

## Planning Commission Public Hearing Report

**Meeting Date:** March 26, 2018

**From:** Mike Knight, Project Planner

**Location:** North of North Outer 40 Road and east of Boone's Crossing

**Petition:** **P.Z. 02-2018 Summit-Topgolf (Topgolf USA Chesterfield LLC)** An ordinance repealing City of Chesterfield Ordinance 2932 to establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. (17T510063, 17T520105, 17T520116)

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### Summary

Carvana, LLC is requesting a zoning map amendment to repeal City of Chesterfield Ordinance 2932 and establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. The 22 acre tract of land is made up of three lots; Lots A, B, and C seen in Figure 1 below. There are four primary purposes to this request. Three of the requests are solely for Lot C. These three requests are to add "Automobile Dealership" as a permitted use; request limitations on hours of operation and restrict sales to indoor only for the "Automobile Dealership" use; and increase the maximum height on Lot C from 60 feet to 75 feet. The fourth request is for all three lots (A, B, and C), and is to increase the total building floor area to 200,000 square feet from the current 150,000 square feet combined in all three lots.



Figure 1: Subject Site Aerial

## **SITE HISTORY**

In January of 2017, the City Council approved Ordinance 2932 which consolidated two Planned Commercial districts (the Hardees Iceplex and Valley Gates Subdivision) into one new 22.2 acre Planned Commercial district.

The portion of the site from the Hardees Iceplex is approximately 14.5 acres and was governed by Ordinance 1564 until the current 2932. Prior to this zoning, the site was zoned “NU” Non-Urban but had also been approved for a Conditional Use Permit (CUP #13) in 1993 for the operation of an indoor ice arena, sports pro shop, snack bar, game room, ancillary seating facilities, and offices.

The portion of the site from the Valley Gates subdivision is approximately 7.7 acres and was vacant until the City approved a change of zoning from an “NU” Non-Urban designation to a “PC” Planned Commercial designation in 2005, which allowed for a number of recreational, retail, and other commercial uses. The site went through two subsequent amendments for various development standards including, but not limited to, building height and setbacks, which resulted in the site-specific Ordinance 2570.

## **SURROUNDING LAND USES**

The land use and zoning for the properties surrounding this parcel are as follows (and seen in figure 3):

### **North**

The Monarch Chesterfield Levee is located directly to the north with Flood Plain Non-Urban zoned property, currently being used for the stockpiling of dirt

### **South**

The subject site is bordered by North Outer 40 and Interstate 64 to the south. The Kemp Auto Museum is the nearest subdivision.

### **East**

The property to the east is zoned a combination of Agriculture and Non-Urban, currently being used for agricultural operations including a plant nursery under an active Conditional Use Permit.

### **West**

The property to the west is Taubman Prestige Outlets and is currently zoned Planned Commercial.



Figure 3: Zoning

### **COMPREHENSIVE PLAN**

The subject site is located within Ward 4 of the City of Chesterfield and is within the Mixed Commercial Use land use designation per the City’s Land Use Plan as seen in Figure 4. The Comprehensive Plan designates the permitted land uses under Mixed Commercial Use (Retail, Low-Density Office, and Limited Office/Warehouse Facilities). All of the currently permitted uses under governing Ordinance 2932, along with the requested “Auto Dealership” use, are consistent with the City’s Comprehensive Land Use Plan.

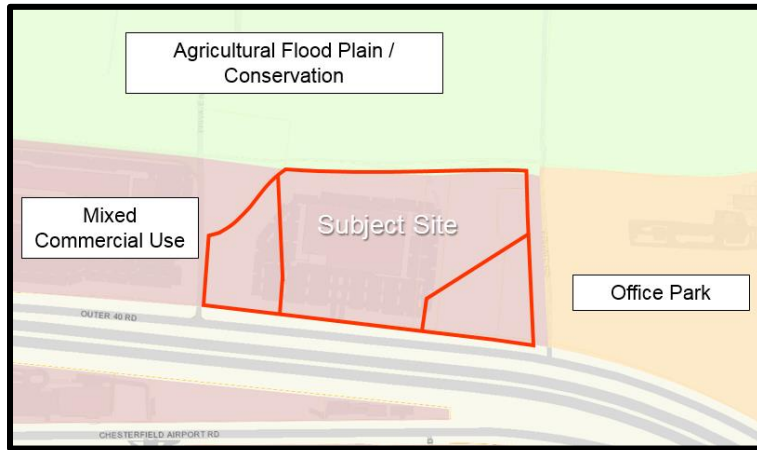


Figure 4: Comprehensive Land Use Plan

### **STAFF ANALYSIS**

The petitioner has four requests. Three of the requests are solely for Lot C, and there is one request collectively for Lots A, B, and C. Staff will review each of these individually within this report.

Lot C

**Request 1:** The addition of the “Automobile Dealership” use.

**Request 2:** Restrictions on the “Automobile Dealership” use including: hours of operation 7 days a week from 7:00AM – 9:00PM and automobile sales limited to inside the building.

**Request 3:** The maximum building height would be increased from 60 to 75 feet.

Lots A, B, C

**Request 4:** The total building floor area within this development be increased from 150,000 square feet to not exceed 200,000 square feet.

**Request 1** (lot C only)

The petitioner is requesting to add “Automobile Dealership” as a permitted use on Lot C only.

The Summit-Topgolf Subdivision is zoned PC – Planned Commercial and under Section 31-03-07 of the Unified Development Code, “Automobile Dealership” is a permitted use in the PC district. The PC district is currently the only zoning district in which an automobile dealership is permitted.

At the June 27, 2016 Public Hearing to create the Summit-Topgolf subdivision, the applicant requested 55 uses. Planning Commission at that time requested consideration to reduce the number of uses requested with attention given to uses that may not be compatible with the proposed recreational use of Topgolf. The petitioner modified their request to reduce the number of uses to 35. Automotive Dealership was not one of the original 55 uses requested that was later removed.

Currently there are three auto dealerships in the Chesterfield Valley Area and one future auto dealership under construction. They are all located within PC Planned Commercial districts. Figure 5 below depicts three in yellow (current) and one in red (under construction). The approximate location of the dealerships within the Valley can be seen, demonstrating that all of the current and future dealerships are in between Chesterfield Airport Road and I-64. This would be the only active dealership north of I-64. Although the current and future dealerships are south of I-64, they are all visible from traffic along I-64. Requests 2 and 3 include additional restrictions to this proposed use.

<b>1. Jim Butler Kia</b> Zoning: PC Distance: 2 miles Ordinance: COC 2351	<b>2. Lou Fusz Ford</b> Zoning: PC Distance: 1.75 miles Ordinance: COC 1746	<b>3. St. Louis Motor Cars</b> Zoning: PC Distance: 1.4 miles Ordinance: COC 2566	<b>4. Tesla</b> Zoning: PC Distance: 0.3 miles Ordinance: COC 2911
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Figure 5: Auto Dealerships within the Valley



**Request 2** *(lot C only)*

The petitioner is requesting that the hours of operation, specific to the “Automobile Dealership”, be permitted seven days a week from 7:00AM to 9:00PM with automobile sales limited to inside the building.

Currently within governing Ordinance 2932 there are seven uses that have Hours of Operation restrictions. These uses are Grocery (Community, Neighborhood, and Supercenter), Community Retail Sales Establishment, Regional Retail Sales Establishment, and Tackle and Bait Shop. The restrictions are all the same and consist of hours of operation open to the public from 6:00AM – 12:00 AM. Hours of operation for said uses may be expanded for Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven business days in advance of said holiday.

In review of all of the governing ordinances associated with the current auto dealerships within the Valley (Figure 5), only the Tesla site has hours of operation restrictions placed on the Auto Dealership use, and none of them have restrictions on limiting automobiles sales to inside the building. The Tesla site describes the Hours of Operation restriction from 6AM to 11PM with the same holiday language seen in Ordinance 2932.

Throughout the Chesterfield Valley, there are many developments that have restricted hours for retail sales. The adjacent Taubman Prestige Outlets has a restriction on retail sales, with hours of operation from 6AM to midnight.

**Request 3** *(lot C only)*

The Petitioner is requesting that the maximum building height be increased from 60 to 75 feet solely on Lot C. Currently within governing Ordinance 2932 the maximum height including parapets and other similar features, rooftop equipment, and lighting structures of all buildings shall not exceed sixty (60) feet. The ordinance also reads, that the poles and netting related to the driving range requiring a maximum height of one hundred and seventy (170) feet. The PC Planned Commercial District regulations do not have specific height limitations within the UDC. There are minimum standards of design in which there is a maximum floor area ratio of (.55) and minimum of 35% open space.

The neighboring Taubman site addresses height restrictions with the maximum height of the building, exclusive of rooftop mechanical equipment and screening, shall not exceed 45 feet; however, architectural features, including but not limited to towers that do not add usable floor area may be a maximum of 60 feet in height. Additionally, Chesterfield Blue Valley, which is located at the other end of the Chesterfield Valley but still along the Interstate 64 corridor, is permitted a maximum structure height of 65 feet with the exception of three parcels which can be built 6 stories or 75 feet as measured from existing grade, whichever is less.

Of all the development that is directly north and south of I-64 within the Chesterfield Valley, only four subdivisions have height limitations that permit for development exceeding 45 feet (Summit Topgolf, Chesterfield Valley Athletic Complex, Chesterfield Blue Valley, and Long Road Crossing). The locations of the above-mentioned properties can be seen in Figure 6 below.

**Blue Valley**

Height Limits of 65 ft. / 75 ft. depending on parcel

**CVAC**

Office not to exceed 6 levels

**Long Road Crossing**

Height limitations on Hotel use of 5 stories

**Summit Topgolf**

Building should not exceed 60 ft.

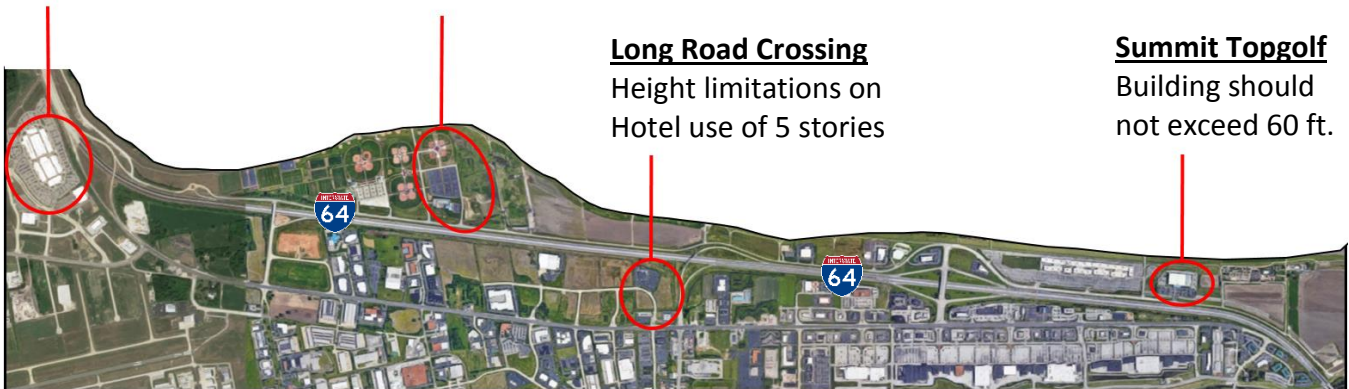


Figure 6: Height Limitations above 45 Feet

No building or structure, other than a freestanding project identification sign, light standard, or flag poles, is able to be located within 75 feet from the southern boundary, alleviating any Sky Exposure Plane conflicts for a 75 ft. tall structure. The Sky Exposure Plane is a theoretical plane beginning on a line at the intersection of the setback plane and front yard setback rising over the buildable area of the lot on a slope determined by an acute angle of 60°. The setback plane is a theoretical plane beginning at the edge of the street and rising at a 45° angle over the required front yard to the front yard setback line used to determine the starting point for the sky exposure plan. Figure 7 demonstrates the Sky Exposure Plane and with the current setback conditions, the said Sky Exposure plane would not be in conflict.

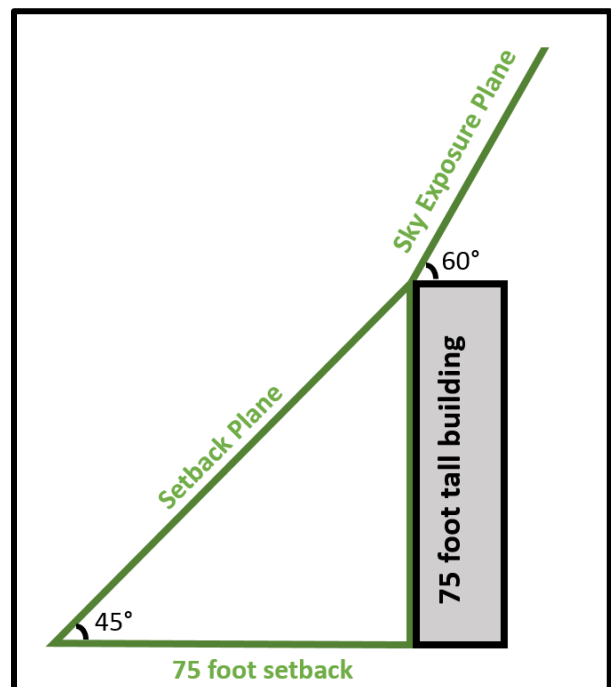


Figure 7: Sky Exposure Plane

**Request 4** (*lots A, B & C*)

The Petitioner is requesting that the total building floor area within this development be increased from 150,000 square feet to not exceed 200,000 square feet.

Currently under construction on Lot B is the Topgolf development. The total square footage of the Topgolf building is 66,300 square feet. Currently under review is a Site Development Section Plan for Lot A to construct a four-story Residence Inn by Marriot that is roughly 83,332 square feet. If approved, the total building floor area would be at 149,632 square feet. This would only allow for a structure of 368 square feet to be constructed on Lot C, virtually undevelopable.

The maximum Floor Area Ratio for this development is 0.55. If the site fully develops at the proposed 200,000 square feet, the Floor Area Ratio would be 0.21.

**Preliminary Plan**

A zoning map amendment to a planned zoning district requires a Preliminary Development Plan, which has been included in the Planning Commission’s packet. Staff will continue to evaluate the submitted Preliminary Plan.

A public hearing further addressing the request will be held at the March 26, 2018 City of Chesterfield Planning Commission meeting. Attached, please find a copy of the Public Hearing Notice, Applicant Narrative Statement and Preliminary Plan and Resident Correspondence for this petition.

Respectfully submitted,



Joseph Knight  
Project Planner

Attachments

1. Public Hearing Notice
2. Applicant Narrative Statement
3. Preliminary Plan
4. Resident Correspondence



# 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 Monday, March 26, 2018 at 7:00 pm, in the Council Chambers at the City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

P.Z. 02-2018 Summit-Topgolf (Topgolf USA Chesterfield LLC) An ordinance repealing City of Chesterfield Ordinance 2932 to establish a new "PC" Planned Commercial District for a 22.22 acre tract of land located north of North Outer 40 Road and east of Boone's Crossing. (17T510063, 17T520105, 17T520116) .

### Description of Property

A TRACT OF LAND BEING PART OF A LARGER TRACT AS CONVEYED TO SUMMIT ICE CENTER INVESTORS, INC BY INSTRUMENT RECORDED IN BOOK 14970, PAGE 648 OF THE ST LOUIS COUNTY RECORDS, LOCATED IN US SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST LOUIS COUNTY, MISSOURI

For a list of the requested uses, contact the project planner.

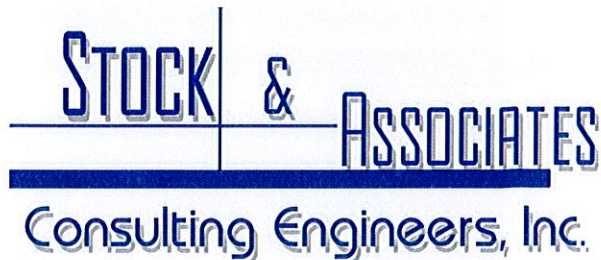


City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, MO 63017



Information on these Public Hearings may be found on the City's website at <http://www.chesterfield.mo.us/public-notice.html> or by contacting Project Planner Mike Knight at 636.537.4736 or via e-mail at [JKnight@Chesterfield.MO.US](mailto:JKnight@Chesterfield.MO.US). All interested parties will be given an opportunity to be heard at the Public Hearing.





**PROJECT NARRATIVE ASSOCIATED WITH  
A REQUEST FOR TEXT AMENDMENT TO ORDINANCE #2932**

Date: March 19, 2018  
(Stock Project No. 217-6089)

There are four primary purposes for our request for changes to Ordinance #2932:

**Lot "C"**

- (1) We respectfully request to add "Automobile Dealership" as a permitted use on only "Lot C" of this ordinance. The Summit-Topgolf Subdivision is zoned Planned Commercial "PC", under Sec.31-03-07 "Use Table for Non-Residential District" of the Unified Development Code, "Automobile Dealership" is a permitted use in the Planned Commercial District.
- (2) Secondly, regarding request (1) above, we request that the hours of operation specific to the use "Automobile Dealership" be permitted seven (7) days a week from 7:00 a.m. to 9:00 p.m., with all automobile display limited to inside the building.
- (3) A change to Section B "Floor Area, Height, Building, and Parking Structure Requirements" item "2. Height" of attachment A. Specific to "Lot C", we request that the maximum building height be increased from sixty (60) to seventy-five (75) feet.

**Lots "A", "B", and "C"**

- (4) Fourthly, a second change to Section B "Floor Area, Height, Building, and Parking Structure Requirements" item "1. Floor Area" of attachment A. We respectfully request that the total building floor area within this development be increased from 150,000 square feet to not exceed 200,000 square feet. A maximum allowed Floor Area Ratio (F.A.R.) in the PC district is 0.55. Lots "A", "B", and "C" combined is a total of 22.2 Acres or 967,827 square feet, the F.A.R. for the entire 22.2 Acres would be 0.21, (200,000 s.f./ 967,827 s.f.= 0.21), which is less than the maximum allowed in a PC District. The total building square footage that could be developed on the 22.2 Acres under an F.A.R. of 0.55 is

**257 Chesterfield Business Parkway, St. Louis, MO 63005**  
**636.530.9100 – Main | 636.530.9130 – Fax**  
**[www.stockassoc.com](http://www.stockassoc.com) | [general@stockassoc.com](mailto:general@stockassoc.com)**

March 19, 2018

PROJECT NARRATIVE – TEXT AMENDMENT TO ORDINANCES

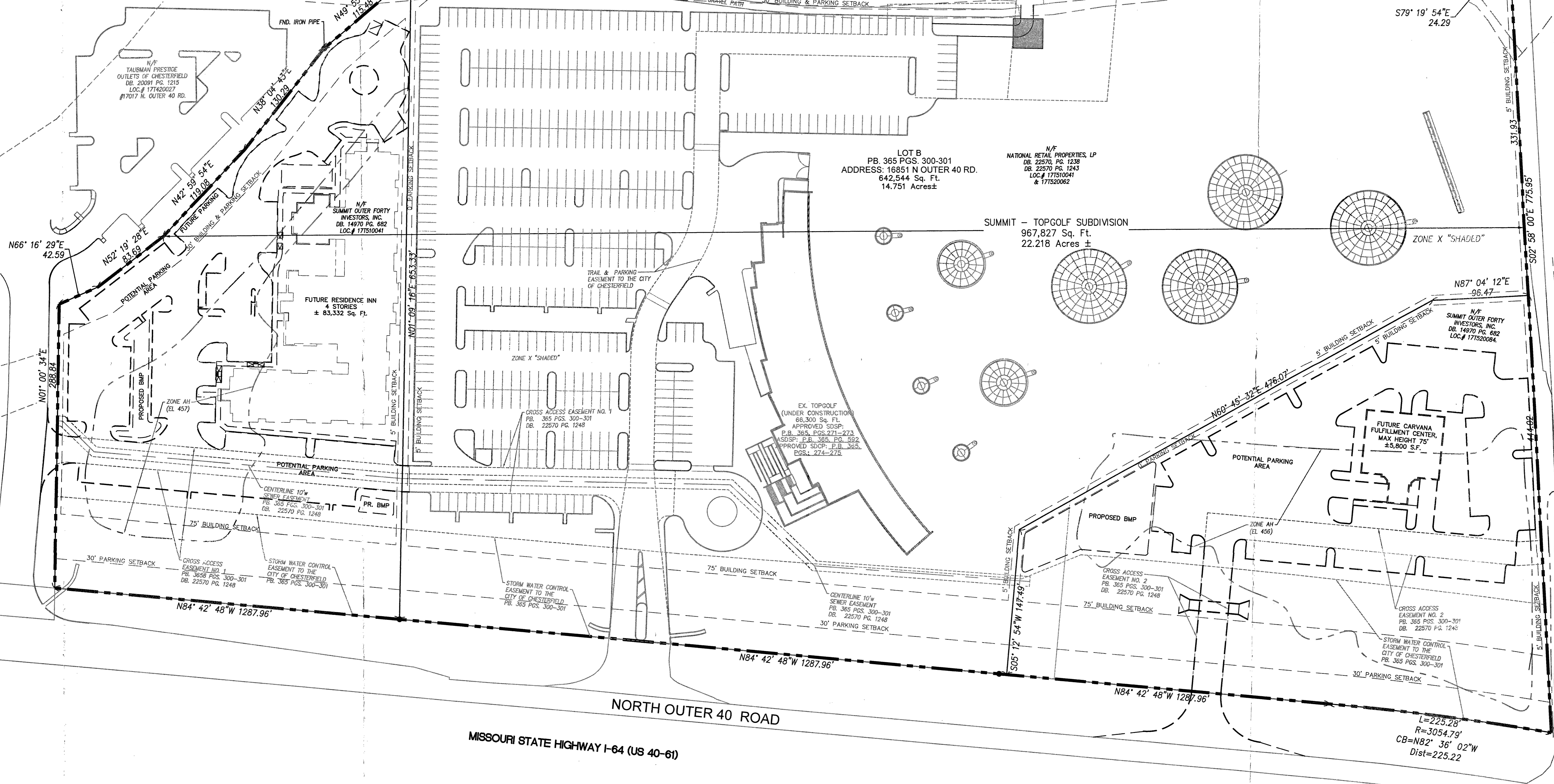
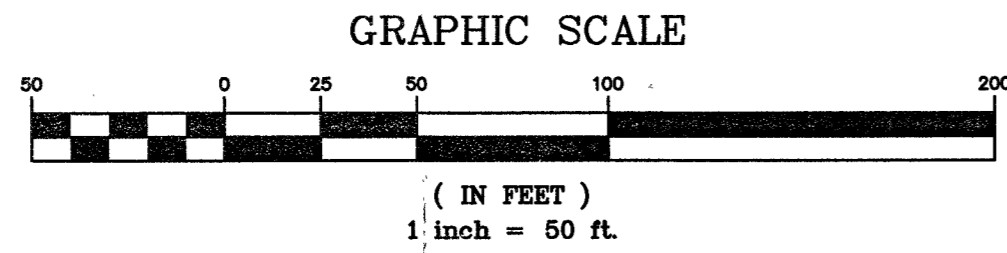
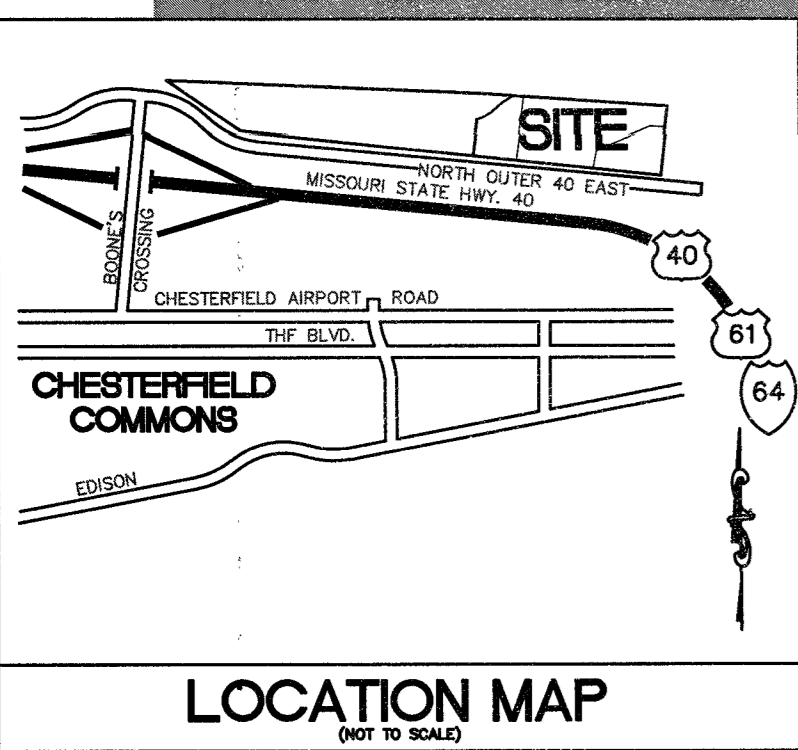
Page 2

532,305 square feet. The Preliminary Development Plan associated with Ordinance 2932 speculated that the 22.2 Acres would be used for small restaurants and retail shops, which established the maximum floor area of 150,000 square feet for the entire tract. Those uses differ from what is currently under construction on Lot B (TopGolf) and are proposed for Lots A & C. Due to the intended uses for the two remaining undeveloped lots a request for an increase in the total building floor area is needed to accommodate the potential 4-store Residence Inn by Marriott on Lot A and Carvana on Lot C.



# PRELIMINARY PLAN FOR TEXT ORDINANCE AMENDMENT

TEXT ORDINANCE AMENDMENT TO ORD: #2932  
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI  
ZONED PLANNED INDUSTRIAL DISTRICT "PC"



PREPARED FOR:  
CARVANA  
ATTN: ARWA LULU  
1930 W. RIO SALADO PKWY  
TEMPE, AZ 85281  
(480) 244-3900

PREPARED FOR:  
SUMMIT DEVELOPMENT GROUP  
ATTN: SCOTT "MURPH" REESE  
101 S HANLEY RD, SUITE 1400  
CLAYTON, MO 63105  
(314) 584-6222

PREPARED BY:  
**STOCK & ASSOCIATES**  
Consulting Engineers, Inc.  
257 Chesterfield Business Parkway  
St. Louis, MO 63005 PH. (636) 530-9100 FAX (636) 530-9130  
e-mail: general@stockassoc.com  
Web: www.stockassoc.com

PRELIMINARY PLAN FOR:  
**SUMMIT - TOPGOLF SUBDIVISION**  
CITY OF CHESTERFIELD, MISSOURI 63005

STATE OF MISSOURI  
GEORGE MICHAEL STOCK  
REGISTERED PROFESSIONAL ENGINEER  
NUMBER: PB-25116  
1/31/18  
GEORGE M. STOCK E-25116  
CIVIL ENGINEER  
CERTIFICATE OF AUTHORITY  
NUMBER: 000996

REVISIONS:

RECEIVED  
MAR 19 2018  
City of Chesterfield  
Department of Public Services

DRAWN BY: K.S.G. CHECKED BY: G.M.S.  
DATE: 1/23/2018 JOB NO: 217-6191  
M.S.D. # BASE MAP # 171  
S.L.C. H&T # H&T SUP. #  
M.D.N.R. #  
SHEET TITLE: PRELIMINARY PLAN  
SHEET NO.: C1.0

Joseph Knight

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Subject: Homeowner comments RE: P.Z. 02-2018 Summit-Topgolf

From: Kathy Teutenberg  
Sent: Monday, March 19, 2018 4:44 PM  
To: Joseph Knight <JKnight@chesterfield.mo.us>  
Cc: tom.decampi@gmail.com; michelleohley@gmail.com  
Subject: Homeowner comments RE: P.Z. 02-2018 Summit-Topgolf

Mike,

Thank you so much for your emails/phone conversations last week in answer to my questions concerning P.Z. 02-2018.

One of your emails indicated that this proposal includes a height increase request in Lot C to a maximum height of 75 feet from 60 feet.

With this email I wish to document that as a homeowner living in a neighborhood overlooking the Valley and Topgolf, I am against allowing any such increase in maximum height. Actually, I had no idea of the 60 feet height allowance in existence now. This in itself is concerning to me.

Had I known when I moved in over 20 years ago of the planned Valley development explosion in the area I doubt I would have chosen this location. Hindsight is 20/20, I know, so short of a move there's not much I am able to do.

Except - Try to voice a homeowner concern as I become aware of additional developments in the Valley that the Villas may overlook. Such is the situation with the Lots in question.

Villa homes sitting on the Bluffs have a clear view of this end of Chesterfield Valley. When built and sold they were premium lots, each Bluffs lot costing additional money due to the view over the valley. The recently completed Topgolf is an eyesore, in my opinion and in the opinion of neighbors and friends. Unlike prior Valley developments, it stands above all other developments in the immediate area and may be seen clearly from some of the Villa Bluffs homes, disrupting a beautiful view. I had no idea what it would look like until it was on it way.

As the city reviews this request I hope all involved remember the residents whose homes overlook the Valley and who may be impacted, paying attention to aesthetics. Such tall heights make it difficult to enjoy the horizon and the beauty of the landscape. While Valley development is key, this homeowner hopes that a satisfactory compromise may be reached to meet both developer and homeowner desires. Please don't forget us.

Sincerely,

Kathy Teutenberg

P.S. Other thoughts that come to mind as I think thought this issue:

- How well do residents of the Bluffs and other nearby subdivisions understand your plans for expansion in the Valley that may impact their homes, especially those overlooking the valley? I know I don't understand such plans.

- How may I and other homeowners find out of any expansion plans impacting our homes in advance?

- What efforts have you made or are planning to make to gather feedback from local citizens in the future?



- Can data be provided that suggests homeowners would be pleased to live close to 75-foot structures?

- In short, have you been assured that homeowners have no problems overlooking a business area with 75-foot buildings?

It seems to me that until you have obtained the approval of local residents in view , or at least communicated such plans to these local residents, isnt it a mistake to proceed with such development plans, changing/repealing existing ordinances?

In summary, now that this has come to light, it would be helpful if all information related to this expansion would be made accessible to homeowners . I would welcome such information.

Thank you sincerely.