

I.A.

MEMORANDUM



TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Public Works Committee Meeting Summary
January 22, 2009

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, January 22, 2009 in Conference Room 101.

In attendance were: **Acting Chair Bruce Geiger** (Ward II); **Councilmember Gene Schenberg** (Ward I); and **Councilmember Bob Nation** (Ward IV). **Committee Chair, Councilmember Dan Hurt** arrived immediately after approval of the meeting minutes, Item I.A. as noted below.

Also in attendance were: Councilmember Mike Casey (Ward III); Maurice L. Hirsch, Jr. Planning Commission Chair; Michael Herring, City Administrator; Mike Geisel, Director of Planning & Public Works; City Attorney Rob Heggie; Mindy Mohrman, City Arborist/Urban Forester; Annissa McCaskill-Clay, Lead Senior Planner; Charles Campo, Project Planner; and Kristine Kelley, Administrative Assistant.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 8, 2009 Committee Meeting Summary

Councilmember Nation made a motion to approve the Meeting Summary of January 8, 2008. The motion was seconded by Councilmember Schenberg and passed by a voice vote of 3 to 0.

Chair Hurt arrived at this point.

II. OLD BUSINESS – None

III. NEW BUSINESS

- A. **T.S.P. 06-2008 Verizon Wireless (18301 Wild Horse Creek Road):** A request to obtain approval for a Telecommunication Facility Siting Permit on an "NU" Non-Urban District-zoned 1.47 acre tract of land located at 18301 Wild Horse Creek Road, northeast of the intersection of Wild Horse Creek Road and Eatherton Road. (19W510095).

STAFF REPORT

Ms. Annissa McCaskill-Clay, Lead Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area with the proposed elevation for the additional antennas on the existing tower.

In addition to the additional antennas, the Petitioner is proposing to add a pre-fabricated equipment structure and to increase the area of the fenced enclosure for the additional equipment. Ms. McCaskill-Clay also identified the Propagation Map for the site without the antennas and the Propagation Map at 55 feet providing coverage.

The above-referenced matter was presented for public hearing at the January 12, 2009 session of the City of Chesterfield Planning Commission.

During the public hearing the following issue was raised:

1. Landscaping on the site, as well as proper buffering to adjacent properties.
 - **Staff is in receipt of communication from owner of the property, St. Charles Tower, attesting to their willingness to provide landscaping as directed by the City and to provide additional buffering to the property to the east.**

Staff suggested that any recommendation by the Committee be made contingent upon approval of a Landscape Plan prior to issuance of a Municipal Zoning Approval for a building permit.

PLANNING COMMISSION REPORT

Planning Commission Chair Hirsch stated the Planning Commission is in concurrence with Staff's findings.

DISCUSSION

Councilmember Schenberg had questions concerning the aesthetic appearance of the maintenance building. Staff confirmed that the structure meets current code requirements and is sight-proof for the existing equipment.

Councilmember Geiger visited the site and commented on how well the tower is camouflaged.

Councilmember Schenberg made a motion to forward T.S.P. 06-2008 Verizon Wireless (18301 Wild Horse Creek Road) to City Council with a recommendation to approve. The motion was seconded by Councilmember Geiger.

Councilmember Geiger then made a motion to amend the original motion, adding that approval be contingent upon approval of a Landscape Plan providing additional buffering to the properties to the east prior to issuance of a Municipal Zoning Approval for a building permit, by Planning and Public Works Staff and the City Arborist. The motion was seconded by Councilmember Schenberg and passed by a voice vote of 4 – 0.

The motion to approve as amended passed by a voice vote of 4 – 0.

Note: This is a Telecommunications Facility Siting Permit which requires approval by City Council. A voice vote will be needed at the February 2, 2009 City Council Meeting.

[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on T.S.P. 06-2008 Verizon Wireless (18301 Wild Horse Creek Road)].

- B. P.Z. 25-2008 City of Chesterfield (Tree Preservation and Landscape Requirements):** A request to repeal City of Chesterfield Ordinance 2367 and replace it with a new ordinance that revises the procedures and requirements for the preservation of trees and landscaping requirements within the City of Chesterfield.

STAFF REPORT

Charlie Campo, Project Planner, stated that several changes have been made throughout the document as outlined below:

- Section II. & III – These sections were reorganized and revised to help clarify what projects must adhere to the tree preservation and landscape requirements.
- Section III. C – This section states that plants that create a public nuisance are not protected by the provisions of this section of the City of Chesterfield Code.
- Section V – The table was revised to reflect the current submittal, review and decision making authorities for various development processes.
- Appendix A – The Tree List was revised with input from the City Arborist.
- Redefining “Do Not Disturb” to Greenspace Preservation Area – which describes an area within a proposed development within which all existing healthy trees, vegetation, stream corridors, soil grade and any existing or additional landscape plantings are to be permanently protected and preserved. No structures or paving are permitted in a Greenspace Preservation Area.

Amendments 1 & 2

As recommended by Councilmember Geiger, a hand-out was given to the Committee with requested modifications to Amendment 1; Section XV and Amendment 2; Section XII.

PLANNING COMMISSION REPORT

Planning Chair Hirsch confirmed that there were no issues raised during the Planning Commission meeting held December 8, 2008.

Mr. Mark Teitelbaum, representing the Home Builders Association of St. Louis & Eastern Missouri (HBA), explained there were several minor changes requested by the HBA to the Ordinance as described by the hand-out given to the Committee.

Motion #1

Councilmember Schenberg made a motion to approve the revised **P.Z. 25-2008 City of Chesterfield (Tree Preservation and Landscape Requirements)** and to forward to City Council with a recommendation to approve. The motion was seconded by **Councilmember Geiger**.

DISCUSSION

There was considerable discussion pertaining to the definition of Monarch trees as provided in Section IV, definition #16.

Motion #2

Councilmember Schenberg made a motion to amend Section IV; Page 4 Definition 16 – Monarch Tree to change the following: **(changes shown in green)**

- Any tree shall be classified as a Monarch tree if it meets ~~one~~ **two** or more of the following conditions.

The motion was seconded by **Councilmember Geiger** and **passed by a voice vote of 4 – 0.**

The Committee then discussed the submittal process and the problems associated with defining tree preservation areas during the preliminary or conceptual plan stage, when topography is based upon record information and not real survey.

Upon further discussion, the Committee recommended that the language remain for Sections V, VII and XII.

Section XII; Page 15, A #4 – Landscape Plan Requirements

There was considerable discussion regarding the requirements that all trees must be 2.5 inches in caliper. Staff asserted, and the Committee concurred, that any required landscaping materials must comply with the minimum caliper requirement. However, if owners or builders desired to add additional landscaping, not required by City Code or zoning, those materials could be planted with a smaller sized plant.

Motion #3

Councilmember Nation made a motion to **include the following language to Section XII; Page 15, Item A # 4: (Changes shown in green)**

All proposed **required** deciduous trees shall be a minimum caliper of 2.5 inches, and evergreen trees shall be a minimum of 6 feet in height.

The motion was seconded by Councilmember Schenberg and **passed by a voice vote of 4 – 0.**

Motion #4

Councilmember Geiger made a motion to **replace the following paragraph of Section XV – Requests for Modification: (changes shown in green)**

~~Modifications to the requirements found in this section of the City Code may be granted in whole or in part for sites with special or unusual conditions, which prevent an Applicant from adhering to these standards. Requests will be reviewed for approval by the Planning and Development Services Director. For consideration of a modification to any requirement of this Tree Manual, it must first be established that special conditions exist on the site.~~

In cases where the strict adherence to this section of the City Code creates practical difficulties or unnecessary hardships in carrying out these provisions due to an irregular shape, topography or other condition as solely determined by the Planning and Development Services Director; Said modification to the requirements found in this section of the City Code may be approved in whole or in part, provided the modification will not seriously affect the integrity and soundness of the project.

The motion was seconded by Councilmember Nation and **passed by a voice vote of 4 – 0.**

Motion #5

Councilmember Geiger made a motion to **eliminate the following to Section XII – Landscape Proposals, B., 3. (Changes shown in red)**

Flexible **residential** landscape buffer requirements may be granted by the Planning and Development Services Director in cases where it can be demonstrated that the

proposed landscape buffer encourages a creative design solution to the issue of buffering adjacent land uses.

The motion was seconded by Councilmember Schenberg and **passed** by a voice vote of 4 – 0.

The motion to forward the revised **P.Z. 25-2008 City of Chesterfield (Tree Preservation and Landscape Requirements)** with recommended amendments to City Council with a recommendation to approve **passed** by a voice vote of 4 – 0.

Note: One bill, as recommended by the Planning Commission, will be needed for the February 2, 1009 City Council Meeting. See Bill #

[Please see the attached report prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 25-2008 City of Chesterfield (Tree Preservation and Landscape Requirements)].

Planning Commission Chair Hirsch complimented Staff on the tremendous work they did on the changes to the Tree Preservation and Landscape Ordinance.

IV. ADJOURNMENT

The meeting adjourned at 6:50 p.m.