South Outer 40.*
   - The residents are concerned that once the site is being developed, there will be acquiescence from MoDOT or other parties to create an entrance off of Timberlake Manor Parkway, which would bring traffic into their subdivision.
   - They would like to see an acceleration lane added.
   - Many of the residents are primarily concerned with flooding issues. The entire property has been under multiple feet of water, rising up on the hill as it approaches Timberlake Manor Parkway. There is significant concern that as the property is raised, it will discourage the natural flow of water away from the property and back into the creek impacting down-lying properties.
   - There are concerns about the proposed uses – specifically the type of medical facility that may be considered for the site. There is concern that this would be a daily medical office that would increase traffic in the area. He questioned the number of trips that the traffic study anticipates. There is also concern about the types of patients that would be utilizing a medical facility that may cause security concerns for the residents – such as a mental health facility.
   - If the property is sold, question was raised as to how much a new owner would be held to the Site Plan being submitted.

Chair Hirsch advised that the Public Hearing deals with the rezoning of the property. The Preliminary Plan is attached at this point “as a marker” as the project moves forward. If the zoning is approved, it will include an Attachment A, which is a site-specific ordinance that includes the performance standards that the developer must follow. The developer will then present a Site Plan that shows

what the building will be and what it will look like. This stage also includes elevations, parking, engineering, water management, etc. If this is approved, then building permits would be issued for the construction of the site. Any subsequent owner of the property would be held to these approved plans. Any change that any subsequent owner would want to make would have to go through this entire process again.

Ms. Aimee Nassif, Planning & Development Services Director, responded to issues raised by the Speakers:

- **Access** - If the Preliminary Plan is approved, it will show the access off the Outer Road with no access off Timberlake Manor Parkway. If any additional access is requested, another Public Hearing would be held with the subsequent meetings.
- **Uses** – If additional uses are requested, the Public Hearing process would be repeated.
- **Site Plan Process** – The Site Plan process involves the details of the architecture, which will be reviewed against the City's Architectural Guidelines. The site will be reviewed against the City's Tree Manual, which includes 30-foot landscape buffers along the roadways.
- **Hours of Operation** – Staff will be looking at restricting the hours of operation for the site, which would help with noise, lighting, and traffic concerns during the evening and weekend hours.
- **Water** - The City has very strict water quality ordinances and storm water-related ordinances. It was noted that a new development cannot increase the rate of water run-off. The site will also be held to MSD's standards.
- **Improvement Plans** – After the Site Plan is approved, the Improvement Plans will be submitted showing the exact details of all the public improvements and infrastructure.

City Attorney Heggie asked Mr. O'Connor what the residents of Thousand Oaks subdivision would like to see the site rezoned as. Mr. O'Connor replied that the general feeling is a bit of optimism for an improved area over the site as it currently exists. There is not as much concern with flooding and the type of use for the building if the site is developed correctly. There is a lot of concern about precedent-setting with respect to the church lot and "coming into a canyon of concrete".

5. Mr. Terry Gloriod, 14728 Timberbluff Road, Chesterfield, MO stated the following:
    - He has concerns about increased traffic and hopes that the number of trips being cited in the traffic study is independently verified. *Chair Hirsch noted that the City has a traffic model with which Staff works regarding such issues.*
    - The intersection is at maximum capacity at certain times of the day when trying to make a left out of the subdivision. Adding more traffic will "create a traffic nightmare".

- Adding more urban development near their neighborhood raises security concerns for many of the residents.

6. Mr. Tim Nowak, member of the Board of Trustees, 14592 Big Timber Lane, Chesterfield, MO stated the following:
   - The proposed project is in conflict with the Comprehensive Plan and his family has concerns about the increase in traffic for the area – such as cars turning around in their subdivision. This is of great concern to those residents who have families.
   - He appreciates the Commission's time on hearing their concerns and would ask that they give sincere consideration to these concerns.

7. Mr. John D. Wright, 1521 Timber Point Court, Chesterfield, MO stated the following:
   - It is his understanding from meetings several years ago with MoDOT that there is to be a north/south connector to I/64 along White Road and connecting to Timberlake Manor Parkway at Conway Road. If this plan is implemented, it will significantly impact the traffic going to North Outer 40. *Chair Hirsch stated that there are no long-range plans to connect Timberlake Manor to Conway Road.*
   - Noting Mr. Stock's statement that 24,000 cubic yards of fill would be added to the site, Speaker has concerns that this would displace 24,000 cubic yards of flood plain water capacity. *Chair Hirsch stated that the City's engineers, along with MSD, review these issues very closely.*

SPEAKERS – NEUTRAL:

1. Parks Smith, 14637 Timberlake Manor Court, Chesterfield, MO stated the following:
   - He noted that one of the requested uses is a park and he is in favor of such a use for the site, which would complement the new trail proposed under the power lines as part of the bike/walk plan.
   - He is a cyclist who uses Timberlake Manor Court making a right-hand turn onto South Outer 40. He feels that without a third lane to exit or enter, it will be a very dangerous situation for cars and cyclists.
   - Regarding aesthetics of the site, he asked how the City intends to insure the "Tree City mentality" for this site so that residents are not looking at buildings.
   - He questioned how the City intends to restrict the use of the proposed site to minimize noise pollution – for examples, ambulances entering the site.

2. Mr. Mike Mahoney, 1503 Timber Point Court, Chesterfield, MO stated that he has been working with the Trustees and has collected a list of questions from a number of residents who were unable to attend the meeting. Most of the questions have been answered but following are some additional questions and concerns that they have:

- As residents, they question whether they are free to conduct a site study with concerns related to flooding. If so, will such a study be considered by the Commission? *Chair Hirsch indicated that they are free to conduct a study and that the Commission would take it into consideration.*
- Currently, their subdivision serves as a park during the lunch hour for employees who work in the office buildings on the north side of Highway 40. He questioned the security and safety impact of having an increase of non-residents walking through their neighborhood and having the back of the proposed building facing the tennis courts and pool.
- There are a lot of concerns regarding flooding in basements and what the long-term impact on Thousand Oaks could be if there is an increase in water run-off.
- Since the incremental tax revenue to the City is minimal, some residents question the benefit to the City for a rezoning when the site is already zoned flood plain.

Ms. Nassif asked that any plans or studies that the residents wish to submit be sent to Ms. Mara Perry, Senior Planner assigned to this project. She suggested that the residents stay in touch with Ms. Perry with respect to deadlines for such submittals.

City Attorney Heggie noted that the City has a very minor property tax and so the increase of one building does not really make any difference in terms of the City's issues. However, the Planning Commission does not consider economics in terms of whether a particular use or zoning is correct for a particular site. The City considers what it feels would be the appropriate zoning for a site from an urban planning standpoint.

Mr. Mahoney asked what recourse the residents have if there are future water run-off issues after the developer is gone from the site. City Attorney Heggie stated that the ordinances are then enforced against the current property owner and the City would cite that owner for any violations.

SPEAKERS IN FAVOR:

1. Mr. Jean Douglass, President of the Towns Homeowner Association – representing 101 lots, 1586 Timberlake Manor Parkway, Chesterfield, MO stated the following:
   - Regarding the future development of the Kraus property and a proposed internal roadway on that property, Speaker noted that the traffic from this development at Timberlake Manor Parkway and the South Outer Road is much more significant than traffic that would be generated from the subject site.
   - Since the development cycle has slowed, he feels this may be an opportunity to have the entire area reviewed with respect to how Timberlake Manor Parkway will be affected in connection with I-64.

- Regarding uses, Speaker noted that most residents opposed the use of *nursing home*. After doing research, he found that the zoning ordinances allow a *nursing home* as a permitted use with a Conditional Use Permit in any zoning classification.
- The residents understand that the property will not remain Non-Urban. Of the three choices of *Residential, Commercial,* or *Industrial,* the residents do not want to see *Industrial* and it is not feasible that the property would be developed as *Single Family Residential*. *Multi-family* development could generate a site plan much worse than what is currently being proposed.
- *Commercial* development is the obvious conclusion and if this is inevitable, the residents want the best plan possible. He feels that the proposed office building is preferable to the many other possibilities in a commercial zoning situation.

REBUTTAL:
Mr. George Stock stated that they are sensitive to the concerns raised. He then addressed the following issues:

- **Traffic** – CBB has been their consistent consultant since the late nineties and the Kraus tract is being taken into account, along with the inter-connection. To clarify, when reference is made to a *100 trip*, this number pertains to the a.m. peak hour – not for the total day.
- **Storm Water** – They are sensitive to this issue and are confident that they can come up with a plan that is comprehensive and does not cause an adverse impact to any of the properties.
- **Basement back-ups** – He can provide the residents with a letter from MSD noting that MSD plans to install a relief sanitary sewer.

They will continue to work with Staff on all the issues and submit written responses addressing them.

Commissioner Watson asked the height of the existing berm on the site. Mr. Stock noted that it is anywhere from 4-12 feet tall.

ISSUES:
Ms. Perry noted, and commented upon, the following issues:

1. Comprehensive Plan
   - Precedent setting for adjacent properties
2. Access and Circulation
   - To and from the site
   - Within the site
   - Subdivision to the south and how there is no other turning point or access
   - From the other side of Highway 40
   - Staff has yet to receive MoDOT's comments for the Attachment A, which could include the turn lane and acceleration lane.

3. Traffic
   - Staff is reviewing the traffic study from CBB.
   - Staff will be using its own analysis of the ADT (average daily traffic) and putting it into the traffic model.
4. Flood Plain
   - Staff is reviewing the flood plain study.
   - Flooding of the property and how that will be impacted by the development of the site.
   - Flooding into adjacent homes and information from MSD relative to this issue.
5. Stream Buffer location
   - Staff will work with respect to the location of the buffer required around the stream, which will limit the location of the development.
6. Landscape Buffers
   - How it will adhere to the Tree Manual
   - Sight lines
   - Retaining existing tree canopy, as well as the new landscaping required per the Tree Manual.
7. Lighting
   - Security concerns
   - Concerns about lighting overspill
8. Hours of Operation
   - Ties in with security concerns as to when the facility would be used.
9. Building Height
   - Ties in with flood plain elevation
10. Conditional use of a *nursing home*
    - New conditional use permits are not allowed in a "NU" Non-Urban district so the site would have to be rezoned for a *nursing home* use.
11. How the Church property and the Petitioner's property differ relative to adherence to the Comprehensive Plan

(A five-minute recess was taken at this point.)

B. **T.S.P. 15-2009 Clearwire US LLC (18620 Olive Street Road):** A request to obtain approval for a Telecommunications Siting Permit for the purpose of adding additional antennas and equipment to an existing lattice-work telecommunications tower on a 2500 square foot lease area zoned "PI" Planned Industrial at 18620 Olive Street Road. (17W510093)

STAFF PRESENTATION:

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

- All public hearing notification requirements have been met.

- Site History
  - The site was zoned "PI" Planned Industrial in January 2010.
  - The proposed tower was built prior to the establishment of any telecommunications standards. In 2003, there was a modification to allow the current antenna array under the conditions of the previous telecommunications ordinance, which was Ordinance 1214.
- Petitioner's Request
  - Placement of additional antennas on the existing structure for a new user, Clearwire.
  - Additional equipment is requesting to be placed in the existing equipment compound. There will be no expansion of the compound.
- Staff has no issues.

PETITIONER'S PRESENTATION:
Mr. John King, attorney representing Clearwire, LLC, 7701 Forsyth, Clayton, MO stated the following:

- Clearwire is a broadband, high-speed internet company and they are requesting that they be allowed to locate on the existing tower that is located on the Chesterfield Fence Company property at 18620 Olive Street Road.
- The tower is 100 feet in height and Clearwire will be locating at 87 feet with three antennas and one dish for their broadband internet service
- The antennas are 25" in height, 7.58" in width, and 5.5" in depth.
- The dish is 24" in diameter.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Ms. Nassif announced that Mr. Shawn Seymour has been promoted to Senior Planner for the City.

C. T.S.P. 22-2010 Clearwire US LLC, (Kinkead Estates/Parkway Central High School): A request to obtain approval for a Telecommunication Facility Siting Permit for collocation of additional antennas and equipment on an existing telecommunications tower on a 10,000 square foot lease area "NU" Non-Urban District-zoned tract of land located on N. Woods Mill Road (17Q230085).

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

- Public hearing notifications were conducted per State statutes and City requirements.
- The tower is buffered by the high school campus and is adjacent to the Ladue Trails subdivision. There is a significant amount of natural undisturbed topography separating the tower from the subdivision.
- Site History
    - The site was zoned "NU" Non-Urban District by St. Louis County.
    - The existing mono-pole tower was approved by the City and constructed in 1997 prior to the telecommunications facility siting ordinance currently being utilized.
- Petitioner's Request
    - Addition of three antennas to an existing mono-pole tower.
    - Additional equipment to be located within an existing fenced compound.
- Staff has no issues.

PETITIONER'S PRESENTATION:
Mr. John King, attorney representing Clearwire, LLC, 7701 Forsyth, Clayton, MO stated the following:

- Clearwire is a broadband, high-speed internet company that is designed to install antennas and dishes in the metropolitan area in order to provide high-speed internet service to the residents of the area.
- The existing tower is 114 feet in height with 5 antennas already located on the tower.
- They would like to add another set of antennas at 107 feet.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:
Mr. Alan R. Brown, 14001 Deltona Drive, Chesterfield, MO stated the following:

- His back yard abuts the subject property and he is unhappy with the sight of the tower from his property.
- He asked the Commission to consider the precedent that would be set with the requested expansion.
- The tower has already reduced the value of his property and he feels the requested addition will reduce it even more.

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

Commissioner Grissom 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 12, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Proctor and **passed by a voice vote of 5 to 0 with 1 abstention from Commissioner Banks.**

VI. PUBLIC COMMENT

A. 508 Redondo Drive (Claymont Estates Subdivision)

Speakers in Favor:
Ms. Karen Runk, 519 Redondo, Chesterfield, MO stated the following:

- She is the Block Captain for Redondo. During an impromptu meeting with the residents, feedback for the Brenners' addition was overwhelmingly supportive.
- She is in receipt of an e-mail from the Trustees who have indicated their approval.
- There is one neighbor who is opposed to the addition. Attempts to talk to her about the matter have been unsuccessful

Speakers – Neutral:
Mr. James McCartney, 632 Packford Drive, Chesterfield, MO stated the following:

- The one person on Redondo who opposes the addition is the next-door neighbor to the Brenners.
- The addition is now an attached structure vs. the previous plans to build a detached structure. Speaker is not opposed to the current design.
- He is concerned about this addition setting a precedent in the neighborhood, specifically with tear-downs.

Petitioner:
Mr. George Brenner, 508 Redondo Drive, Chesterfield, MO was available for questions.

Chair Hirsch expressed the Commission's appreciation for Mr. Brenner's redesign and his cooperative work with the Trustees.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. 508 Redondo Drive (Claymont Estates Subdivision): A request for an attached residential addition to an existing home on the east side of the lot zoned "R1" Residential District, located at 508 Redondo Drive in the Claymont Estates Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the residential addition for 508 Redondo Drive (Claymont Estates Subdivision). The motion was seconded by Commissioner Banks and **passed by a voice vote of 6 to 0**.

VIII. OLD BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:51 p.m.

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Michael Watson, Secretary