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## Planning Commission Public Hearing Report

**Subject:** Public Hearing Report

**Meeting Date:** January 26, 2009

**From:** Justin Wyse, AICP, Project Planner

**Location:** 2 Clarkson Wilson Centre.

**Petition:** P.Z. 17-2008 Clarkson Wilson Centre (2 Clarkson Wilson Ctr.)

### Site Area History

1. The site was originally rezoned to a "C-8" Planned Commercial District by St. Louis County by Ordinance 6,227. The Ordinance was subsequently amended by St. Louis County Ordinances 13,666 and 13,903.
2. The City of Chesterfield, by Ordinance 204, permitted right in and right out access onto Clarkson Road prior to the Wilson Road relocation and the City of Chesterfield Ordinance 332 approved two (2) sit down restaurants instead of one sit down restaurant as originally allowed under St. Louis County Ordinance 13,666.
3. The City of Chesterfield approved Ordinance 655 in March of 1992 which allowed for bi-directional access at Clarkson Road and incorporated the changes in Ordinance 204 and 332 into one Ordinance.
4. The City of Chesterfield approved Ordinance 1117 in December of 1995 which allowed for temporary signs to be located on the site in December of 1995 only.

## Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel are as follows:

North: There is a vacant parcel immediately to the north.

South: The property to the South is the Clarkson Woods South subdivision.

East: The property to the east is the Clarkson Woods subdivision.

West: The property to the west is in the City of Clarkson Valley. Also, Buchholz Mortuary is located to the southwest side of the intersection of Clarkson Road and Wilson Avenue.





Looking southeast at the subject site from  
Clarkson Road



Looking northeast at the subject site from  
Clarkson Road.

### Proposal History

- The subject site is located on the east side of Clarkson Road, south of Clarkson Woods Drive.
- On June 30, 2008 Gene Holtzman, on behalf of Hutkin Development, submitted a request for a change of zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140.
- On August 11, 2008 a public hearing was held on P.Z. 17-2008 Clarkson Wilson Centre.
- On October 13, 2008 an Issues Meeting was held before the City of Chesterfield Planning Commission regarding the request. After the issues meeting, the City Attorney advised Staff that, due to inconsistencies in the request at the time of the public hearing and the issues meeting, **a new public hearing is required.**
- On December 22, 2008 Gene Holtzman, on behalf of Hutkin Development, submitted all required materials for the new public hearing.

### Issues Addressed at August 11, 2008 Planning Commission Meeting

At the August 11, 2008 public hearing, several issues were raised regarding the petition that were addressed during the October 13, 2008 *Issues* Meeting before the City of Chesterfield Planning Commission. These included restrictions on building height, parking along the entrance drive, intersection control at the Clarkson Wilson Centre driveway and Clarkson Wood Drive, permitted uses (including drive-thru fast food restaurants), number of restaurants, and outdoor seating.

## Open Issues

The Petitioner has not revised the requested use (b) pertaining to animal hospitals, veterinary clinics, and kennels. Clarkson Wilson Centre currently has a veterinary use and Kennelwood Village as tenants in the development. After review of the City of Chesterfield Zoning Ordinance definition for kennels, Staff recommends that this use be permitted within the development.

(101) *A boarding kennel is defined as: The use of land or building for the purpose of boarding, or keeping of five (5) or more dogs over four (4) months in age and not owned by the proprietor, or the boarding or keeping of six (6) or more cats over four (4) months of age and not owned by the proprietor or the keeping or boarding of a combination of six (6) or more dogs and cats which are sheltered, fed, and watered in return for a consideration. This term shall include all boarding activities regardless of name used, including pet sitting services.*

After the public hearing, Staff and the Petitioner met regarding the request. At that time it was found that there are two existing businesses in the shopping center that have hours of operation that are not allowed under the current governing ordinance. City of Chesterfield Ordinance 1117 states: "The permitted uses are allowed to be operated on the premise from 7:00 a.m. to 11:00 p.m., seven (7) days a week." Based on the below inconsistencies, the Petitioner is requesting that provisions be added to the Attachment A that (1) allow for one restaurant to provide delivery service on Friday and Saturday until 1:00 a.m., and (2) allow for one kennel use to open on Tuesday mornings at 6:15 a.m.

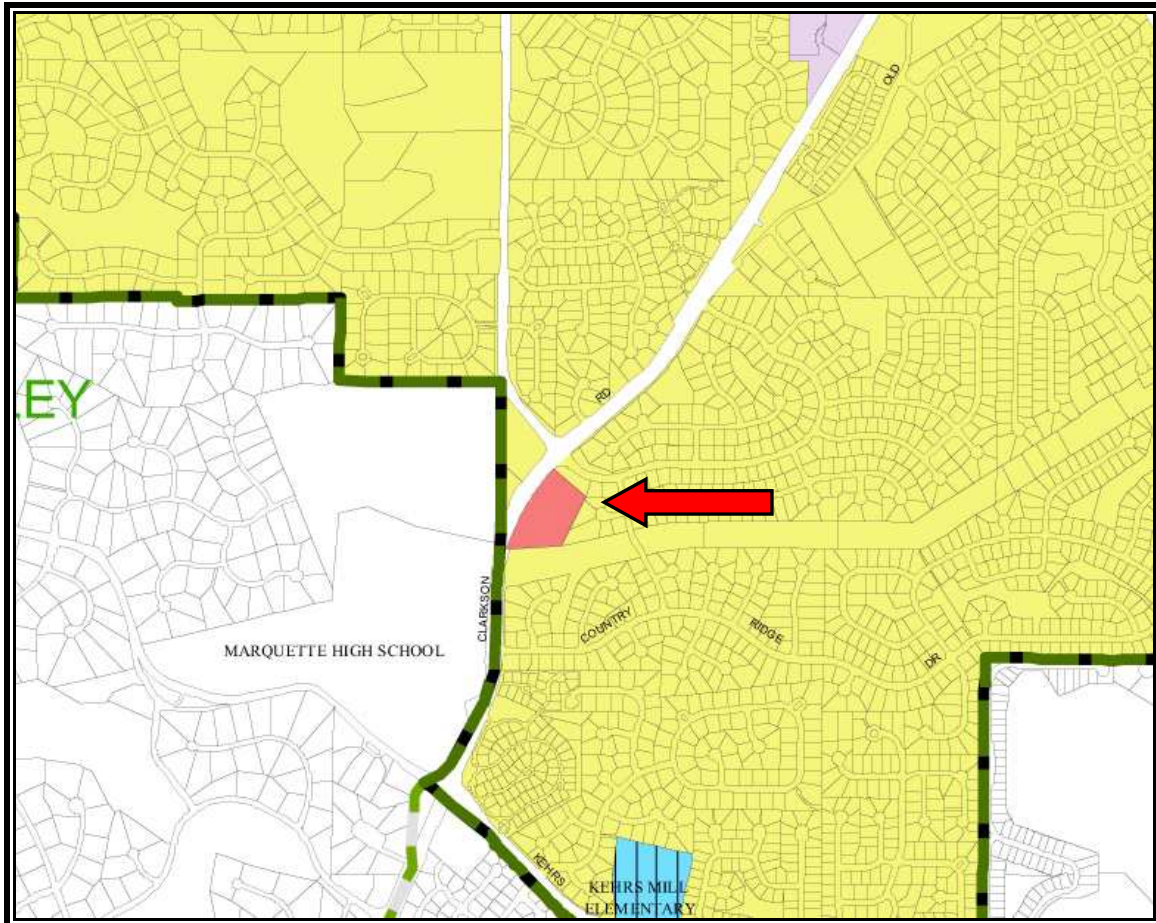
The two uses not in compliance with this regulation are:

1. A restaurant that provides delivery service on Friday and Saturday from 11:00 a.m. to 1:00 a.m.
2. A kennel that operates on Tuesday from 6:15 a.m. until 6:00 p.m.

Additionally, the Petitioner is also requesting a modification to the sign regulations within City of Chesterfield Ordinance 1117. The current regulations do not allow for temporary signs or advertising signs and only permit one (1) freestanding business identification sign for the development. The Petitioner is requesting that the development be permitted to adhere to the City of Chesterfield sign regulations within the Zoning Ordinance.

## Comprehensive Plan Analysis

The subject site is located within Ward 4 of the City of Chesterfield. The Comprehensive Plan calls for this area to be Neighborhood Retail. This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site. The current development is consistent with the Comprehensive Plan.



## Request

Staff has reviewed the change of zoning from "C-8" Planned Commercial District, to "PC" Planned Commercial District. Staff requests that any additional issues be identified at this time.

Respectfully submitted,



Justin Wyse, AICP  
Project Planner

Respectfully submitted,



Annissa McCaskill-Clay, AICP  
Lead Senior Planner

Attachments

1. Public hearing notice
2. Approved Site Development Plan

**NOTICE OF PUBLIC HEARING  
CITY OF CHESTERFIELD  
PLANNING COMMISSION**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Chesterfield will hold a Public Hearing on January 26, 2009 at 7:00 p.m. in the City Council Chambers at Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

Said Hearing will be as follows:

**P.Z. 17-2008 Clarkson Wilson Centre (2 Clarkson Wilson Ctr):** A request for a change of zoning from “C-8” Planned Commercial District to “PC” Planned Commercial District for a 5.45 acre tract of land located south of Wilson Avenue and east of Clarkson Road (20T240171). The request includes changes to the hours of operation as well as the sign requirements for Clarkson Wilson Centre.

The proposed uses include:

- (b) Animal hospitals, veterinary clinics, and kennels
- (e) Associated work and storage areas required by a business, firm or service to carry on business operations.
- (f) Libraries, reading rooms.
- (h) Barber shops and beauty parlors
- (o) Dry cleaning drop off and pick-up stations
- (q) Film drop off and pick-up stations
- (s) Financial institutions.
- (x) Medical and dental offices
- (z) Office or office buildings
- (ff) Recreational facilities, indoor and gymnasiums.
- (gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (hh) Restaurants, fast food.
- (ii) Restaurant, sit down.
- (pp) Permitted signs
- (nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors. Goods and services associated with these uses may be sold or provided directly to the public on premises.
- (rr) Stores, shops, markets, service facilities are being offered for sale or hire to the general public on the premises.



Anyone interested in the proceedings will be given an opportunity to be heard. Copies of the request are available for review from the Department of Planning and Public Works at Chesterfield City Hall, 690 Chesterfield Parkway West, weekdays between the hours of 8:30 a.m. and 4:30 p.m. If you should need additional information about this project, please contact Mr. Justin Wyse, Project Planner by telephone at 636-537-4736 or by email at [jwyse@chesterfield.mo.us](mailto:jwyse@chesterfield.mo.us).

CITY OF CHESTERFIELD

Maurice Hirsch, Chair,  
Chesterfield Planning Commission

For information about this and other projects under review by the Department of Planning, please visit "Planning Projects" at <http://www.chesterfield.mo.us>.

#### Legal Description

A tract of land in the North half of Section 21, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a concrete monument marking the Southwestern corner of Clarkson Woods, Plat 2, as recorded in Plat Book 167 page 66 of the St. Louis County Records, and also being a point on the Northern Line of Clarkson Woods South – Plat 1 as recorded in Plat Book 166 pages 94 and 95 of the said St. Louis County Records, thence South 27 degrees, 44 minutes, 50 seconds West along the Northern line of said Clarkson Woods South, Plat 1, a distance of 3.00 feet to a point; thence South 89 degrees, 48 minutes 58 seconds West continuing along the said North line of Clarkson Woods South, Plat 1, a distance of 420.73 feet to a point said point being the Northwest corner of said Clarkson Woods South, Plat 1 and also being a point on the Eastern Right of Way line of Clarkson Road, 60 feet wide; thence along said Eastern line of Clarkson Road, along a curve to the right, having a radius of 1,402.69 feet, an arc distance of 705.00 feet to a point; thence leaving the said Eastern line of Clarkson Road along the North line of the existing C-8 zoning as established by Ordinance 6227 dated 1972, St. Louis County, Missouri, South 50 degrees 01 minutes 12 seconds East, a distance of 368.01 feet to a point on the Western line of the aforementioned Clarkson Woods Plat Two; thence along the Western line of Clarkson Woods, Plat 2, South 27 degrees 44 minutes 50 seconds West a distance of 419.45 feet back to the point of beginning.



