

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "C8" PLANNED COMMERCIAL DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT OF A 220 SQUARE FOOT SECTION OF LAND LOCATED WITHIN 13559 OLIVE BOULEVARD ON THE NORTH SIDE OF OLIVE BOULEVARD WEST OF THE INTERSECTION OF WOODS MILL ROAD AND OLIVE BOULEVARD. (P.Z. 01A-2011 MCDONALD'S CORPORATION DELAWARE {13559 OLIVE BOULEVARD} [NEW CINGULAR WIRELESS PCS, LLC]).

WHEREAS, New Cingular Wireless PCS, LLC has requested a zoning map amendment from a "C8" Planned Commercial District to a "PC" Planned Commercial District of a 220 square foot section of land located within 13559 Olive Boulevard on the north side of Olive Boulevard west of the intersection of Woods Mill Road and Olive Boulevard; and,

WHEREAS, a Public Hearing was held before the Planning Commission on August 22, 2011; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the Zoning Map Amendment; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of Zoning Map Amendment; and,

WHEREAS, the City Council, having considered said request, voted to approve the Zoning Map Amendment request.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a "PC" Planned Commercial District for a 220 square foot section of land with a new ordinance the conditions of which are established in the Attachment A. The area for which this new ordinance applies is as follows:

Commencing at the northwesterly corner of a tract described in Book 7755 Page 1660; Thence, S09 29'42"E 138.57 Feet; Thence N80 30'18"E 15.59 Feet, to the point of beginning; Thence, N81 46'18"E 10.00 Feet; Thence, S08 32'08"E 22.52 Feet; Thence S87 32'16"W, 10.06 Feet; Thence, N08 32'08"W, 21.51 Feet; to the point of beginning. Containing 220 square feet, more or less.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment "A" and preliminary plan, which is attached hereto and, made a part of.

Section 3. The City Council, pursuant to the petition filed by New Cingular Wireless PCS, LLC, in P.Z. 01A-2011, requesting the zoning map amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 22nd day of August, 2011, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of October, 2011.


MAYOR

ATTEST:


~~CITY CLERK~~
DEPUTY CITY CLERK

FIRST READING HELD: 9/19/2011

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PC" Planned Commercial District shall be:
 - a. Telecommunication Tower or Facility
2. Hours of Operation.
 - a. Hours of operation for this "PC" District shall not be restricted.
3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City of Chesterfield Telecommunications Ordinance Number 2391.

B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. Floor Area
 - a. Total building floor area shall not exceed fifteen (15) square feet.
2. Height
 - a. The maximum height of the tower, exclusive of roof screening, shall not exceed forty-five (45) feet.
3. Building Requirements
 - a. A minimum of thirty-five percent (35%) openspace is required for this development.
 - b. This development shall have a maximum F.A.R. of .55.

C. SETBACKS

1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, light standards, or flag poles will be located within the following setbacks:

- a. Zero (0) feet from the northern boundary of the "PC" Planned Commercial District.
- b. Zero (0) feet from the southern boundary of the "PC" Planned Commercial District.
- c. Zero (0) feet from the eastern boundary of the "PC" Planned Commercial District.
- d. Zero (0) feet from the western boundary of the "PC" Planned Commercial District.

D. LANDSCAPE AND TREE REQUIREMENTS

The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

E. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the Site Development Plan be reviewed and approved by the entire City Council. This request must be made no later than 24 hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the Site Development Plan. The City Council will then take appropriate action relative to the proposal.

F. MISCELLANEOUS

1. All utilities will be installed underground.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire

P.Z. 01A-2011 McDonald's Corporation Delaware
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development within eighteen (18) months of the date of approval of the change of zoning by the City.

- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include, but not be limited to, the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).

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7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

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21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. RECORDING

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VI. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

CHANGE OF ZONING - TOWER PARCEL

MO3147

CFPD4



LTE 30'-LIGHT POLE



13075 MANCHESTER RD, SUITE 100
ST LOUIS, MO 63131



BLACK & VEATCH

10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

BLACK & VEATCH PROFESSIONAL ENGINEERING CORPORATION
MISSOURI STATE CERTIFICATE OF AUTHORITY # 021846

PROJECT NO: 163313

DRAWN BY: EMB

CHECKED BY: GPX

REV	DATE	DESCRIPTION
6	07/29/11	PER ZONING COMMENTS
5	07/21/11	LTE DESIGN
4	04/29/11	ISSUED FOR ZONING
3	04/20/11	PER ZONING COMMENTS
2	03/11/11	PER ZONING COMMENTS
1	12/22/10	PER ZONING COMMENTS
0	11/11/10	ISSUED FOR ZONING



DARRYL E. CAIN E-29401
PROFESSIONAL ENGINEER

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MO3147
CFPD4
13559 OLIVE BLVD
CHESTERFIELD, MO 63017
CHANGE OF ZONING - TOWER PARCEL

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

ENGINEERING

2006 INTERNATIONAL BUILDING CODE
2008 NATIONAL ELECTRIC CODE
ANSI/TIA-222-G OR LATEST EDITION

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR AT&T'S CONDUCTORLESS TELECOMMUNICATIONS NETWORK. INSTALLATION OF (1) LIGHT POLE, (1) UNITS CABINET, (6) ANTENNAS INCLUDING (18) COAX, (6) DC POWER CABLES, (3) FIBER CABLES, (6) TMAs, (6) DIPLEXERS, (1) LTE POWER NODE CABINET, (1) 9412 eNODE B CABINET, (3) RRRs, AND (1) GPS ANTENNA IS PROPOSED.

SITE INFORMATION

PROPERTY OWNER: MCDONALD'S CORPORATION
ADDRESS: NA

TOWER OWNER: AT&T
SITE NAME: MO3147
SITE NUMBER: CFPD4
SITE CONTACT: NA

SITE ADDRESS: 13559 OLIVE BLVD
CHESTERFIELD, MO 63017

COUNTY: ST. LOUIS

LATITUDE (NAD 83): 38° 40' 47.8688" N
38.679963

LONGITUDE (NAD 83): 90° 30' 4.2624" W
-90.501184

GROUND ELEVATION: 550' AMSL
RAD CENTER: 34' AGL

ZONING JURISDICTION: CITY OF CHESTERFIELD
ZONING DISTRICT: C-8
PARCEL #: 160241471
OCCUPANCY GROUP: U
CONSTRUCTION TYPE: V-B
POWER COMPANY: AMEREN UE
TELEPHONE COMPANY: AT&T
SITE ACQUISITION CONTACT: MARY KREPS
(636) 532-1051 EXT 113
RF ENGINEER: RON HUMPHREY
CONSTRUCTION MANAGER: BYRON SHOCKLEY
(314) 640-8780

IF USING 11"X17" PLOT, DRAWINGS
WILL BE HALF SCALE

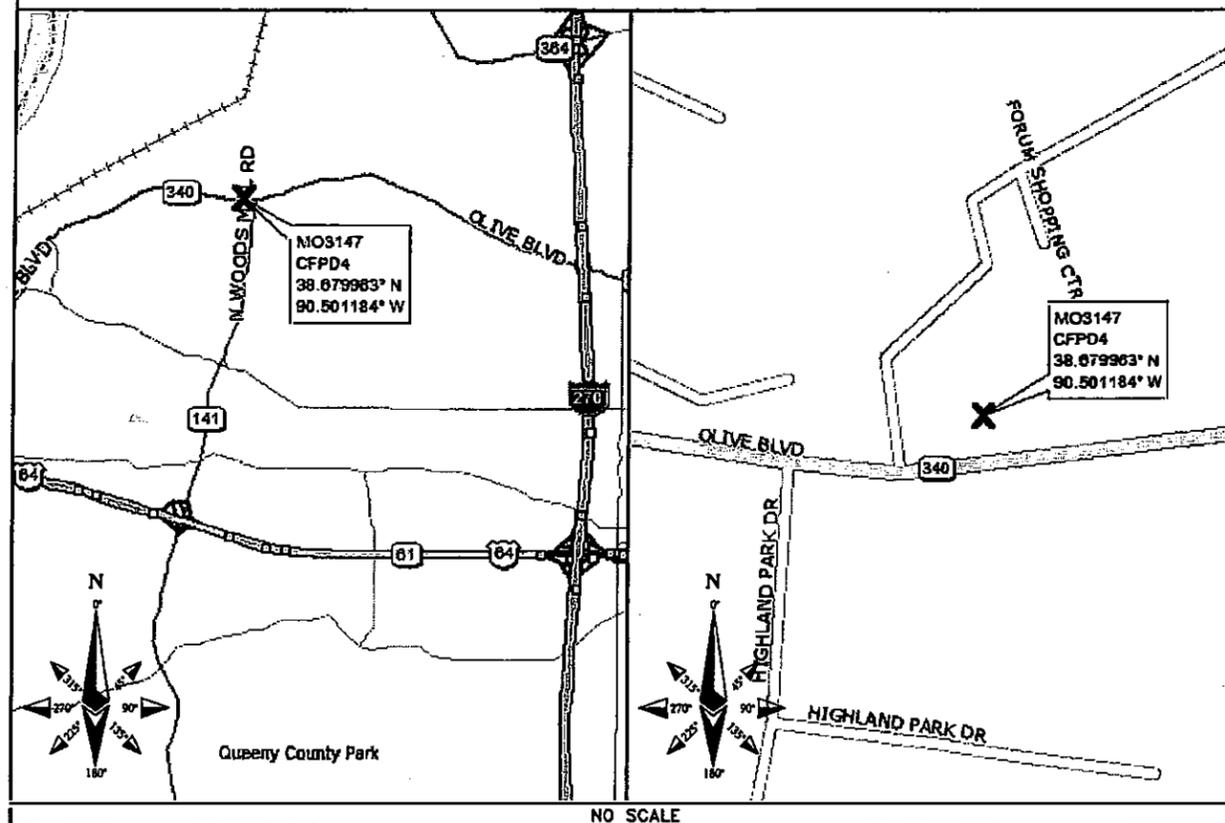
CONTACT INFORMATION

ENGINEER: 15450 S OUTER FORTY DR, SUITE 200
CHESTERFIELD, MO 63017

CONTACT: GEORGE P. XENOS

PHONE: (913) 687-9233

LOCATION MAPS



DRIVING DIRECTIONS

DIRECTIONS FROM NEAREST AT&T OFFICE:
FROM SR 100, KEEP RIGHT ONTO I-270 RAMP, TAKE EXIT 14, GO STRAIGHT ONTO SR 340 RAMP, KEEP LEFT ON SR 340 RAMP,
KEEP RIGHT ON SR 340 RAMP, TURN LEFT ONTO SR 340, SITE IS ON RIGHT.

APPROVALS

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR MODIFICATIONS.

AT&T RF: _____ DATE: _____
AT&T OPERATIONS: _____ DATE: _____
AT&T SITE AD: _____ DATE: _____
OCI: _____ DATE: _____
PROPERTY OWNER: _____ DATE: _____
MUNICIPAL: _____ DATE: _____

DRAWING INDEX

SHEET NO:	SHEET TITLE
T-1	TITLE SHEET
Z-1	SITE PRELIMINARY
Z-2	SITE ELEVATION
Z-3	ENLARGED TOWER AREA
Z-4	SITE SURVEY (BY OTHERS)

DO NOT SCALE DRAWINGS

SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME



TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES
BEFORE YOU DIG IN MISSOURI, CALL MISSOURI ONE CALL

TOLL FREE: 1-800-344-7483 OR
www.motcall.com

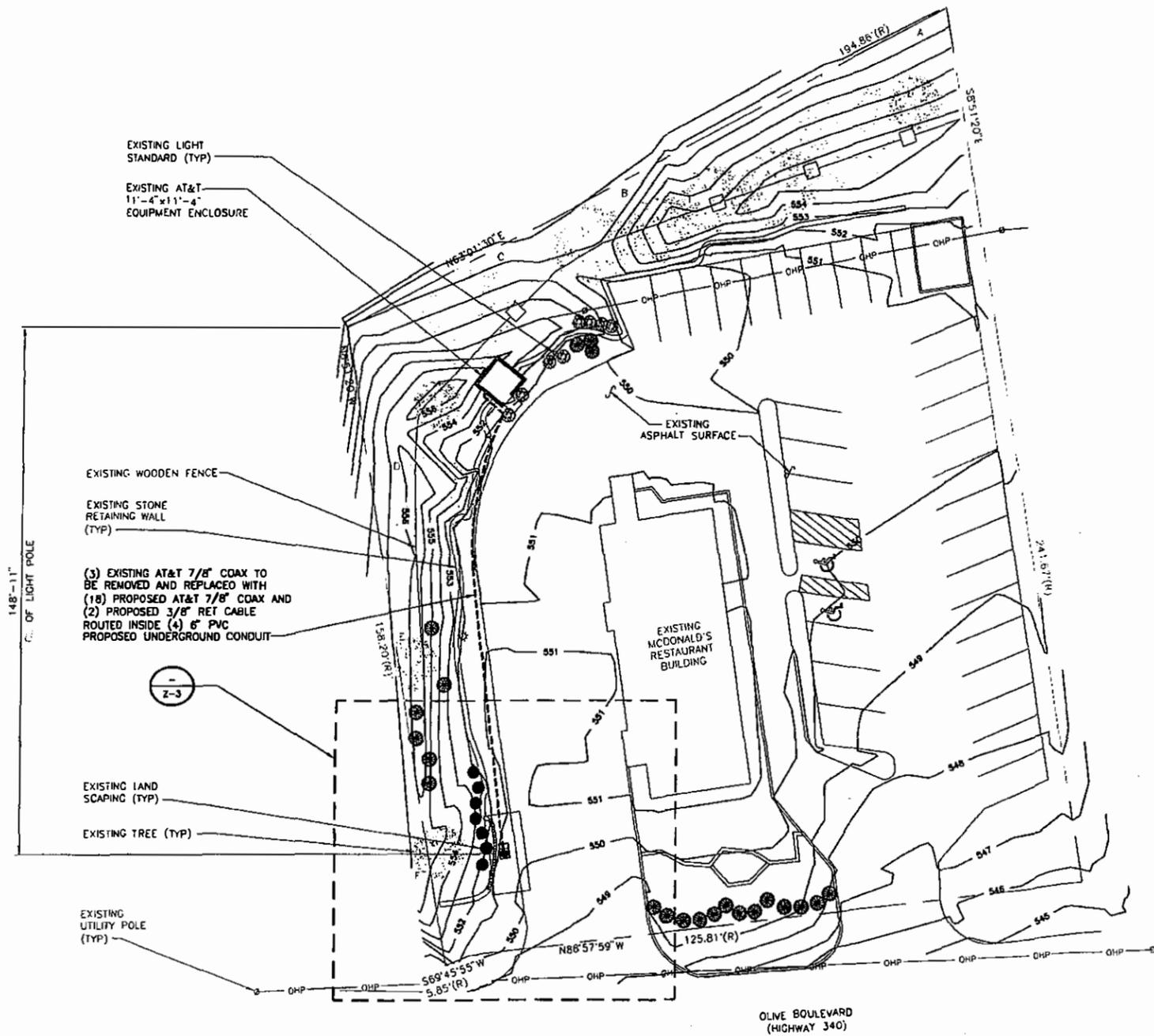
MISSOURI STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

NOTE

PARCEL LINES, ZONE LINES AND OTHER SITE FEATURES SHOWN ARE COMPILED FROM EXISTING PLANS AND OTHER DATA. LOCATION OF PARCEL LINES, ZONE LINES AND SITE FEATURES ARE NOT TO BE CONSTRUED AS THE RESULT OF AN ACTUAL FIELD SURVEY AND SUBJECT TO ANY CONDITION THAT A SURVEY MAY REVEAL.

NOTES

1. PROPOSED TOWER IS NOT INTENDED FOR ANY COLOCATION.
2. THE EXISTING LOT IS 0.856061 ACRES.
3. AREA OF TOWER AND COMPOUND IS 0.002782 ACRES
4. PERCENTAGE OF AREA SITE OCCUPIES ON PARCEL IS .27%.
5. EXISTING TREES (A,B,C,D,E, AND F) HAVE A TRUNK DIAMETER OF AT LEAST 6".
6. PROPOSED CHANGE IN ZONING ONLY WITH RESPECT TO AT&T LEASE AREA.
7. INGRESS AND EGRESS ARE EXISTING WITH NO CHANGES PROPOSED.
8. THERE ARE NO PROPOSED CHANGES TO ANY EXISTING SANITATION OR DRAINAGE FACILITIES.



PRELIMINARY PLAN
SCALE: 1" = 40'



13075 MANCHESTER RD, SUITE 100
ST LOUIS, MO 63131



BLACK & VEATCH

10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

BLACK & VEATCH PROFESSIONAL ENGINEERING CORPORATION
MISSOURI STATE CERTIFICATE OF AUTHORITY # 001548

PROJECT NO: 163313

DRAWN BY: EMB

CHECKED BY: GPX

REV	DATE	DESCRIPTION
6	07/28/11	PER ZONING COMMENTS
5	07/21/11	LITE DESIGN
4	06/29/11	ISSUED FOR ZONING
3	04/20/11	PER ZONING COMMENTS
2	03/11/11	PER ZONING COMMENTS
1	12/22/10	PER ZONING COMMENTS
0	11/11/10	ISSUED FOR ZONING



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MO3147
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CHANGE OF ZONING - TOWER PARCEL

SHEET TITLE
SITE PRELIMINARY

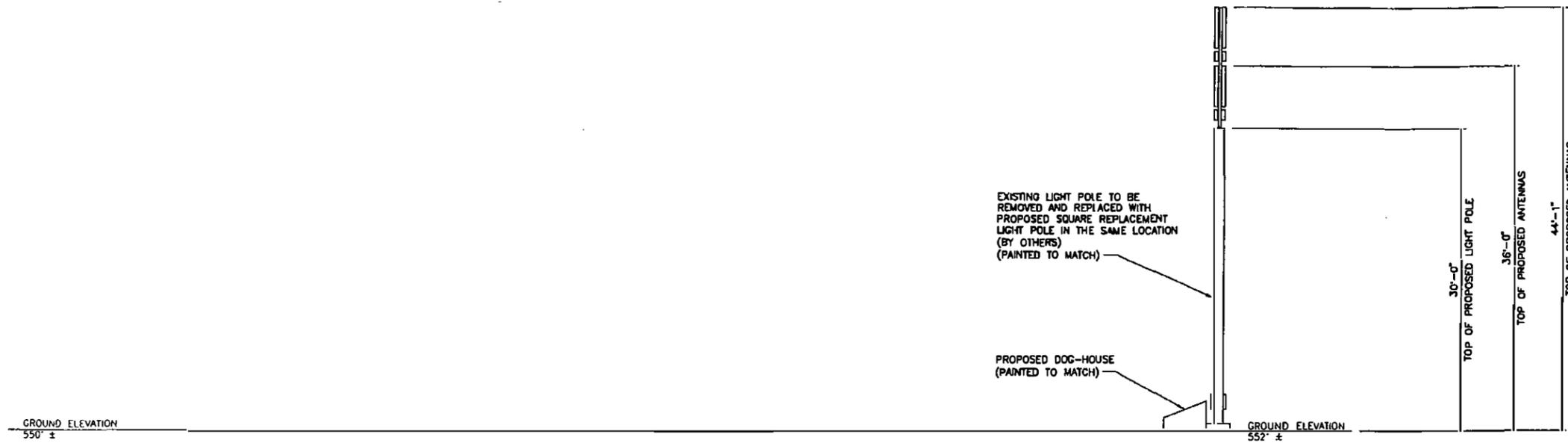
SHEET NUMBER
Z-1

LEGEND

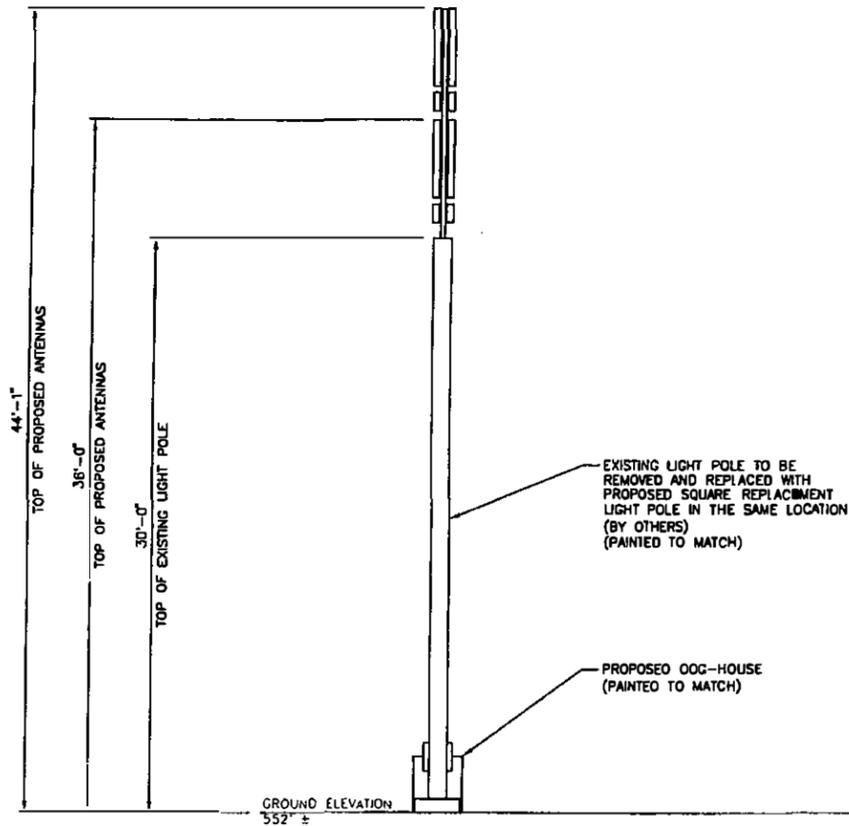
FENCE	
LEASE AREA	
ICE BRIDGE	
OVERHEAD POWER	
UNDERGROUND POWER	
OVERHEAD UTILITIES	
UNDERGROUND TELCO	

NOTES

1. PROPOSED TOWER IS NOT INTENDED FOR ANY COLOCATION.



**PROPOSED EQUIPMENT ELEVATION
LOOKING EAST**
SCALE: NONE



**PROPOSED EQUIPMENT ELEVATION
LOOKING NORTH**
SCALE: NONE



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ST LOUIS, MO 63131



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PROJECT NO: 163313

DRAWN BY: EMB

CHECKED BY: GPX

REV	DATE	DESCRIPTION
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5	07/21/11	LTE DESIGN
4	04/28/11	ISSUED FOR ZONING
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CHANGE OF ZONING - TOWER PARCEL

SHEET TITLE
SITE ELEVATION

SHEET NUMBER
Z-2

