



## Memorandum Department of Planning & Public Works

**To:** Planning and Public Works Committee  
**From:** Annissa McCaskill-Clay, Lead Senior Planner  
**Date:** October 18, 2009  
**RE:** **T.S.P. 07-2009 T-Mobile (Villas at Ladue Bluffs/St. Louis County Emergency Tower) – EXEMPTION FROM PUBLIC HEARING REQUEST:** A request to obtain approval for a Telecommunication Siting Permit for the purpose of removing existing antennas and replacing with new antennas; and the addition of additional equipment to the equipment compound at an existing tower for a 2.81 acre tract of land at zoned R3(PEU) at 14845 Olive Boulevard in the Villas at Ladue Bluffs Subdivision. (17R430053)

### Summary

T-Mobile, one of six (6) tenants on a St. Louis County-owned lattice-work tower at the referenced address, is seeking exemption from requirement for a public hearing to obtain a Telecommunications Siting Permit. Applicants may seek exemption from the requirements of City of Chesterfield Ordinance 2391 by submitting a written statement to City Council. T-Mobile seeks permission to:

1. Remove three (3) existing antennas and replace them with three (3) new antennas of similar dimension.
2. Add an additional cabinet to the existing equipment yard for the site.

Upon review of the Petitioner's initial application, it was determined that the Petitioner's request required a public hearing. Therefore, T.S.P. 07-2009 was scheduled for a public hearing on October 12, 2009. Subsequent to being scheduled for the public hearing, the Petitioner submitted a request for exemption from public hearing and advised the staff that notification of property owners within 1500 square feet of the subject site had not occurred per the requirements of Ordinance 2391. Therefore the public hearing was cancelled. City of Chesterfield Staff, after consultation with the City Attorney, believes that Petitioner's request for an exemption from the requirements of Ordinance 2391 should be denied because Petitioner's application seeks a material modification in that Petitioner seeks to add an additional cabinet to the existing equipment yard for the site. The cabinet is a material addition and represents an important change to the existing wireless telecommunications facility. Staff requests that if the Council denies the request for an exemption after a review by this committee, Council direct Staff to prepare a

T.S.P. 07-2009 T-Mobile (Villas at Ladue Bluffs/St. Louis County Emergency Tower)  
Planning & Public Works Committee Report  
October 18, 2009

written statement setting out the reasons for said denial. Attached please find the  
Petitioner's written statement and materials submitted in support of their application.

Respectfully submitted,

A handwritten signature in black ink that reads "Annissa McCaskill-Clay". The signature is written in a cursive, flowing style.

Annissa McCaskill-Clay, AICP  
Lead Senior Planner

Cc: Michael G. Herring, City Administrator  
Rob Heggie, City Attorney  
Michael O. Geisel, Director of Planning and Public Works



Eric D. Martin  
Attorney

190 Carondelet Plaza, Suite 600  
St. Louis, MO 63105  
314.345.6420  
fax: 314.480.1505  
eric.martin@huschblackwell.com

October 6, 2009

**VIA E-MAIL**

Annissa McCaskill-Clay, AICP  
Lead Senior Planner  
City of Chesterfield  
690 Chesterfield Pkwy W  
Chesterfield, MO 63017-0760

Re: **T.S.P. 13-2009 T-Mobile (Wildhorse Springs/132A Woodcliffe Place Drive)**  
(08/15/2008 submittal)  
**T.S.P. 10-2009 T-Mobile (Parkway Central High School)**  
(08/15/2008 submittal)  
**T.S.P. 07-2009 T-Mobile (Villas at Ladue Bluffs/St. Louis County Tower)**  
(08/15/2008 submittal)  
**T.S.P. 12-2009 T-Mobile (St. Thomas Church UCC)**  
(08/15/2008 submittal)

Dear Ms. McCaskill-Clay:

I represent T-Mobile Central LLC, a wholly-owned subsidiary of T-Mobile USA, Inc. (collectively, "T-Mobile"). Currently, the four Telecommunication Facility Siting Permits referenced above ("Four Sites") are pending and scheduled for a public hearing before the Chesterfield Planning Commission on October 12, 2009. T-Mobile respectfully requests exemptions for the public hearing requirement for these four permits pursuant to § 30-27 of the City's Ordinances. Please place this exemption request on the agenda for City Council, Planning and Public Works Committee on Thursday, October 8, 2009.

As detailed in the application materials, T-Mobile's equipment upgrade involves exchanging antennas and using existing coaxial cables. Following the completion of the project, the tower sites will have the same number of antennas and coaxial cables as before. The only addition to the tower sites will be an unobtrusive equipment cabinet that consists of four modules (height, width, and depth of 5.2 inches by 17 inches by 22 inches) placed on a pole. Attached is a photograph that shows the mounted equipment cabinet.

T-Mobile respectfully suggests that the equipment upgrade project that is the subject of the applications does not constitute a "material modification" as defined in § 30-3 of the

Ordinances because the changes would not "materially affect the obvious physical appearance of the facility." Since the four towers range in height from approximately 100 to 200 feet, the addition of this equipment cabinet at the base of the towers is visually inconsequential. Further evidence of this assertion is the fact that three of the Four Sites have fences and one has a screen wall. T-Mobile is performing this equipment upgrade to its sites throughout the country, and other jurisdictions are treating this change as ordinary maintenance.

In an effort to allay any concerns the City might have and fully document the unobtrusive nature of the changes, T-Mobile has gone through the facility permit application procedures for these Four Sites and three other sites.<sup>1</sup> On September 30, 2009, T-Mobile presented the three other sites at a public hearing before the Chesterfield Planning Commission. T-Mobile incurred thousands of dollars in mailing expenses for this hearing. No members of the public attended the Planning Commission hearing, which is not surprising since this project does not involve the construction of a new tower or a material change in appearance of an existing one.

Alternatively, for the final Four Sites, T-Mobile requests exemptions from the public hearing requirements as is expressly authorized by § 30-27. The mailing expenses for the public hearings would cost thousands of dollars. Allowing T-Mobile to dispense with the public hearing requirement for the Four Sites will have "no significant affect on the health, safety and welfare of the city, its residents and other service providers."

Thank you for your consideration.

Sincerely,



Eric D. Martin

EDM/tl

cc: Robert M. Heggie, Esq. (via email)

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<sup>1</sup> T.S.P. 08-2009 T-Mobile (400 Chesterfield Center), T.S.P. 09-2009 T-Mobile (Spirit 40 Park), and T.S.P. 11-2009 T-Mobile (Village at Baxter Ridge – Ameren Tower)

# Node B Flexi Cabinet Outside Mount

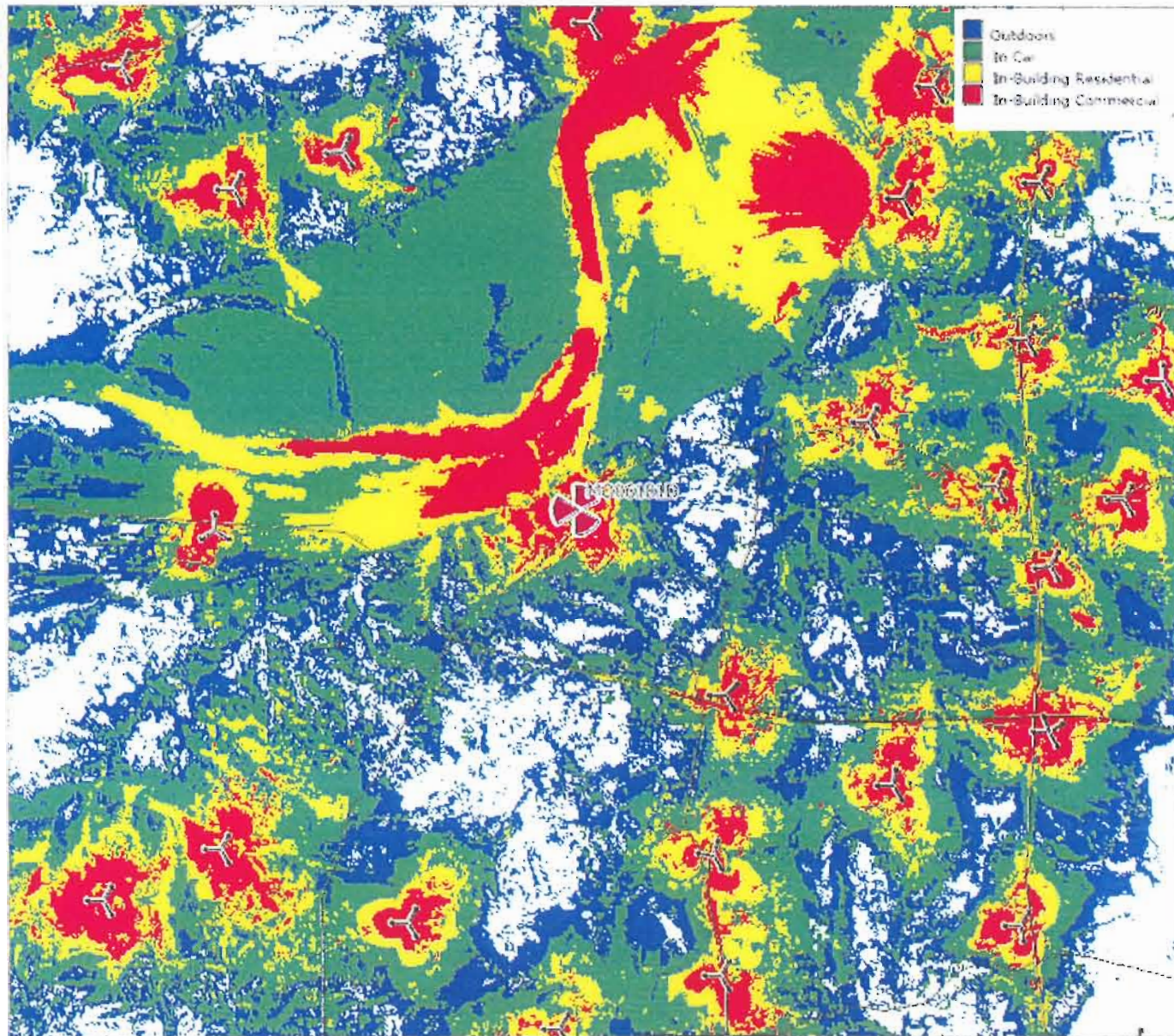


T

MOBILE

# Prediction Plot

(surrounding sites with MO06181D)

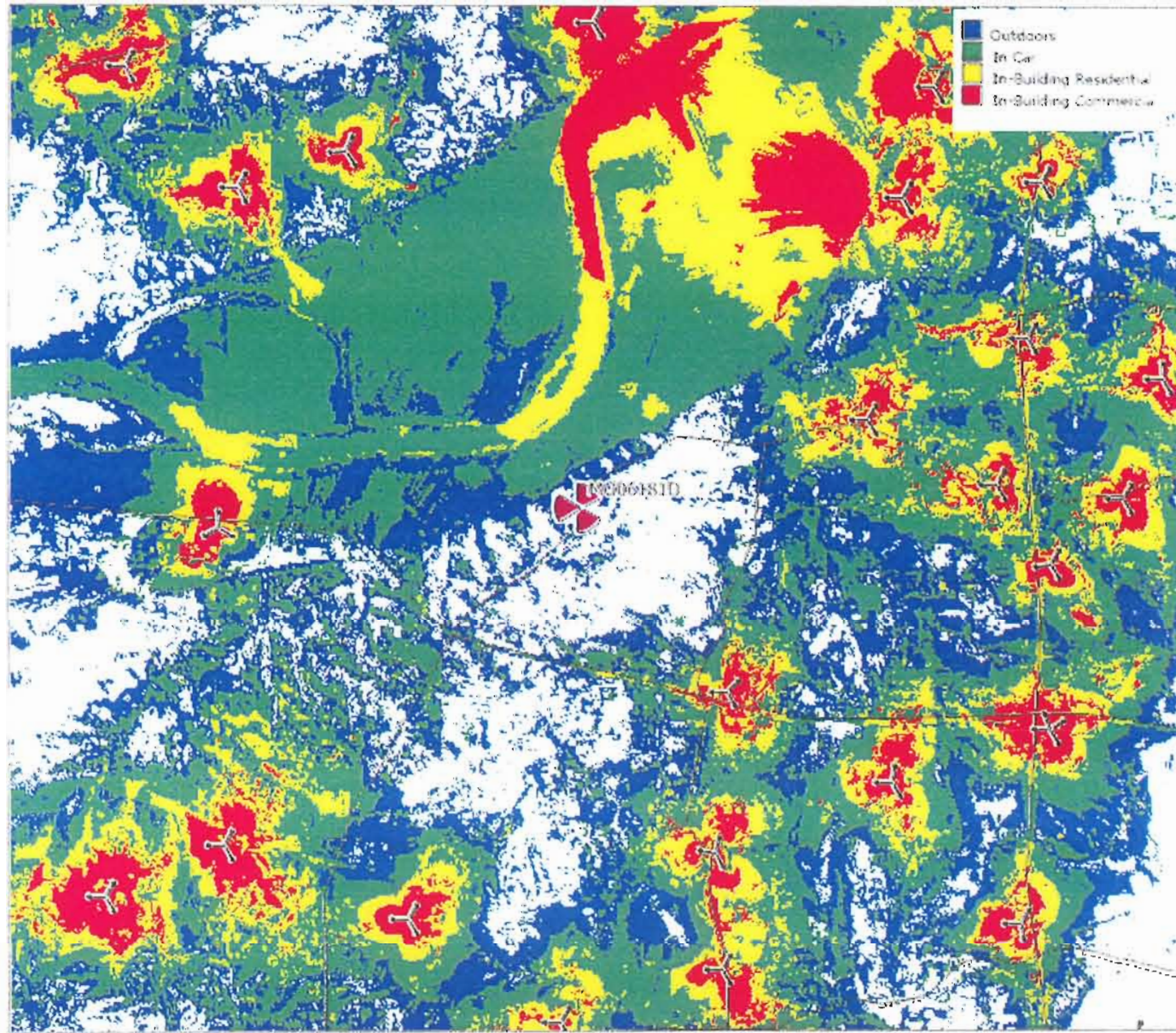


**ROCKSOLID**  
COVERAGE

RF Engineering - Central Region

# Prediction Plot

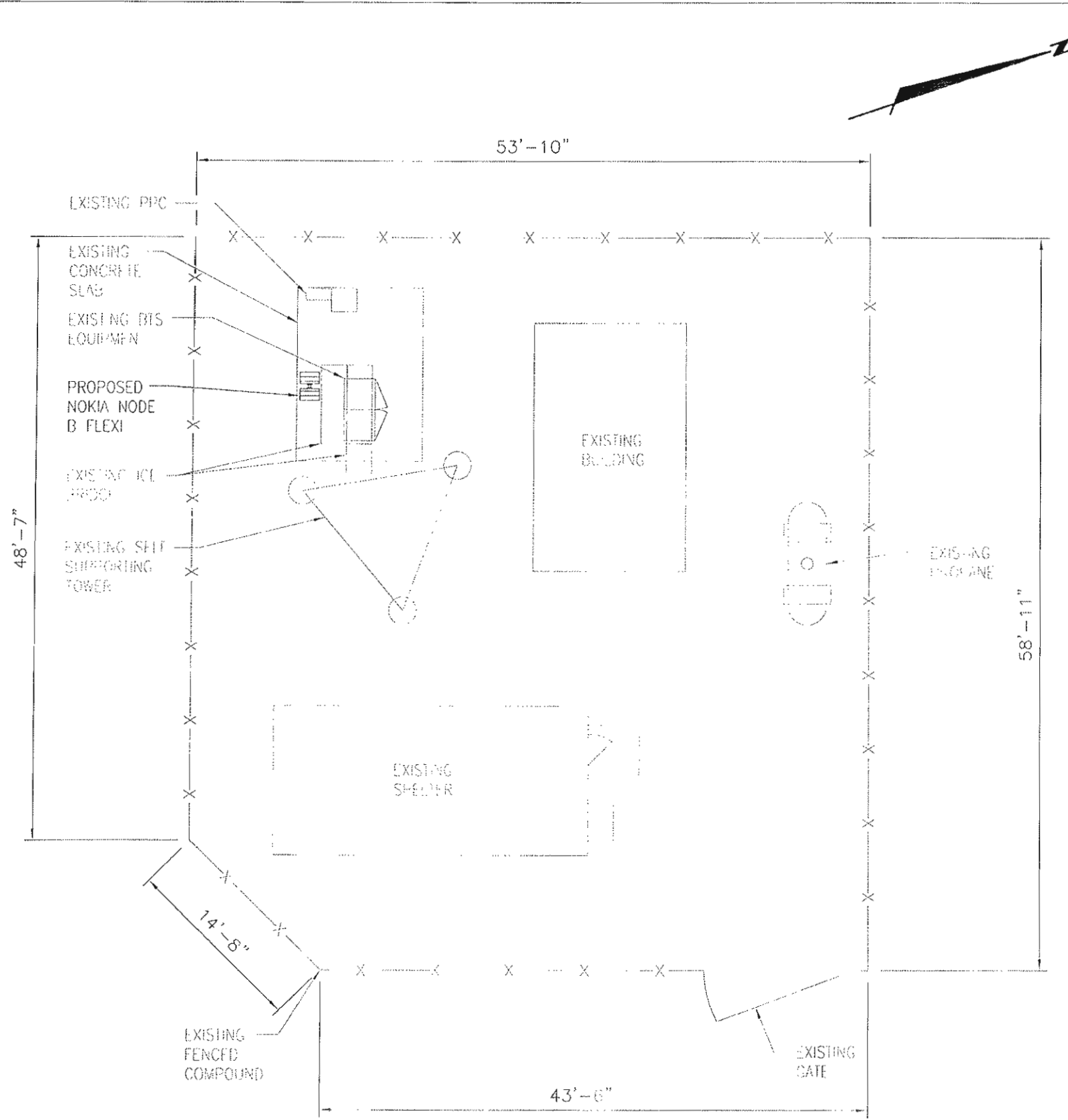
(surrounding sites without MO06181D)



**ROCKSOLID**  
COVERAGE



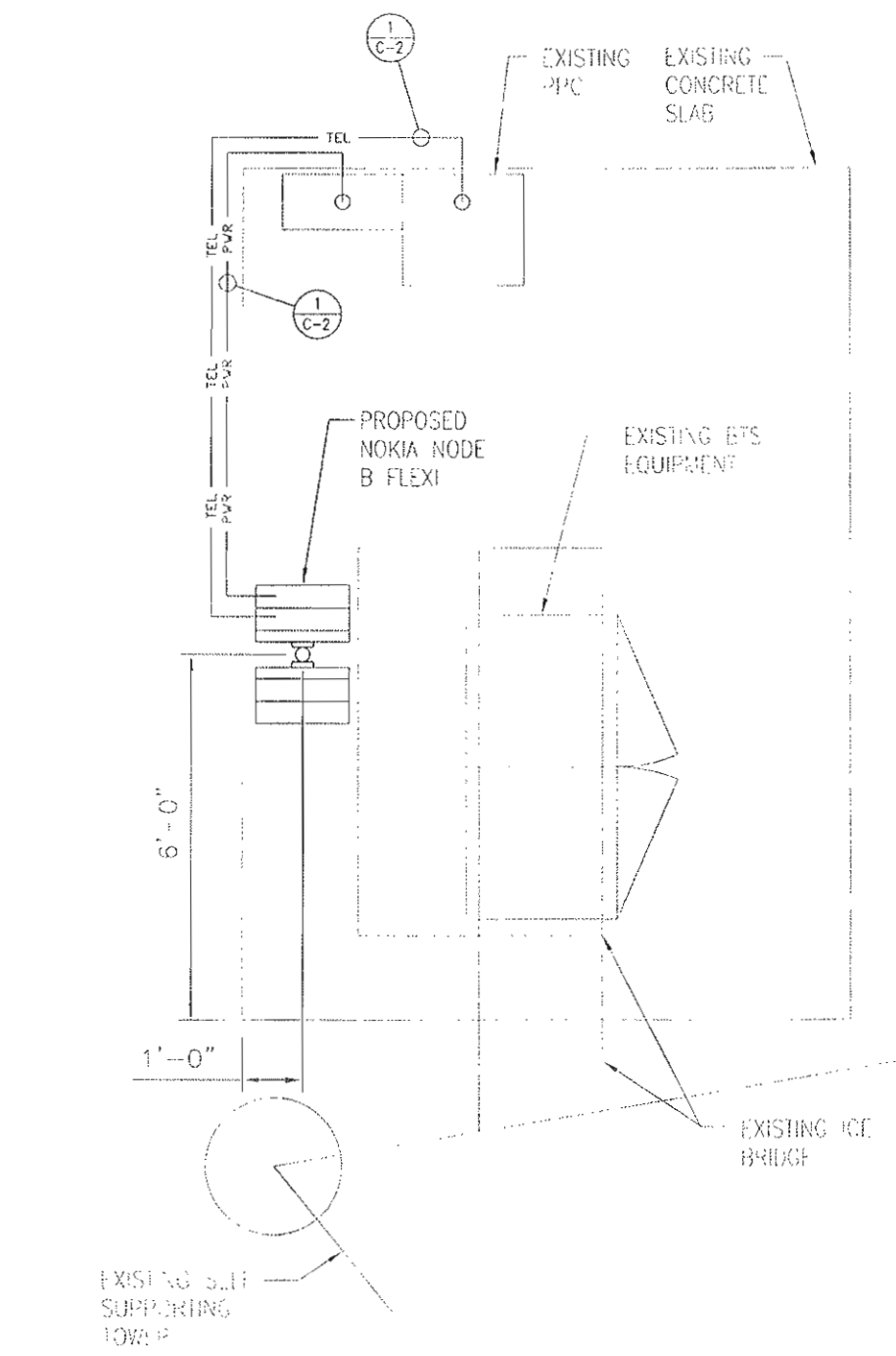




1 COMPOUND PLAN



- NOTES:
1. CONTRACTOR TO INSURE THAT NO CONFLICTS OCCUR IN THE FIELD WITH THE LOCATION OF THE T-MOBILE INSTALLED NODE B FLEXI EQUIPMENT. ANY CONFLICTS SHOULD BE REPORTED TO THE ENGINEER OF RECORD IMMEDIATELY PRIOR TO FINAL PLACEMENT.
  2. POWER/TELCO ROUTINGS SHOWN ARE FOR GRAPHICAL REPRESENTATION ONLY. CONTRACTOR TO FIELD ROUTE TO INSURE NO TRIPPING HAZARDS AND NO CONFLICTS WITH EXISTING EQUIPMENT.



2 NODE B FLEXI MOUNTING PLAN  
NTS

**T-Mobile**

555 NORTH NEW BALLAS ROAD,  
SUITE 350  
ST. LOUIS, MO 63141

**TeleCAD**  
WIRELESS SITE DESIGN, INC.

7001 MIDDLE VALLEY RD SUITE 113  
HIXSON, TN 37343  
PH: 423-843-9500  
FAX: 423-843-9509

**EXCELL**  
COMMUNICATIONS, INC.

EXCELL COMMUNICATIONS, INC.  
6247 AMBER HILLS ROAD  
BIRMINGHAM, ALABAMA 35173  
PHONE: 205.956.0198  
FAX: 205.956.2632

STATE OF MISSOURI

STEPHEN E. HUNT

3-24-09

NUMBER

PE-2007005039

PROFESSIONAL ENGINEER

SITE NAME:  
COUNTY TOWER

SITE NUMBER:  
MO06181D

SITE ADDRESS:  
14845B OLIVE BLVD  
CHESTERFIELD, MO 63017

DRAWN BY: DWS

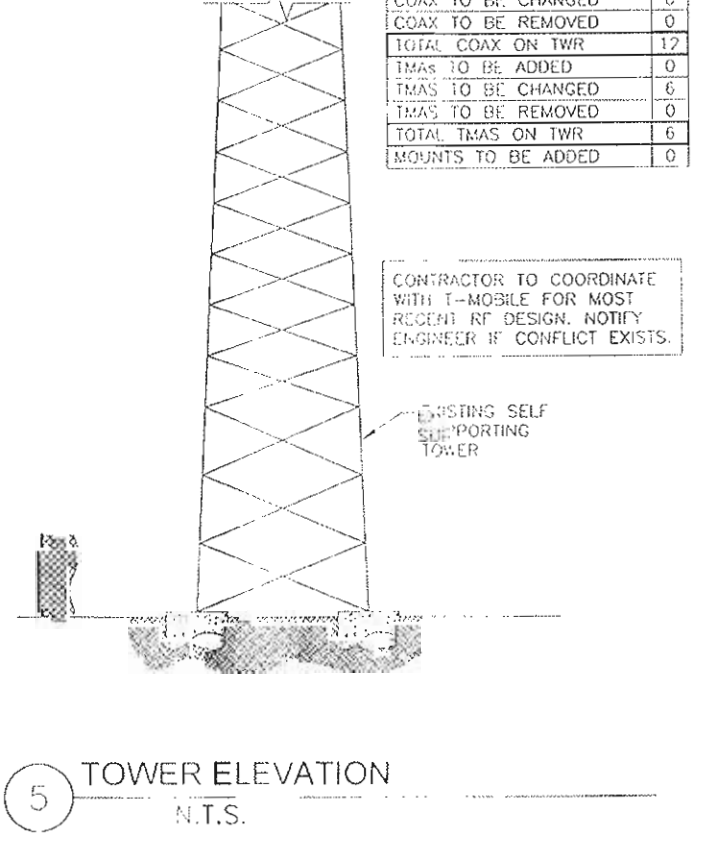
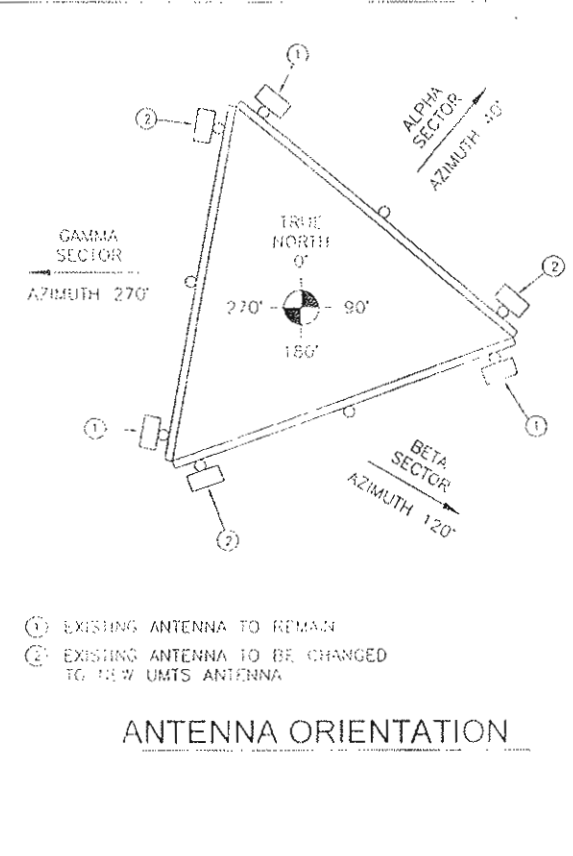
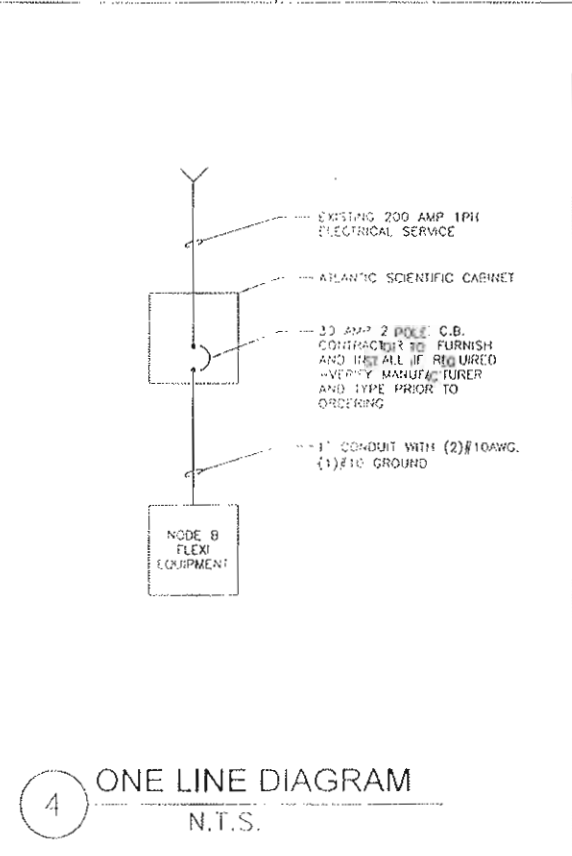
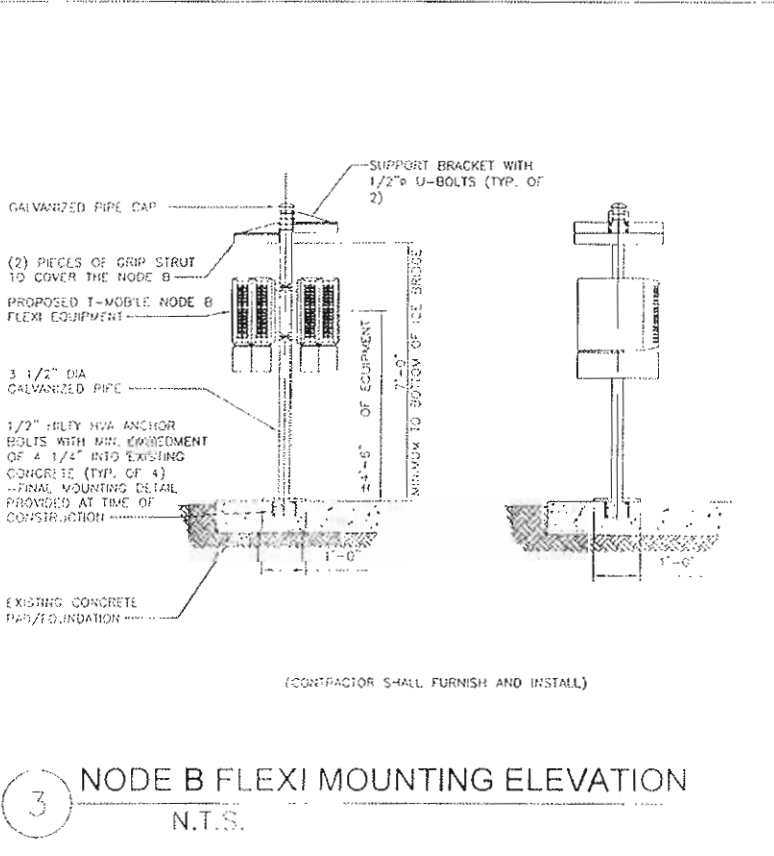
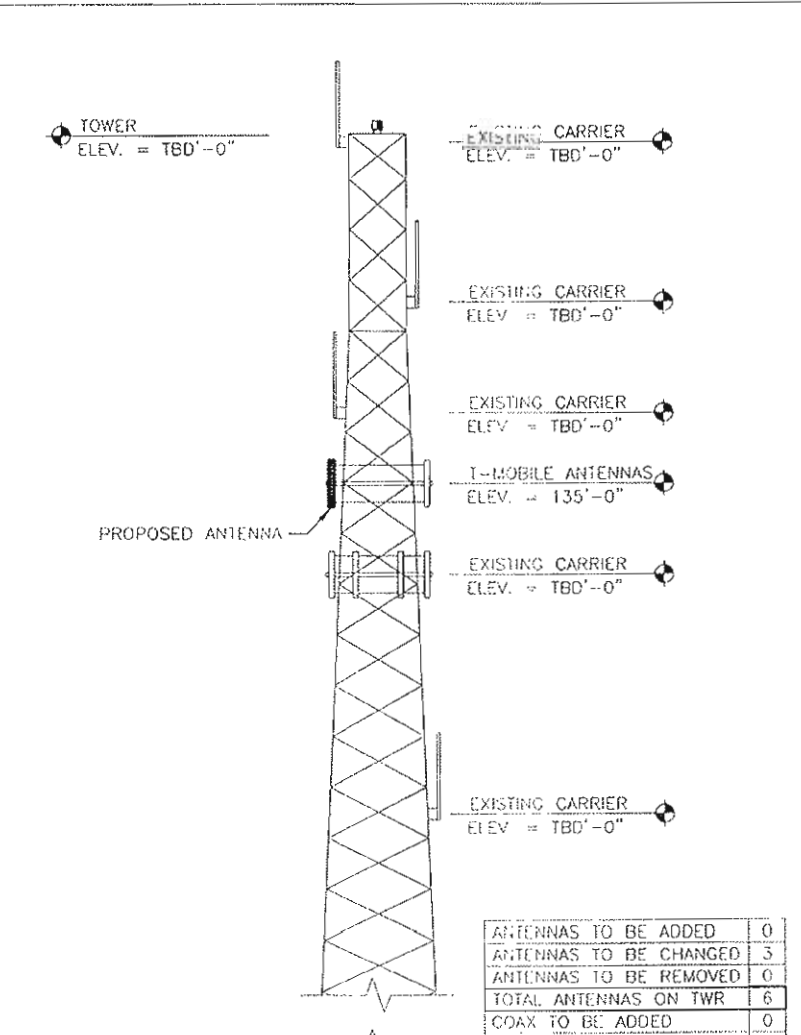
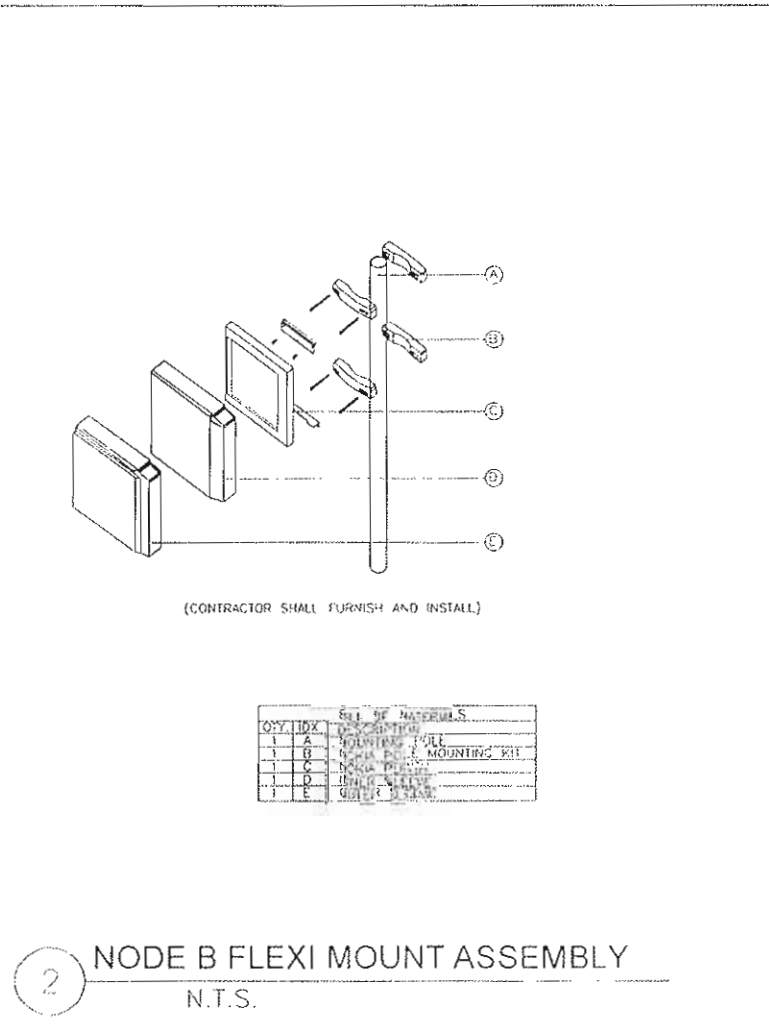
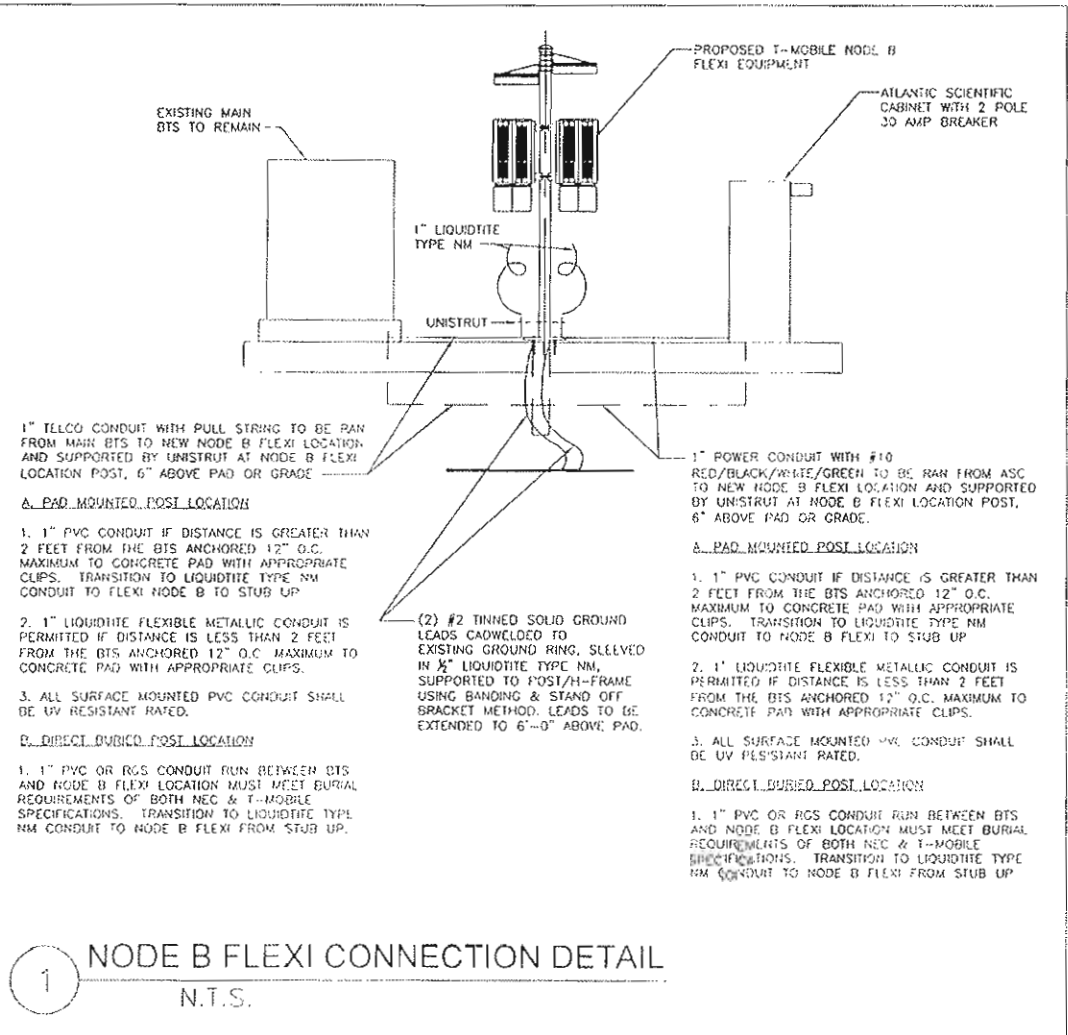
CHECKED BY: SEH

REVISIONS		
NO.	DATE	DESCRIPTION
0	03/24/09	FOR CONSTRUCTION
A	03/19/09	FOR REVIEW

SHEET TITLE:  
COMPOUND PLAN

DRAWING NO: C-1

REVISION: 0



**T-Mobile**

555 NORTH NEW BALLAS ROAD,  
SUITE 350  
ST. LOUIS, MO 63141

**TeleCAD**  
WIRELESS SITE DESIGN, INC

7001 MIDDLE VALLEY RD SUITE 113  
LIXSON, TN 37343  
PH: 423-843-9500  
FAX: 423-843-9509

**EXCELL COMMUNICATIONS, INC.**

EXCELL COMMUNICATIONS, INC.  
6247 AMBER HILLS ROAD  
BIRMINGHAM, ALABAMA 35173  
PHONE: 205.956.0190  
FAX: 205.956.2632

STATE OF MISSOURI

STEPHEN E. HUNT

*Signature*

3-21-09

NUMBER

PE-20070950339

PROFESSIONAL ENGINEER

SITE NAME: COUNTY TOWER

SITE NUMBER: MO06181D

SITE ADDRESS: 14845B OLIVE BLVD  
CHESTERFIELD, MO 63017

DRAWN BY: DWS

CHECKED BY: SEH

REVISIONS		
NO.	DATE	DESCRIPTION
0	03/24/09	FOR CONSTRUCTION
A	03/19/09	FOR REVIEW

SHEET TITLE: DETAILS & TOWER ELEVATION

DRAWING NO: C-2

REVISION: 0



EXISTING LEASE AREA (FROM A SURVEY DRAWING PREPARED BY DOERING ENGINEERING, INC., PROJECT NO. MO-06-181D, DATED 8/24/00)

A TRACT OF LAND BEING PART OF LOT 3 OF THE SUBDIVISION OF MOSS HUNTON'S LAND AS RECORDED IN BOOK 2 PAGE 210 THE ST. LOUIS COUNTY SURVEYOR'S RECORDS, IN U.S. SURVEY 121, TOWNSHIP 45 NORTH RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 3 OF THE SUBDIVISION OF MOSS HUNTON'S LAND WITH THE WEST LINE OF OLIVE BOULEVARD AS WIDENED BY DEED RECORDED IN BOOK 9347 PAGE 205 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTH 57 DEGREES 03 MINUTES 29 SECONDS WEST 145.07 FEET ALONG SAID NORTH LINE OF LOT 3 TO A POINT; THENCE SOUTH 32 DEGREES 56 MINUTES 31 SECONDS WEST 335.85 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE SOUTH 07 DEGREES 58 MINUTES 34 SECONDS WEST 43.41 FEET TO A POINT; THENCE SOUTH 45 DEGREES 58 MINUTES 39 SECONDS WEST 15.63 FEET TO A POINT; THENCE NORTH 81 DEGREES 56 MINUTES 12 SECONDS WEST 50.14 FEET TO A POINT; THENCE NORTH 07 DEGREES 52 MINUTES 38 SECONDS WEST 55.67 FEET TO A POINT; THENCE SOUTH 82 DEGREES 01 MINUTES 35 SECONDS EAST 59.85 FEET TO THE ACTUAL POINT OF BEGINNING AND CONTAINING 3272 SQUARE FEET.

EXISTING ACCESS EASEMENT (FROM A SURVEY DRAWING PREPARED BY DOERING ENGINEERING, INC., PROJECT NO. MO-06-181D, DATED 8/24/00)

A TRACT OF LAND BEING PART OF LOT 3 OF THE SUBDIVISION OF MOSS HUNTON'S LAND AS RECORDED IN BOOK 2 PAGE 210 THE ST. LOUIS COUNTY SURVEYOR'S RECORDS, IN U.S. SURVEY 121, TOWNSHIP 45 NORTH RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON WEST LINE OF OLIVE BOULEVARD AS WIDENED BY DEED RECORDED IN BOOK 9347 PAGE 205 OF THE ST. LOUIS COUNTY RECORDS BEING DISTANT SOUTH 26 DEGREES 26 MINUTES 51 SECONDS WEST 204.24 FEET FROM THE NORTH LINE OF SAID LOT 3 OF THE SUBDIVISION OF MOSS HUNTON'S LAND; THENCE SOUTH 26 DEGREES 26 MINUTES 51 SECONDS WEST 23.07 FEET ALONG SAID WEST LINE OF OLIVE BOULEVARD TO A POINT; THENCE SOUTH 86 DEGREES 24 MINUTES 28 SECONDS WEST 179.16 FEET TO A POINT; THENCE SOUTH 45 DEGREES 28 MINUTES 05 SECONDS WEST 42.28 FEET TO A POINT; THENCE NORTH 07 DEGREES 58 MINUTES 34 SECONDS EAST 41.81 FEET TO A POINT; THENCE NORTH 78 DEGREES 11 MINUTES 25 SECONDS EAST 46.96 FEET TO A POINT; THENCE NORTH 85 DEGREES 24 MINUTES 28 SECONDS EAST 167.78 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,389 SQUARE FEET.

EXISTING UTILITY EASEMENT (FROM A SURVEY DRAWING PREPARED BY DOERING ENGINEERING, INC., PROJECT NO. MO-06-181D, DATED 8/24/00)

A TRACT OF LAND BEING PART OF LOT 3 OF THE SUBDIVISION OF MOSS HUNTON'S LAND AS RECORDED IN BOOK 2 PAGE 210 THE ST. LOUIS COUNTY SURVEYOR'S RECORDS, IN U.S. SURVEY 121, TOWNSHIP 45 NORTH RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 3 OF THE SUBDIVISION OF MOSS HUNTON'S LAND WITH THE WEST LINE OF OLIVE BOULEVARD AS WIDENED BY DEED RECORDED IN BOOK 9347 PAGE 205 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTH 57 DEGREES 03 MINUTES 29 SECONDS WEST 145.07 FEET ALONG SAID NORTH LINE OF LOT 3 TO A POINT; THENCE SOUTH 32 DEGREES 56 MINUTES 31 SECONDS WEST 335.85 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE NORTH 82 DEGREES 01 MINUTES 38 SECONDS WEST 59.85 FEET TO A POINT; THENCE SOUTH 07 DEGREES 58 MINUTES 34 SECONDS WEST 55.67 FEET TO A POINT; THENCE NORTH 82 DEGREES 01 MINUTES 38 SECONDS WEST 5.00 FEET TO A POINT; THENCE NORTH 07 DEGREES 32 MINUTES 56 SECONDS EAST 60.65 FEET TO A POINT; THENCE SOUTH 82 DEGREES 01 MINUTES 38 SECONDS WEST 121.39 FEET TO A POINT; THENCE SOUTH 07 DEGREES 58 MINUTES 25 SECONDS WEST 10.00 FEET TO A POINT; THENCE NORTH 82 DEGREES 01 MINUTES 38 SECONDS WEST 55.53 FEET TO A POINT; THENCE NORTH 07 DEGREES 56 MINUTES 34 SECONDS EAST 5.00 FEET TO THE ACTUAL POINT OF BEGINNING AND CONTAINING 1168 SQUARE FEET.

NOTES

- This is an As Built Survey, made on the ground under the supervision of a Missouri Licensed Professional Engineer. Date of field survey is 05/22/09.
- The following surveying instruments were used at time of field visit: Nikon NPL-352. Total Station, Reflectorless and Hiper + Legacy E RTK, GD 1HZ.
- Bearings are based on Missouri East State Plane Coordinates MAD 83 by GPS observation.
- No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
- Benchmark used is a concrete monument and brass disc. NAVD 88 Datum with an established elevation of 617 feet, (197.2 meters), PID AAR672. Onsite benchmark is as shown hereon. Elevations shown are in feet and refer to NAVD 88.
- This survey was conducted for the purpose of an As Built Survey only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity.
- Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
- This Survey was conducted without the benefit of an Abstract Title search.
- The Geodetic Coordinates and the elevation shown for the proposed centerline of the lower are accurate to within +/- 15 feet horizontally and to within +/- 3 feet vertically (FAA Accuracy Code 1A).
- Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey.
- Field data upon which this map or plot is based has a closure precision of not less than one-foot in 15,000 feet (1":15,000") and an angular error that does not exceed 10 seconds times the square root of the number of angles turned. Field traverse was not adjusted.
- This survey is not valid without the original signature and the original seal of a state licensed surveyor, mapper or professional engineer.
- This survey does not constitute a complete boundary survey of the Parcel Tract.
- All bearings and distances are from a SURVEY DRAWING PREPARED BY DOERING ENGINEERING, INC., PROJ. #MO-06-181D DATED 8/24/00, UNLESS OTHERWISE NOTED.
- All brick buildings are for residential use unless otherwise noted.

FLOOD NOTE

The subject property appears to lie in Zone "X" of the Flood Insurance Rate Map Community Panel No. 20189C0145H, which bears an effective date of 08/02/1995 and IS NOT in a special flood hazard area. No field measurements were used in this determination and an elevation certificate may be needed for verification.

CERTIFICATION

To T-Mobile:

This is to certify that this map or plot and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 2005, and includes Items 1-5, 10, 11(s) & 12 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that:

\* The survey measurements were made in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

  
 Jerry R. Salmon  
 Missouri Professional Engineer 017459



8-12-09

COUNTY TOWER  
 MO06181D  
 U.S. SURVEY 121, T-45-N, R-4-E  
 ST. LOUIS COUNTY, MISSOURI

NO.	REVISION	DATE	BY
PROJECT NO. 09-0265			
DRAWN BY: BC CHECKED BY: AAK FIELD CREW: WHIS4 APPROVED BY: WHIS DATE: 06/05/09 SCALE: NO SCALE SHEET 2 OF 2			
AS BUILT SURVEY T-MOBILE CENTRAL LLC 2001 BUTTERFIELD ROAD SUITE #1900 DOWNERS GROVE, IL 60515			
FOR: SMW Engineering Group, Inc. 1550 Woods of Riverchase Drive Suite 100 Hoover, Alabama 35244 Ph: 205-252-6985 www.smweng.com			
			