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Phone: 636-537-4000 • Fax 636-537-4798 • [www.chesterfield.mo.us](http://www.chesterfield.mo.us)

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## Planning Commission Issues Report

**Subject:** Zoning Map Amendment

**Meeting Date:** May 23, 2016

**From:** Jessica Henry, Project Planner

**Location:** Northeast of the intersection of Chesterfield Airport Road and Chesterfield Commons Drive

**Petition:** **P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd):**

### Summary

DosterUllom & Boyle, LLC, on behalf of Caplaco Nineteen, Inc., has submitted a request for a zoning map amendment from “PC/MAA” Planned Commercial District with a Museum and Arts Overlay District to “PC” Planned Commercial District.

The proposed Preliminary Plan depicts a total of two (2) structures with the eastern structure planned to remain and be retrofitted. Access is proposed to utilize existing access points to the west and east. As stated in the written narrative, also attached for the Planning Commission’s review, the applicant wishes to rezone the site to expand the permitted land uses for marketability.

A Public Hearing was held on this item on November 23, 2015. After the Public Hearing, a letter summarizing the issues raised during the Public Hearing was issued by Staff. Since that time, the applicant has indicated to Staff that they are working to address these issues which are discussed in detail in the Issues section of this report. While all issues remain outstanding, this item is now before the Planning Commission for discussion of issues due to reaching its 6 month time limit between the Public Hearing and the next scheduled meeting as required by City Code. Therefore, the Planning Commission can discuss the open issues or any details of the project they desire.

### Zoning History

Site was originally zoned “NU” Non-Urban through St. Louis County. In 1974, St. Louis County Ordinance 7,014 approved a rezoning from “NU” to “M3” Planned Industrial for a 4.7 acre portion of the subject property. In 2002, the City of Chesterfield approved a rezoning from the previously approved “M3” and the remaining “NU” portion of the subject property to “PC” Planned Commercial for the previous Kemp Auto Museum via City of Chesterfield Ordinance 1902. This

property was again rezoned in 2004 via City of Chesterfield Ordinance 2116 to add the “MAA” Museum and Arts Overlay District for the previous auto museum. A copy of City of Chesterfield Ordinances 1902 and 2116 may be found at the following links:

<http://www.chesterfield.mo.us/webcontent/ordinances/2002/ord1902.pdf>

<http://www.chesterfield.mo.us/webcontent/ordinances/2004/ord2116.pdf>

**Comprehensive Plan Analysis**

The subject site is located within the Mixed Commercial Use land use designation as seen in Figure 1 below. The Comprehensive Plan defines Mixed Commercial Use as an area where “Appropriate uses in this designation would be retail and office”. The requested uses are all consistent with the City’s Land Use Plan.

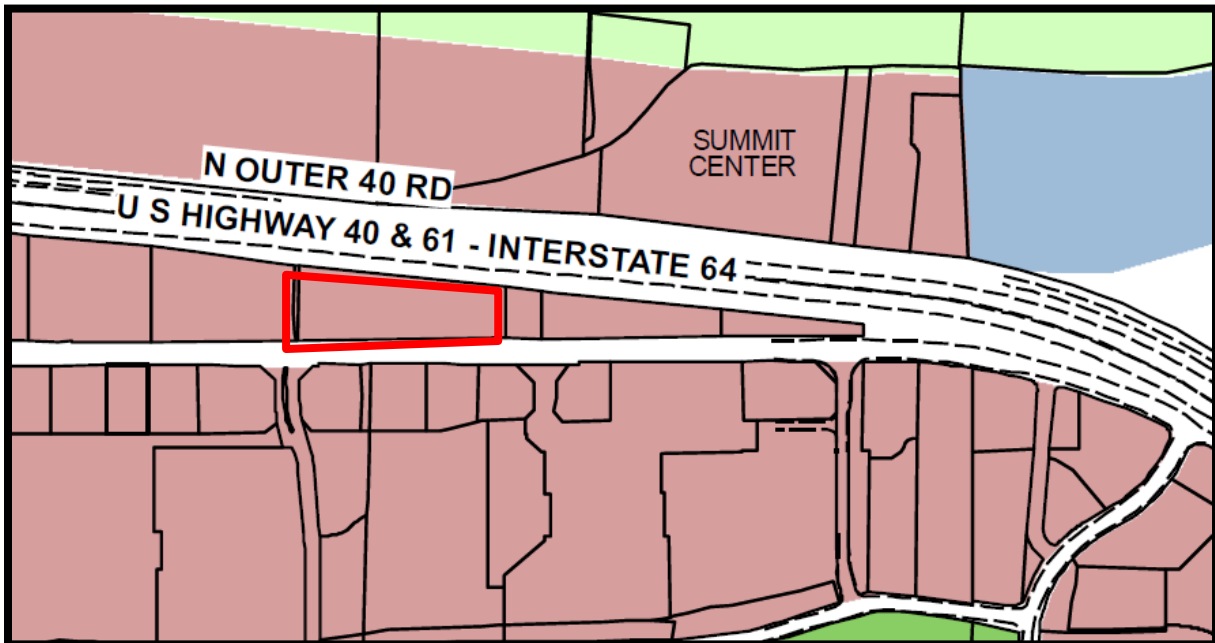


Figure 1—Future Land Use Plan

- MIXED COMMERCIAL USE
- MIXED USE (RETAIL / OFFICE / WAREHOUSE)
- OFFICE PARK

**Surrounding Land Use and Zoning**

The land use and zoning for the properties surrounding this parcel are shown in Figure 2 below and are as follows:

- North:** The property to the north across I-64 is currently zoned “PC” Planned Commercial District. These lots consist of Chesterfield Outlets.
- South:** The property is currently zoned “C8” and “PC” Planned Commercial District. These lots are businesses within the Chesterfield Commons development.
- East:** The property to the east across Clarkson on-ramp is currently zoned “PC” Planned Commercial District. This lot consists of the Pacific Dental which is currently under construction.
- West:** The property is currently zoned “C8” Planned Commercial District. This lot consists of an office building within the Chesterfield Commons North subdivision.

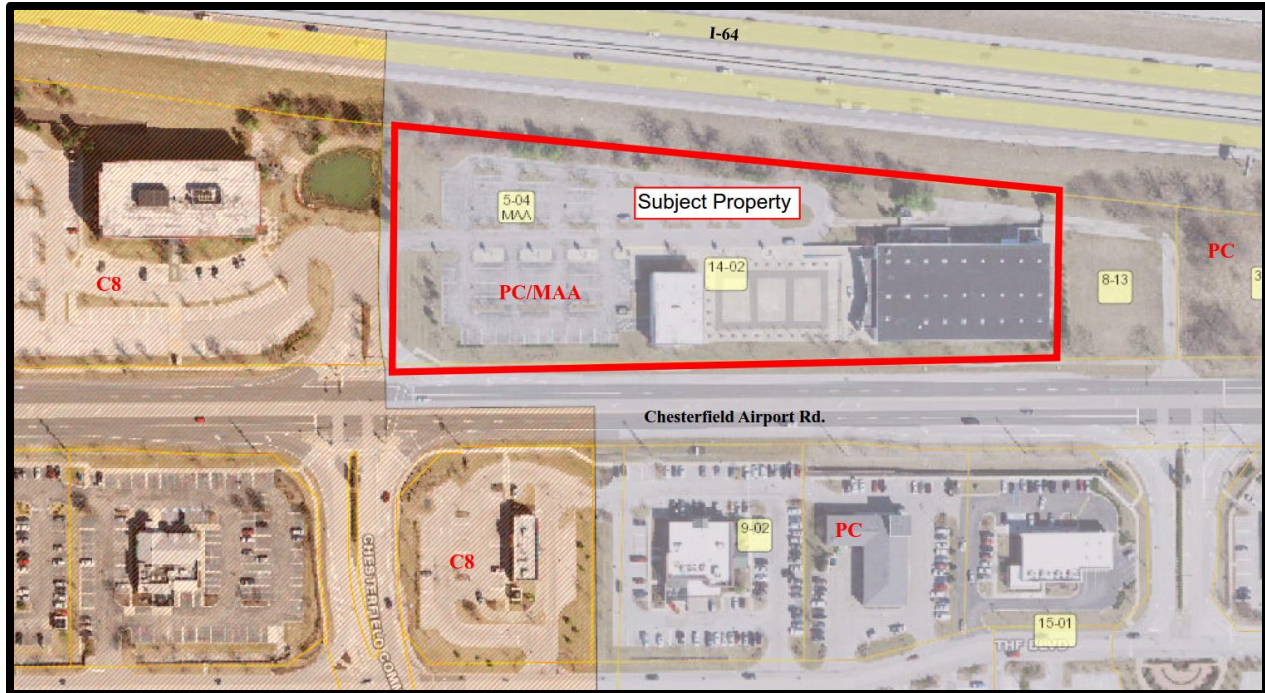


Figure 2: Aerial and Zoning Map

### Issues

At the November 23, 2015 public hearing, two issues were identified by the Planning Commission and City Staff. Additionally, Staff identified several items related to the Preliminary Plan that were included with the Planning Commission's issues and sent to the Petitioner. As the Petitioner has not yet submitted a formal response to each of these items, these issues remain outstanding. These items from the Public Hearing are as follows:

1. Several of the uses requested are not appropriate for this site and the surrounding area. These uses are listed below. Staff has recommended that an updated list of uses be submitted.
  - Automobile dealership
  - Day care facility
  - Drug store and pharmacy, with drive-through (specifically the drive-through component)
  - Filling state and convenience store
  - Financial Institution, drive-through (specifically the drive-through component)
  - Nursing home
  - Oil change facility
  - Vehicle repair and service facility
  - Kindergarten or nursery school
  - Specialized private school


**Be advised, Staff recommends that no drive-thru component be permitted for any of the uses on this site. Also Staff recommends outdoor storage and sales be prohibited.**

2. Hours of operation should be restricted for the site to ensure consistency with surrounding developments. Staff recommends that the hours of operation for retail uses shall be limited to 6 a.m. to 11 p.m. Retail 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 (7) business days in advance of said holiday.

Additionally, the Petitioner has submitted a request for a landscape buffer modification. A thirty (30) foot buffer is required on the north and south property lines due to I-64 and Chesterfield Airport Road. While the minimum required buffer is provided for on the Chesterfield Airport Road frontage, the I-64 frontage depicts a proposed buffer of less than thirty (30) feet, with the smallest width on the eastern end of the site. This dimension reflects the desire to leave the existing access points to assist in cross-access with the adjacent site. The Petitioner has advised Staff that they will schedule a meeting to discuss this modification in conjunction with a future Issues response submittal.

### **Request**

As no response to Staff's Issues letter has been received, this project is being brought before the Planning Commission for discussion of issues due to this item reaching its 6 month time limit between the Public Hearing and the next scheduled meeting as previously mentioned. As this meeting is being held only to preserve the Public Hearing and for the discussion of issues concerning the rezoning to a new "PC" Planned Commercial District, no vote is requested for this item at this time. Additionally, Staff has not prepared a draft Attachment "A" for this request as further information is required from the Petitioner in order to draft an Attachment "A" that is specific to this request.

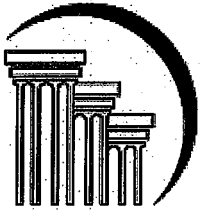
  
Respectfully submitted,

Jessica Henry, AICP  
Project Planner

### Attachments

1. Petitioner's Request Letter
2. Project Narrative and Requested Uses
3. Preliminary Plan
4. Tree Stand Delineation

cc: Aimee Nassif, Planning and Development Services Director



**DOSTER ULLOM  
& BOYLE, LLC**  
ATTORNEYS AT LAW

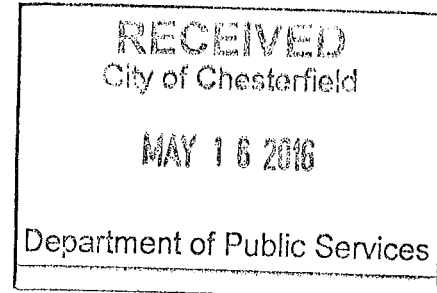
**St. Louis**  
16090 Swingley Ridge Road  
Suite 620  
Chesterfield, MO 63017  
(636) 532-0042  
(636) 532.1082 Fax

**William B. Remis**  
bremis@dubllc.com

May 13, 2016

*Via Hand Delivery and E-Mail*

Ms. Jessica Henry  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, MO 63017



**RE: *Zoning Application – Former Kemp Auto Museum  
Issues Meeting***

Dear Jessica:

In connection with the above application for rezoning, Petitioner hereby requests an Issues Meeting before the Planning Commission. As we've discussed, the purpose of this meeting is to preserve Petitioner's rights with respect to the Public Hearing previously held for this Application. Petitioner continues to work through the issues raised in the Issues Letter previously provided by staff. We plan to respond to the letter and set a full meeting with the Planning Commission to address all issues soon.

Please let me know if you have any questions. Thank you.

Very truly yours,

William B. Remis

WBR/kml

cc: Pat Cunningham

## **NARRATIVE STATEMENT**

### **Chesterfield Airport Road – Former Kemp Auto Museum**

Caplaco Nineteen, Inc. has filed an Application for a new "PC" Planned Commercial District for the site located on Chesterfield Airport Road formerly operated as the Kemp Auto Museum. The site is currently zoned "PC" Planned Commercial District under repealed regulations with a "MAA" District overlay. The only permitted uses are auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly. The Application proposes to rezone the property to permit the uses listed as part of Petitioner's Application. Petitioner currently plans to re-use the Auto Museum building on the Eastern portion of the site with some modification to the building. There are multiple users who have expressed an interest in this site, but Petitioner has not yet committed to any users. Except as noted below, the proposed rezoning would comply with all development standards under the current "PC" Planned Commercial District regulations and the City's ordinances generally.

Contemporaneous with the filing of the Application, Petitioner has requested a reduction in the landscape buffers. The requested reduction reflects existing conditions.

## PERMITTED USES

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Administrative offices for educational or religious institutions</li><li>• Church and other places of worship</li><li>• Community Center</li><li>• Library</li><li>• Postal stations</li><li>• Public building facilities owned or leased by the City of Chesterfield</li><li>• Public safety facility</li><li>• Art gallery</li><li>• Art studio</li><li>• Auditorium</li><li>• Banquet facility</li><li>• Club</li><li>• Gymnasium</li><li>• Museum</li><li>• Reading room</li><li>• Recreation facility</li><li>• Office-dental</li><li>• Office-general</li><li>• Office-medical</li><li>• Automobile dealership</li><li>• Automotive retail supply</li><li>• Bakery</li><li>• Bar</li><li>• Bowling center</li><li>• Brewpub</li><li>• Coffee shop</li><li>• Grocery-community</li><li>• Grocery-neighborhood</li><li>• Newspaper stand</li><li>• Restaurant-sit down</li><li>• Restaurant-fast food</li><li>• Restaurant-take out</li><li>• Retail sales establishment-community</li><li>• Retail sales establishment-neighborhood</li><li>• Tackle and bait shop</li><li>• Animal grooming service</li></ul> | <ul style="list-style-type: none"><li>• Barber or beauty shop</li><li>• Broadcasting studio</li><li>• Commercial service facility</li><li>• Day care center</li><li>• Drug store and pharmacy, with drive-thru</li><li>• Dry cleaning establishment</li><li>• Filling station and convenience store with pump stations</li><li>• Film drop-off and pick up stations</li><li>• Financial Institution, drive-thru</li><li>• Hospital</li><li>• Hotel and motel</li><li>• Hotel and motel-extended stay</li><li>• Nursing home</li><li>• Oil change facility</li><li>• Professional and technical service facility</li><li>• Research laboratory &amp; facility</li><li>• Theatre, indoor</li><li>• Vehicle repair and service facility</li><li>• Veterinary clinic</li><li>• College/university</li><li>• Kindergarten or nursery school</li><li>• Specialized private school</li><li>• Vocational school</li><li>• Telecommunications structure</li><li>• Telecommunications tower or facility</li></ul> |
|---|---|

<b>PROJECT NOTES:</b>	
AREA OF SITE:	5.1 ACRES
LOCATOR NO.:	17T 14 0211 / 17T140202
ADDRESS:	16855 CHESTERFIELD AIRPORT RD CHESTERFIELD, MO. 63005
OWNER OF RECORD:	CAPLACO NINETEEN, INC. 11850 STUDD AVENUE P.O. BOX 419121 ST LOUIS, MISSOURI 63141 314-991-8900 EXT. 253
PREPARED FOR:	<b>CAPITOL</b> 11850 STUDD AVENUE P.O. BOX 419121 ST LOUIS, MISSOURI 63141 314-991-8900 EXT. 253
PREPARED BY:	<b>VOLZ</b> 10849 INDIAN HEAD INDL. BLVD. ST. LOUIS, MO 63132 314.428.6212 MAIN 314.890.1250 FAX
SUBDIVISION:	PARCEL 1: LOT C 800 KEMP AUTOMOBILE MUSEUM SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 351 PAGE 824 AND 825 OF THE ST. LOUIS COUNTY RECORDS.
EXISTING ZONING:	PC "PLANNED COMMERCIAL DISTRICT WITH "MAA" MUSEUM ARTS AREA ORDINANCE #1902 & #2116
PROPOSED ZONING:	PC "PLANNED COMMERCIAL DISTRICT
LANDSCAPE BUFFER:	30' REQUIRED ON HWY 40/61 & CHESTERFIELD AIRPORT ROAD
PROPOSED LANDSCAPE BUFFER:	30' ON CHESTERFIELD AIRPORT ROAD 10' ON HWY 40/61
BUILDING & PARKING SETBACKS:	30' FRONT 10' SIDE YARD
PARKING REQUIRED & PROPOSED:	PER THE CITY OF CHESTERFIELD "UDC"
REQUIRED OPEN SPACE:	35% - UNIFIED DEVELOPMENT CODE
REQUIRED F.A.R.:	55% - UNIFIED DEVELOPMENT CODE
FIRM MAP #:	29189C065K FEB. 4, 2015
MAXIMUM HEIGHT:	45' HIGH
LEGAL DESCRIPTION:	A TRACT OF LAND BEING C 800 OF "KEMP AUTOMOBILE MUSEUM SUBDIVISION" IN U.S. SURVEY 2031 TOWNSHIP 45 NORTH - RANGE 4 EAST - CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

**GENERAL NOTES:**

**THIS SITE IN THE FOLLOWING DISTRICTS:**

METROPOLITAN ST. LOUIS SEWER DISTRICT  
MONARCH FIRE PROTECTION DISTRICT  
ROCKWOOD R8 SCHOOL DISTRICT  
BONHOMME CREEK WATERSHED WARD 4

**THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:**

MISSOURI AMERICAN WATER COMPANY  
LACLEDE GAS COMPANY  
AMEREN COMPANY  
SOUTHWESTERN BELL TELEPHONE COMPANY  
CHARTER COMMUNICATION (CABLE TV)

SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

STORMWATER MANAGEMENT SHALL BE DESIGNED PURSUANT TO THE CITY OF CHESTERFIELD AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT.

THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL CONDITIONS AND SHALL BE INDICATED ON THE LOCATION SHALL BE DETERMINED BY FIELD IMPROVEMENT PLANS.

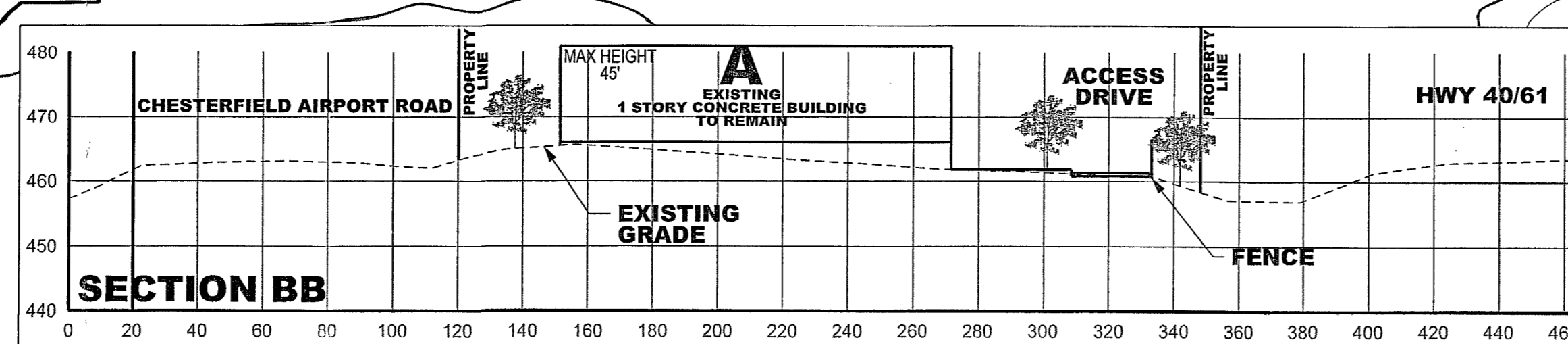
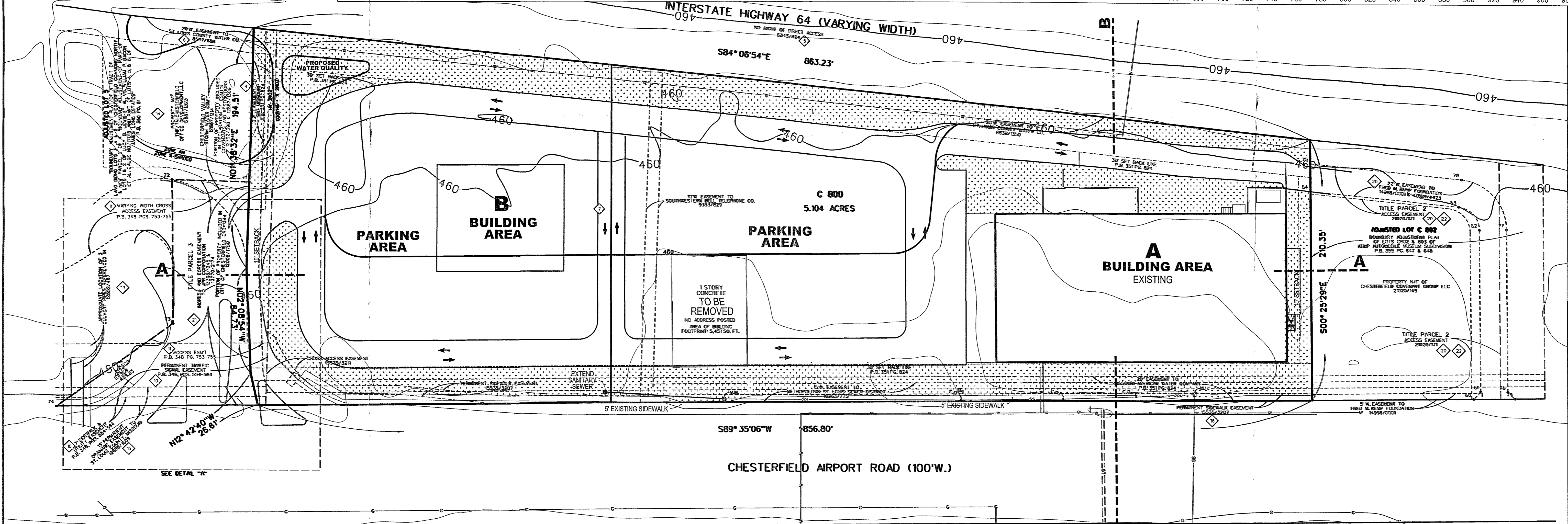
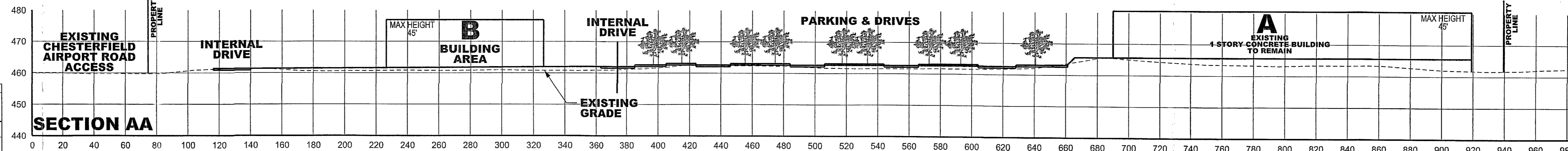
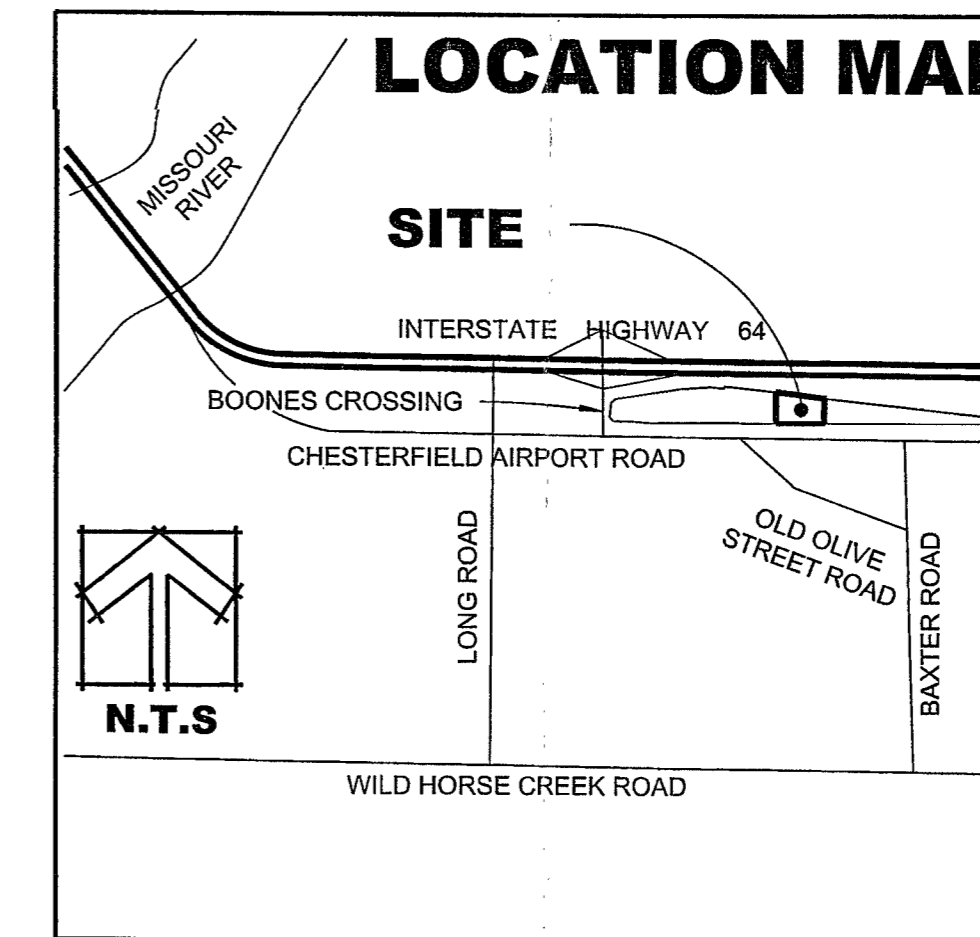
GRADING SHALL BE PER CITY OF CHESTERFIELD STANDARDS

SLOPES SHALL NOT EXCEED 3H TO 1V

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN AND SHALL BE LOCATED IN EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

A TRACT OF LAND BEING PART OF ADJUSTED NEW PARCEL 2 OF THE BOUNDARY ADJUSTMENT PLAT, RECORDED IN PLAT BOOK 350 PAGE 81, IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH - RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID ADJUSTED NEW PARCEL 2, SAID BEGINNING POINT BEING ALSO A POINT ON THE NORTH LINE OF CHESTERFIELD AIRPORT ROAD, OF VARYING WIDTH; THENCE NORTHWARDLY ALONG THE WEST LINE OF SAID ADJUSTED NEW PARCEL 2, NORTH 12 DEGREES 42 MINUTES 40 SECONDS WEST 26.61 FEET; NORTH 02 DEGREES 08 MINUTES 54 SECONDS WEST 84.73 FEET AND NORTH 01 DEGREE 38 MINUTES 32 SECONDS EAST 194.51 FEET TO A POINT ON THE SOUTH LINE OF INTERSTATE HIGHWAY 64, OF VARYING WIDTH; THENCE EASTWARDLY ALONG SAID SOUTH LINE, SOUTH 84 DEGREES 06 MINUTES 54 SECONDS EAST 863.23 FEET TO A POINT; THENCE SOUTH 00 DEGREES 25 MINUTES 29 SECONDS EAST 210.35 FEET TO A POINT ON THE AFORESAID NORTH LINE OF CHESTERFIELD AIRPORT ROAD, OF VARYING WIDTH; THENCE WESTWARDLY ALONG SAID NORTH LINE SOUTH 89 DEGREES 35 MINUTES 06 SECONDS WEST 856.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.104 ACRES ACCORDING TO CALCULATIONS BY VOLZ, INC. DURING FEBRUARY 2003.



PARCEL 1: LOT C 800 KEMP AUTOMOBILE MUSEUM SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 351 PAGE 824 AND 825 OF THE ST. LOUIS COUNTY RECORDS.

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. IN THE PREPARATION OF THIS PLAN, NO GRADING BALANCES HAVE BEEN DONE AND THIS AMENDED SITE DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE. SOILS AND SUBSURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND HENCE NOT TAKEN INTO ACCOUNT. ZONING DENSITY IS ASSUMED. THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE AFORESAID MATTERS FOR DILIGENCE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

*Timothy J. Meyer*  
TIMOTHY J. MEYER, P.E.  
PROFESSIONAL ENGINEER  
E24665

5-12-16  
KIRBY  
NUMBER  
E-24665

JERRY L. KIRBY, P.L.S.  
PROFESSIONAL LAND SURVEYOR  
#200600074

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11850 STUDD AVENUE  
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314-991-8900 EXT. 253

**VOLZ**  
INCORPORATED  
10849 INDIAN HEAD INDL. BLVD.  
ST. LOUIS, MISSOURI 63132  
314-428-6212 MAIN  
314-890-1250 FAX  
www.volzinc.com  
Authority #203

**CAPLACO NINETEEN, INC. DEVELOPMENT**  
"FORMERLY KNOWN AS KEMP AUTOMOBILE MUSEUM"  
16855 CHESTERFIELD AIRPORT RD.  
A TRACT OF LAND BEING C 800 OF "KEMP AUTOMOBILE MUSEUM SUBDIVISION" IN U.S. SURVEY 2031 TOWNSHIP 45 NORTH - RANGE 4 EAST CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

**PRELIMINARY DEVELOPMENT PLAN**  
16855 CHESTERFIELD AIRPORT RD.  
CHESTERFIELD, MO. 63005  
PROJECT # 20065-03  
BASE MAP NO. 17T  
10-15-2015



