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690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • [www.chesterfield.mo.us](http://www.chesterfield.mo.us)

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## Department of Planning & Public Works Public Hearing Summary Report

**P.Z. 04-2009 13506 Olive Blvd (Spirit Energy):** a request for a change of zoning from a “C2” Commercial District to a “PC” Planned Commercial District for a .31 acre tract of land located at 13506 Olive Blvd at the southwest corner of Olive Blvd and Woods Mill Road (Locator Number 16Q330902).

### Summary

Equilon Enterprises, LLC has submitted a request for a change in zoning from a C-2 Commercial District to a PC Planned Commercial District to accommodate new uses.

The site is currently governed by St. Louis County Conditional Use Permit (CUP) #17, which was approved by St. Louis County in 1966, to allow for a filling station. The approved CUP allows for one internally illuminated sign on the property and prohibits the display, sale or rental of outdoor merchandise, including but not limited to tires, automobiles, trailers, and other similar type of equipment or vehicles.

The City of Chesterfield Comprehensive Plan Land Use Map delineates this subject site within the “Retail Community” land use designation.

A public hearing further addressing the request will be held at the July 13, 2009 City of Chesterfield Planning Commission meeting. Attached please find a copy of the Public Hearing Notice and the Preliminary Plan.

Respectfully submitted,

Justin Wyse, AICP  
Project Planner

Respectfully submitted,

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  
Aimee Nassif, Planning and Development Services Director

## NOTICE OF PUBLIC HEARING CITY OF CHESTERFIELD PLANNING COMMISSION

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Chesterfield will hold Public Hearings on July 13, 2009 at 7:00 p.m. in the City Council Chambers at Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017. Said Hearings will be as follows:

**P.Z. 04-2009 13506 Olive Blvd (Spirit Energy)**: A request for a change of zoning from a “C2” Commercial District to a “PC” Planned Commercial District for a .31 acre tract of land located at 13506 Olive Blvd at the southwest corner of Olive Blvd and Woods Mill Road (Locator Number 16Q330902). The request contains the following permitted uses:

- (p) Filling station
- (hh) Restaurants, fast food, with drive-through service
- (ii) Restaurants, sit down
- (rr) Stores, shops, markets, service facilities and automatic vending facilities in which goods or services of any kind are 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 L. Hirsch, Jr. Chair,  
Chesterfield Planning Commission

For information about this and other projects under review by the Department of Planning and Public Works, please visit “Active Projects” at [www.chesterfield.mo.us](http://www.chesterfield.mo.us).



### Legal Description

Beginning at the intersection of the southerly line of Olive Street Road, as widened by deed recorded in Book 6853, Page 1200 of the St. Louis County Records, with the westerly line of a parcel described in deed to Equilon Enterprises LLC recorded in Book 11717, Page 1152 of said County records; thence along the southerly and southwesterly line of said Olive Street Road the following bearings and distances: North 83 degrees 01 minute 21 seconds east, 117.69 feet; south 65 degrees 13 minutes 43 seconds east, 38.07 feet and south 09 degrees 30 minutes 26seconds east, 42.35 feet to a point on the curved westerly line of Woods Mill Road, with variable width and the center of said curve bears from said point South 79 degrees 36 minutes 12 seconds east, 985.72 feet; thence along said curved westerly line of Woods Mill Road, southerly, 30.44 feet to the southerly line of said Equilon Enterprises LLC parcel; thence along said southerly line, South 81 degrees 31 minutes 30 seconds West, 140.85 feet to the westerly line of said Equilon Enterprises LLC parcel; thence along said westerly line, North 08 degrees 28 minutes 30 seconds West, 95.24 feet to the point of beginning, according to Survey Number 181067 executed by James Engineering & Surveying Company, Inc., in October, 2003. Bearings adopted from Plat Book 341, Page 58 of the St. Louis County Records.

# SPIRIT ENERGY, LLC 13506 OLIVE BLVD.

A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207 TOWNSHIP 46 NORTH, RANGE 5 EAST CITY OF CHESTERFIELD ST. LOUIS COUNTY, MISSOURI

SPIRIT ENERGY, LLC

IN CONNECTION WITH A CHANGE OF ZONING FOR THE FOLLOWING DESCRIBED PROPERTY FROM "C-2" SHOPPING DISTRICT TO "PC" PLANNED COMMERCIAL P.Z. 04-2005.

A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207, TOWNSHIP 46 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SURVEYED PROPERTY DESCRIPTION OF #13506 OLIVE BOULEVARD:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF OLIVE STREET ROAD, AS WIDENED BY DEED RECORDED IN BOOK 8853, PAGE 1200 OF THE ST. LOUIS COUNTY RECORDS, WITH THE WESTERLY LINE OF A PARCEL DESCRIBED IN DEED TO EQUILON ENTERPRISES LLC RECORDED IN BOOK 11717, PAGE 1152 OF SAID COUNTY RECORDS; THENCE ALONG THE SOUTHERLY AND SOUTHWESTERLY LINE OF SAID OLIVE STREET ROAD THE FOLLOWING BEARINGS AND DISTANCES: NORTH 83 DEGREES 01 MINUTE 21 SECONDS EAST, 117.68 FEET; SOUTH 65 DEGREES 13 MINUTES 43 SECONDS EAST, 38.07 FEET AND SOUTH 09 DEGREES 30 MINUTES 28 SECONDS EAST, 42.35 FEET TO A POINT ON THE CURVED WESTERLY LINE OF WOODS MILL ROAD, WITH VARIABLE WIDTH, AND THE CENTER OF SAID CURVE BEARS FROM SAID POINT SOUTH 79 DEGREES 36 MINUTES 12 SECONDS EAST, 985.72 FEET; THENCE ALONG SAID CURVED WESTERLY LINE OF WOODS MILL ROAD, SOUTHERLY, 30.44 FEET TO THE SOUTHERLY LINE OF SAID EQUILON ENTERPRISES LLC PARCEL; THENCE ALONG SAID SOUTHERLY LINE, SOUTH 81 DEGREES 31 MINUTES 30 SECONDS WEST, 140.85 FEET TO THE WESTERLY LINE OF SAID EQUILON ENTERPRISES LLC PARCEL; THENCE ALONG SAID WESTERLY LINE, NORTH 08 DEGREES 28 MINUTES 30 SECONDS WEST, 95.24 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY NUMBER 181067 EXECUTED BY JAMES ENGINEERING & SURVEYING COMPANY, INC. IN OCTOBER, 2003. BEARINGS ADOPTED FROM PLAT BOOK 341, PAGE 58 OF THE ST. LOUIS COUNTY RECORDS.

SPIRIT ENERGY, LLC, THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN FOR AND IN CONSIDERATION OF BEING GRANTED A PERMIT TO DEVELOP PROPERTY UNDER THE PROVISIONS OF CHAPTER 100.3, "PC" PLANNED COMMERCIAL P.Z. 04-2005 OF THE CITY OF CHESTERFIELD ORDINANCE #674, DO HEREBY AGREE AND DECLARE THAT SAID PROPERTY FROM THE DATE OF RECORDING THIS PLAN SHALL BE DEVELOPED ONLY AS SHOWN THEREON, UNLESS SAID PLAN IS AMENDED BY THE PLANNING COMMISSION, OR VOIDED OR VACATED BY ORDER OF ORDINANCE OF THE CITY OF CHESTERFIELD.

CHRIS KEMPH, PRESIDENT

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF ST. LOUIS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2009, BEFORE ME PERSONALLY APPEARED CHRIS KEMPH, TO ME KNOWN, WHO, BEING BY ME SWORN IN, DID SAY THAT HE IS THE PRESIDENT OF SPIRIT ENERGY, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF MISSOURI, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENTS IS THE CORPORATE SEAL OF SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND THE SAID CHRIS KEMPH ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN ST. LOUIS COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY TERM EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

THIS SITE DEVELOPMENT PLAN WAS APPROVED BY THE CITY OF CHESTERFIELD PLANNING COMMISSION AND DULY VERIFIED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009, BY THE CHAIRPERSON OF SAID COMMISSION, AUTHORIZING THE RECORDING OF THIS SITE PLAN PURSUANT TO CHESTERFIELD ORDINANCE NUMBER 200, AS ATTESTED TO BY THE DIRECTOR OF PLANNING AND THE CITY CLERK.

DIRECTOR OF PLANNING

CITY CLERK

## PARKING CALCULATIONS

1 SPACE FOR EVERY 2 SEATS (10 SEATS) .....	10 SEATS TOTAL = 5 PARKING SPACES
2 SPACES FOR EVERY 3 EMPLOYEES ON THE MAXIMUM SHIFT .....	+ 3 EMPLOYEES = 2 PARKING SPACES
	7 PARKING SPACES TOTAL NEEDED
	8 PARKING SPACES TOTAL PROVIDED
	0 PARKING SPACES TOTAL DEFICIENT

## FLOOR AREA RATIO (F.A.R.) CALCULATIONS

(PER CITY OF CHESTERFIELD ORD. NO. 1747)

$$\frac{\text{BUILDING SQ. FT.} = 1,424 \text{ SQ. FT.}}{\text{TOTAL AREA OF SITE} = 13,526 \text{ SQ. FT.}} = 0.1053 \text{ F.A.R.}$$

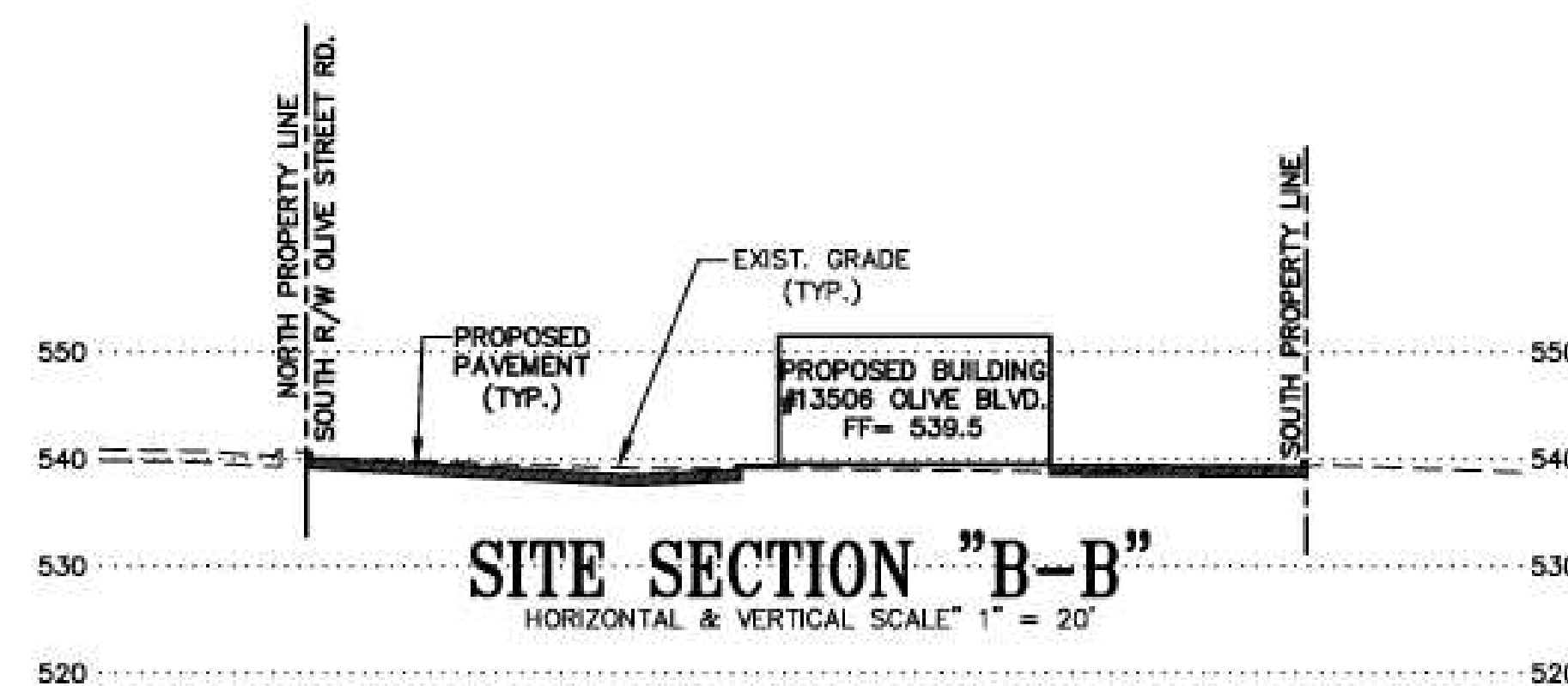
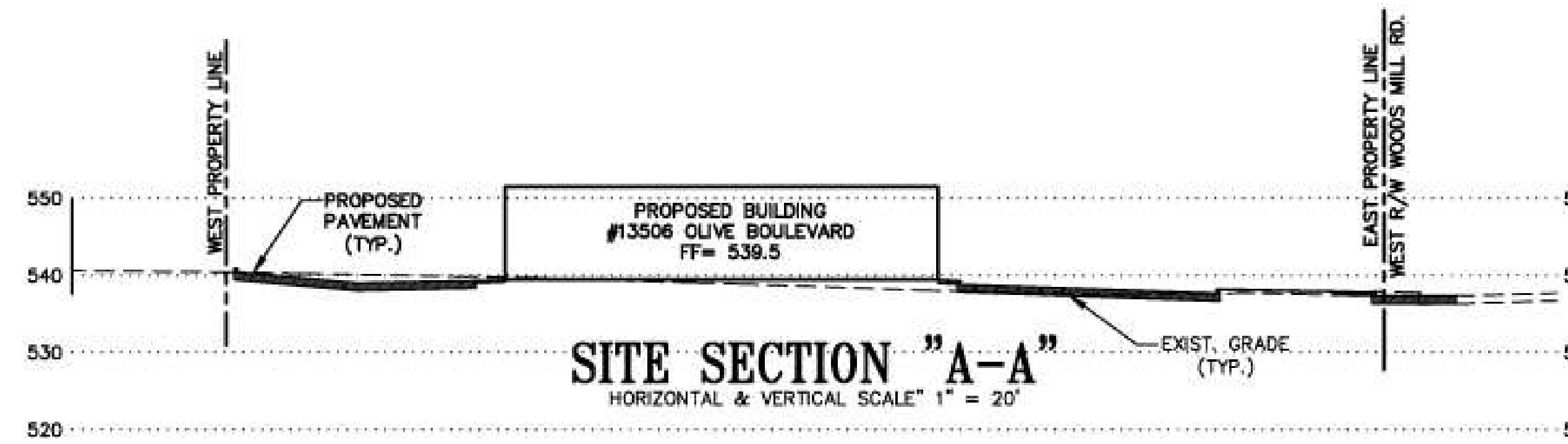
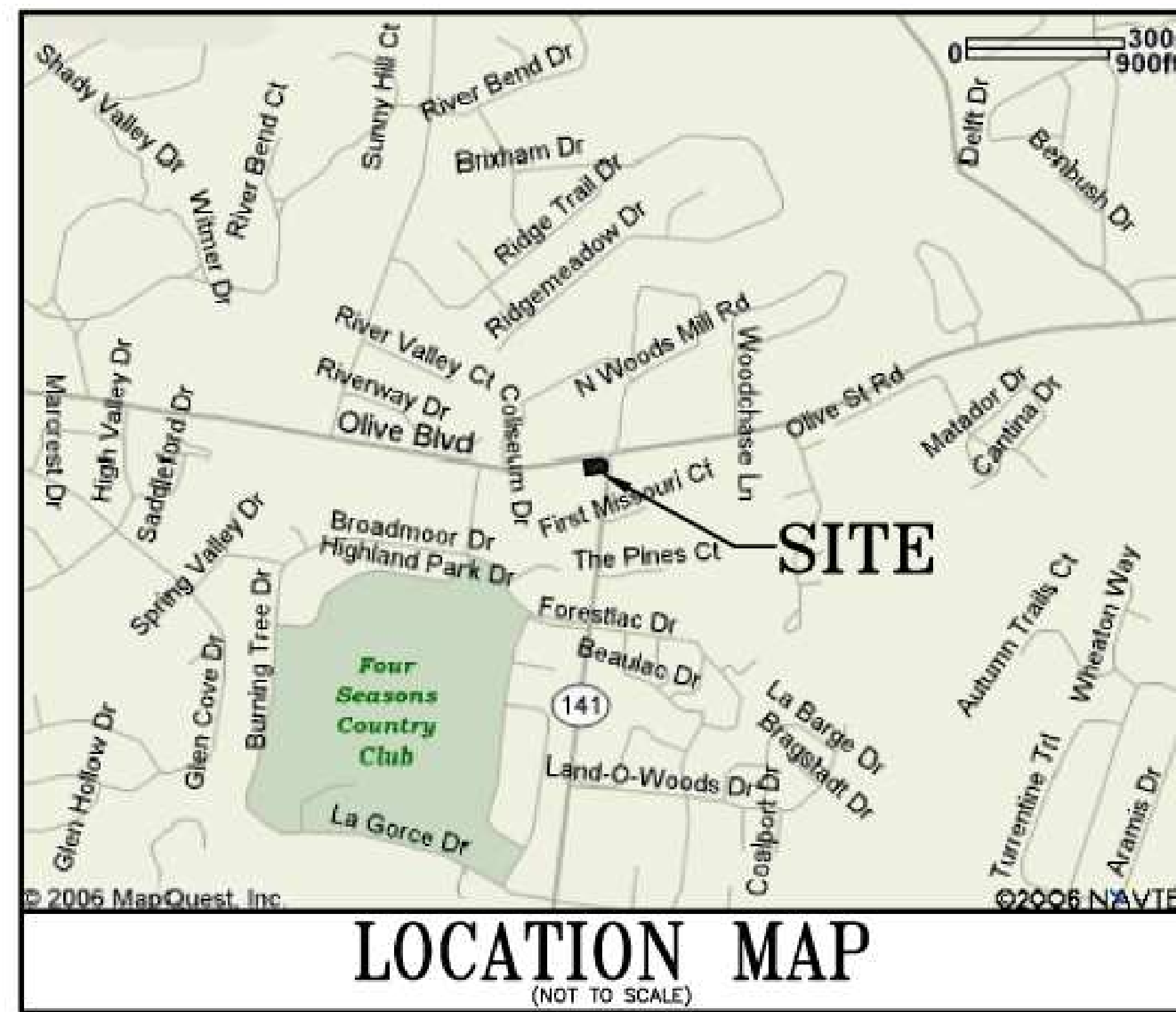
## OPEN SPACE CALCULATIONS

(PER CITY OF CHESTERFIELD ORD. NO. 1747)

ALL GREEN & LANDSCAPED AREAS + PEDESTRIAN ACCESS WAYS

TOTAL AREA OF SITE

$$\frac{2,161 \text{ SQ. FT.} + 202 \text{ SQ. FT.}}{13,526 \text{ SQ. FT.}} = 0.175 \text{ OR } 17.5\% \text{ OPEN SPACE}$$



### NOTES:

- GROSS SITE AREA: 13,526 SQUARE FEET MORE OR LESS, OR 0.31 ACRES, MORE OR LESS.
- PROPOSED USE OF BUILDING: COFFEE SHOP WITH DRIVE THROUGH WINDOW.
- PROPOSED CONSTRUCTION TYPE:
- PROPOSED FLOOR AREA = 1,530 SQ. FT.
- PROPOSED BUILDING HEIGHT: 21 FEET, 25 FEET AT ENTRY LEVEL.
- BUILDING SET BACKS: NONE FOUND
- NEAREST ELEMENTARY SCHOOL: RIVER BEND
- NEAREST HIGH SCHOOL: PARKWAY CENTRAL HIGH SCHOOL
- CURRENT ZONING: "C-2" SHOPPING DISTRICT
- FIRE DISTRICT: MONARCH FIRE PROTECTION DISTRICT
- WATER DISTRICT: MISSOURI AMERICAN WATER COMPANY
- SEWER DISTRICT: METROPOLITAN ST. LOUIS SEWER DISTRICT
- ELECTRIC DISTRICT: AMERENUE
- SCHOOL DISTRICT: PARKWAY
- BENCHMARK: ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS & TRAFFIC BENCHMARK #8-179 - ELEVATION = 560.62 FEET; "1" ON THE SOUTHEAST CORNER OF THE SIGNAL CONTROL BOX IN THE ISLAND AT THE NORTHEAST CORNER OF RIVER VALLEY DRIVE AND OLIVE STREET ROAD.
- SOURCE OF TITLE: FIRST AMERICAN TITLE INSURANCE COMPANY - FILE NO.: 62-43051, DATED: JUNE 25, 2003, ITEM 9: EASEMENT TO YARBOLA PIPE LINE COMPANY IN BOOK 423, PAGE 52 (AFFECTS LOT 3, SHARE 2) AND ASSIGNMENT TO OZARK PIPE LINE CORPORATION IN BOOK 472, PAGE 14 (INCORRECT BOOK & PAGE) AND MODIFICATION THEREOF IN BOOK 5176, PAGE 54 (AFFECTS LOT 5, SHARE 3 AND LOT 3, SHARE 2). ITEM 10: EASEMENT TO LACLEDE GAS COMPANY IN BOOK 4420, PAGE 601 AND 603 (WITHIN THE EXCEPTION AREA NOW PART OF OLIVE BOULEVARD)
- SOURCE OF BEARINGS: ADOPTED FROM PLAT BOOK 341, PAGE 58 OF THE ST. LOUIS COUNTY RECORDS.
- SOURCE OF DEED: CONVEYED TO EQUILON ENTERPRISES, L.L.C. IN DEED BOOK 11717, PAGE 1152 OF THE ST. LOUIS COUNTY RECORDS.
- LOCATOR NO.: 16033-0902 ST. LOUIS COUNTY, MISSOURI
- THE LOCATION OF EXISTING UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION, THEREFORE THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY PROJECT CONSTRUCTION.
- PRESENT OWNERS: SPIRIT ENERGY, L.L.C.  
50 S. BEMISTON  
CLAYTON, MISSOURI 63105  
(314) 898-9239 FAX: (314) 726-9575
- DEVELOPER: SPIRIT ENERGY, L.L.C.  
50 S. BEMISTON  
CLAYTON, MISSOURI 63105  
(314) 898-9239 FAX: (314) 726-9575
- SUBDIVISION DESIGNER: JAMES ENGINEERING & SURVEYING COMPANY, INC.  
10811 BIG BEND BLVD.  
KIRKWOOD, MO. 63122  
(314) 822-1006 FAX: (314) 822-0006

THIS IS TO CERTIFY THAT AT THE REQUEST OF SPIRIT ENERGY, LLC, WE HAVE IN THE MONTH OF FEBRUARY, 2009, PREPARED A PRELIMINARY SITE DEVELOPMENT PLAN OF A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207, TOWNSHIP 46 NORTH, RANGE 5 EAST, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

JAMES ENGINEERING AND SURVEYING COMPANY, INC.

LEO J. KLUTHO, MO REG. PLS-2005019212



## LEGEND

- EX. TRAFFIC SIGNAL
- EX. TRAFFIC CONTROL BOX
- EX. UTILITY POLE
- EX. UTILITY POLE
- EX. GUY ANCHOR
- EX. WATER METER
- EX. MONITORING WELL
- EX. GAS DRIP
- EX. WATER MAIN
- EX. GAS MAIN

1-800-DIGRITE: 1-800-344-7483  
MODOT U.G. LOCATE PHONE NUMBER: 314-340-4100

NO.	DATE	BY	DESCRIPTION
1	7/28/06	JNW	REMOVED PROPERTY DESCRIPTION PER TITLE COMMITMENT
2	8/9/06	JNW	REVISED ACREAGE IN NOTE NO. 1.
3	11/7/06	JNW	NEW SITE LAYOUT/ADDED IMPROVEMENTS WITHIN 150 FT. OF SITE
4	11/7/06	JNW	REVISIONS PER CITY OF CHESTERFIELD
5	11/14/06	JNW	REVISIONS PER CITY OF CHESTERFIELD
6	12/22/06	JNW	REVISIONS PER CITY OF CHESTERFIELD & MODOT
7	5/14/07	JNW	REVISIONS PER CLIENT
8	8/9/07	JNW	ADDED WHEEL LAKE IN WOODS MILL RD.
10	11/2/07	JNW	REVISIONS PER MODOT
11	2/25/07	JNW	REVISIONS PER CITY OF CHESTERFIELD
12	5/5/09	JNW	REVISIONS PER CITY OF CHESTERFIELD

### REVISIONS

SPIRIT ENERGY, LLC  
13506 OLIVE BLVD.  
CHESTERFIELD, MO  
63017

### PRELIMINARY DEVELOPMENT PLAN

PREPARED FOR: SPIRIT ENERGY, LLC  
50 S. BEMISTON AVE.  
ST. LOUIS, MO 63105  
ATTN: JAY CHAMBERS  
314-898-9239 314-726-9575 (FAX)

### JAMES ENGINEERING & SURVEYING CO., INC.

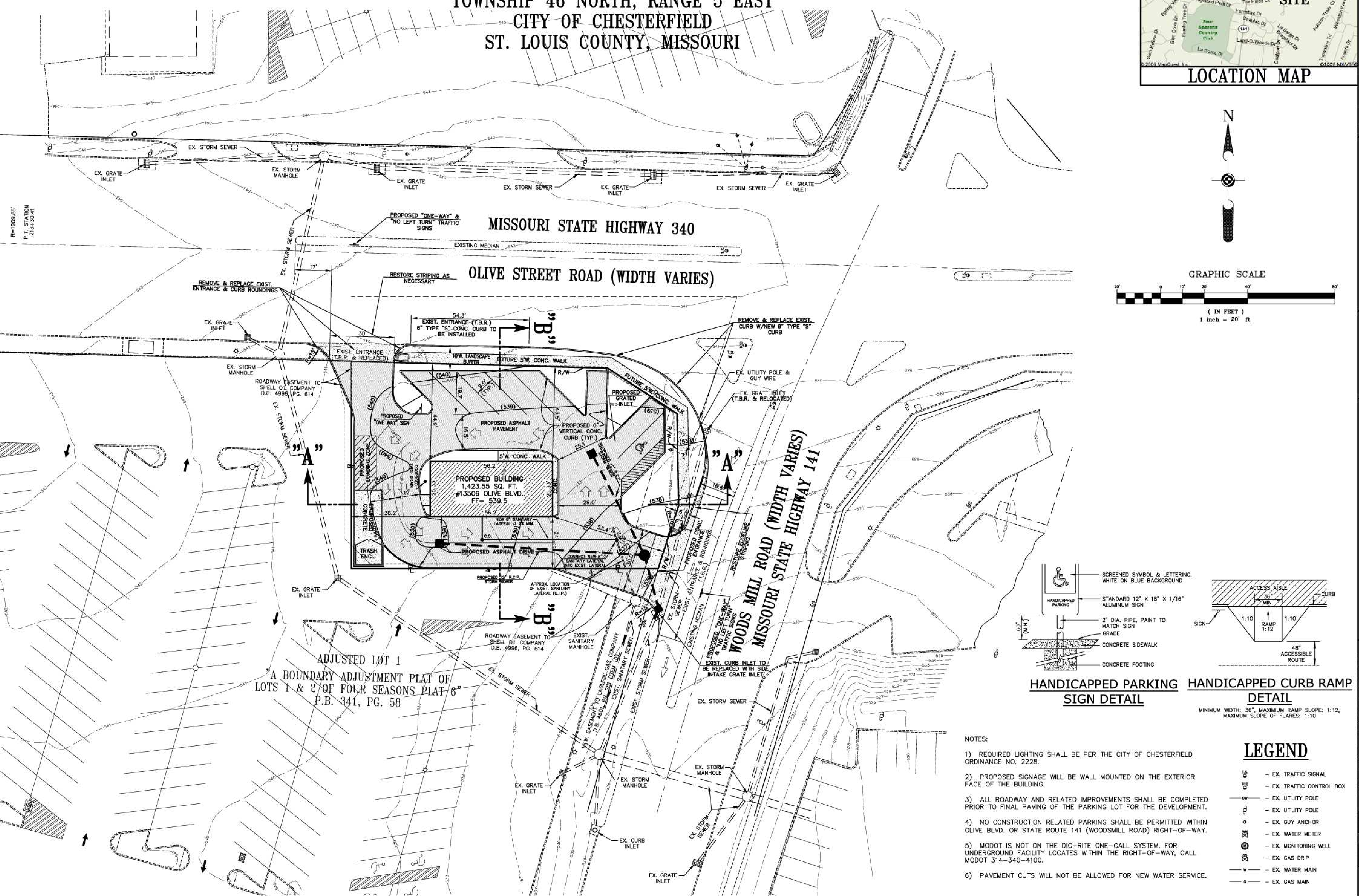
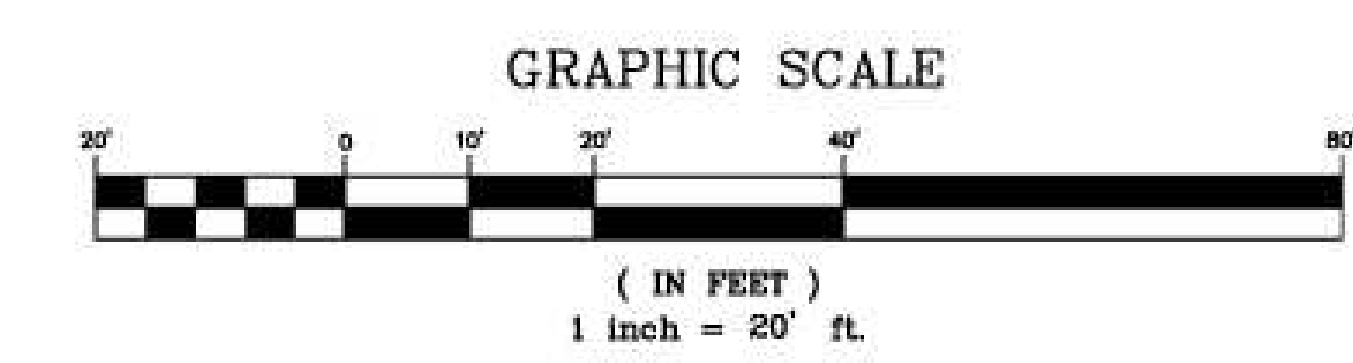
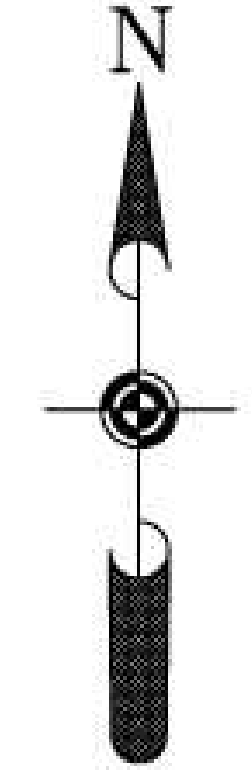
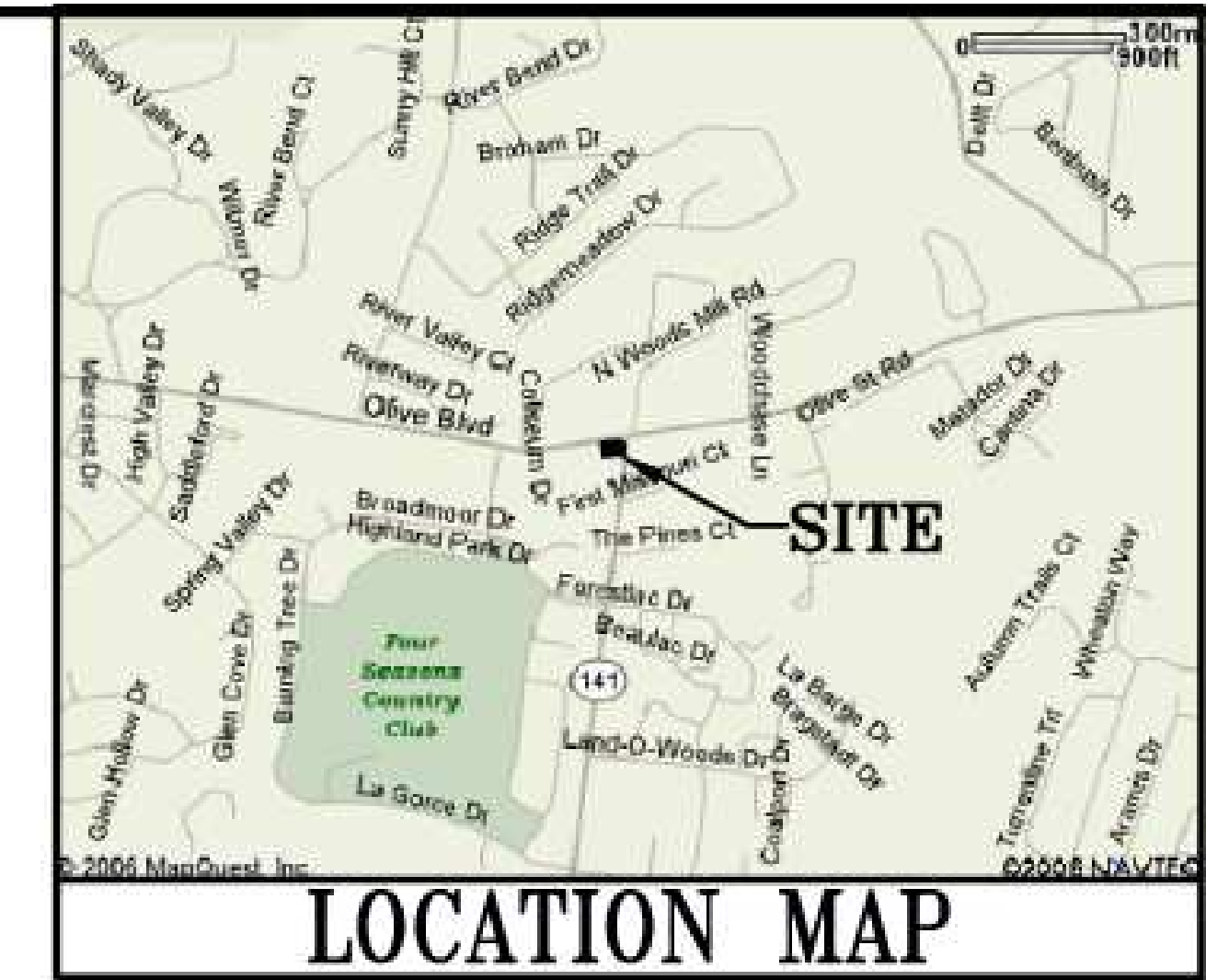
Engineers Planners Surveyors  
Kirkwood, MO 63122  
10811 Big Bend Boulevard  
Phone: (314) 822-1006  
Fax: (314) 822-0006

Scale: 1" = 20'  
Date: 5/2/09  
Vertical: 1" = 20'  
Horizontal: 1" = 20'

Sur. No. 181067  
Date: 5/2/09  
City: CLS  
Job: 13506-PP-09

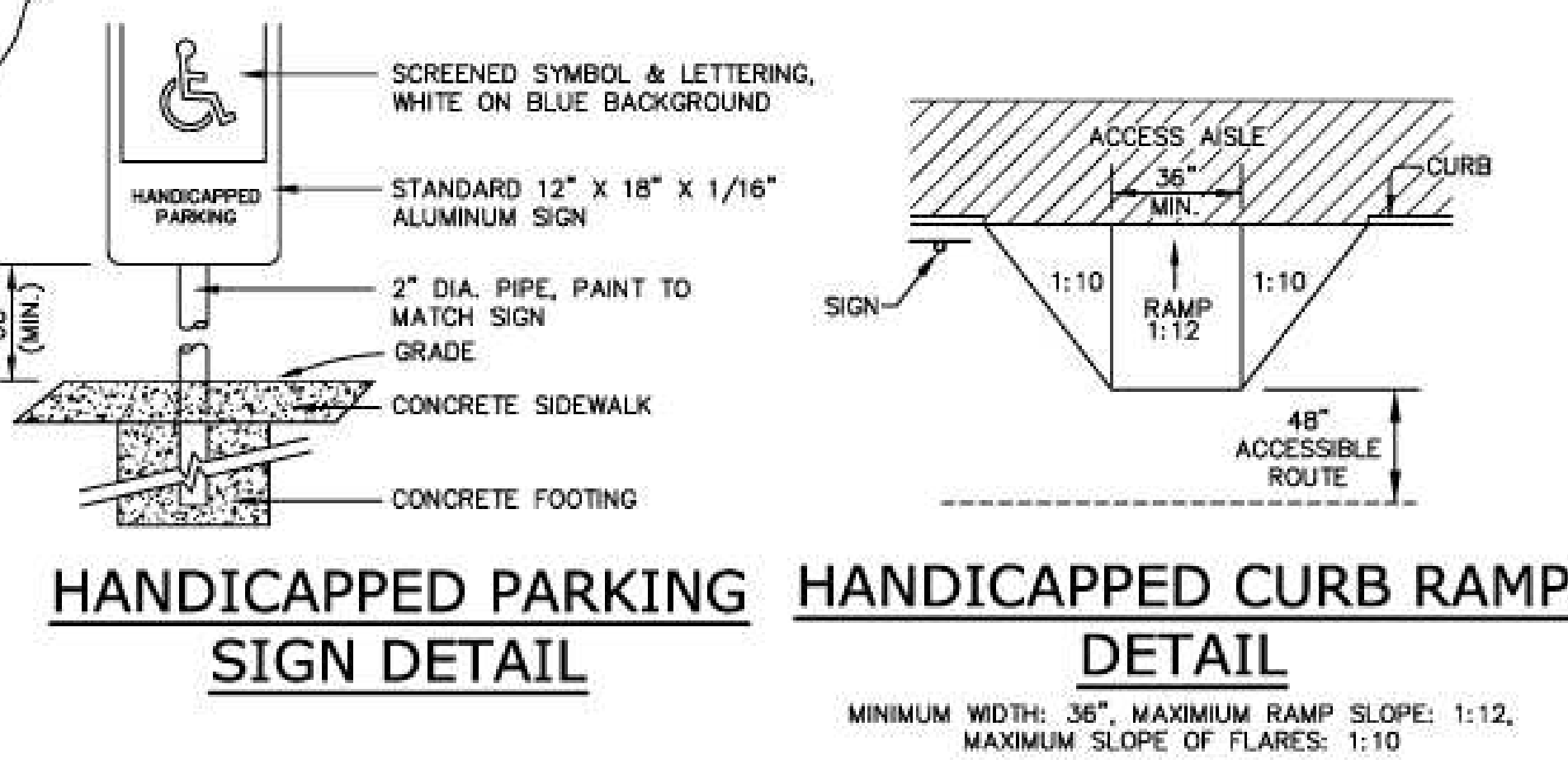
# SPIRIT ENERGY, LLC 13506 OLIVE BLVD.

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R=1909.86'  
P.T. STATION  
213+30.41

ADJUSTED LOT 1  
A BOUNDARY ADJUSTMENT PLAT OF LOTS 1 & 2 OF FOUR SEASONS PLAT 6 P.B. 341, PG. 58



- NOTES:**
- 1) REQUIRED LIGHTING SHALL BE PER THE CITY OF CHESTERFIELD ORDINANCE NO. 2228.
  - 2) PROPOSED SIGNAGE WILL BE WALL MOUNTED ON THE EXTERIOR FACE OF THE BUILDING.
  - 3) ALL ROADWAY AND RELATED IMPROVEMENTS SHALL BE COMPLETED PRIOR TO FINAL PAVING OF THE PARKING LOT FOR THE DEVELOPMENT.
  - 4) NO CONSTRUCTION RELATED PARKING SHALL BE PERMITTED WITHIN OLIVE BLVD. OR STATE ROUTE 141 (WOODSMILL ROAD) RIGHT-OF-WAY.
  - 5) MODOT IS NOT ON THE DIG-RITE ONE-CALL SYSTEM. FOR UNDERGROUND FACILITY LOCATES WITHIN THE RIGHT-OF-WAY, CALL MODOT 314-340-4100.
  - 6) PAVEMENT CUTS WILL NOT BE ALLOWED FOR NEW WATER SERVICE.

- LEGEND**
- ⊙ - EX. TRAFFIC SIGNAL
  - ⊙ - EX. TRAFFIC CONTROL BOX
  - - EX. UTILITY POLE
  - - EX. UTILITY POLE
  - - EX. GUY ANCHOR
  - - EX. WATER METER
  - - EX. MONITORING WELL
  - - EX. GAS DRIP
  - - EX. WATER MAIN
  - - EX. GAS MAIN

NO.	DATE	DESCRIPTION
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8	8/5/07	JNW REVISIONS PER MODOT
10	11/2/07	JNW REVISIONS PER CITY OF CHESTERFIELD
11	2/25/07	JNW REVISIONS PER CITY OF CHESTERFIELD
12	5/5/09	JNW REVISIONS PER CITY OF CHESTERFIELD

REVISIONS

**SPIRIT ENERGY, LLC**  
13506 OLIVE BLVD.  
CHESTERFIELD, MO 63017

**PRELIMINARY DEVELOPMENT PLAN**

PREPARED FOR: SPIRIT ENERGY, LLC  
50 S. BEMISTON AVE.  
ST. LOUIS, MO 63106  
ATTN: JAY CHAMBERS  
314-890-9239 314-726-9575 (FAX)

**JAMES ENGINEERING & SURVEYING CO., INC.**

Planners Surveyors  
10811 Big Bend Boulevard  
Kirkwood, MO 63122  
Phone: (314) 822-1006 Fax: (314) 822-0006

Scale: Vertical: 1" = 20' Survey No. 181067  
Horizontal: 1" = 20' Date: 5/2/06  
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