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## Planning Commission Staff Report

**Project Type:** Five-Year Renewal of a Temporary Structure

**Meeting Date:** October 8, 2018

**From:** Andrew Stanislav, Planner 

**Location:** A 1.85 acre tract of land along the south side of Chesterfield Airport Road and west of Baxter Road (16806 Chesterfield Airport Road)

**Description:** **The Smokehouse (Annie Gunn's Restaurant):** A request for a five-year renewal of a temporary structure previously approved by the Planning Commission for a 1.85 acre parcel of land zoned "C-8" – Planned Commercial District and located south of Chesterfield Airport Road and west of Baxter Road (17T240201).

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### **PROPOSAL SUMMARY**

The request is for a five-year renewal of a previously approved temporary tent structure at Annie Gunn's Restaurant located in the Chesterfield Valley. The Amended Architectural Elevations for the structure were originally approved by the Planning Commission on October 27, 2008, with a vote of 9 in favor and 0 opposed with the following condition:

*The Planning Commission approved the Amended Architectural Elevations for The Smokehouse (Annie Gunn's Restaurant) with the temporary structure depicted on the renderings as a permanent structure for the purpose of the City's Zoning Ordinance in light of the unique benefits of tent-dining enjoyed by City residents during the past many years. The structure is allowed for a total of 5 years and can be renewed by the Planning Commission after the 5 year period.*

The most recent five year approval period is due to expire on October 28, 2018; therefore, the applicant is requesting an additional five-year renewal for the tent structure.

### **HISTORY OF SUBJECT SITE**

The subject site was rezoned from "NU" – Non-Urban to "C-8" – Planned Commercial via City of Chesterfield Ordinance Number 837 on September 20, 1993. City of Chesterfield Ordinance Number 2125 repealed Ordinance Number 837 on October 18, 2004, to allow for an amendment to the floor

area requirements. The Planning Commission approved an Amended Site Development Plan, Landscape Plan, and Architectural Elevations on August 22, 2005, with a vote of 9-0 with the requirement that trees be added to the plan to ensure that all parking spaces are within 50 feet of a tree and that one additional tree be planted along the retaining wall. On October 27, 2008, the Planning Commission approved the Amended Architectural Elevations for the temporary tent structure with a vote of 9-0 with the requirement that the approval be renewed by the Planning Commission after the initial five year period. The temporary tent structure’s initial five-year renewal was approved by the Planning Commission on October 28, 2013 with a vote of 5-0.

**LAND USE AND ZONING OF SURROUNDING PROPERTIES**

Direction	Zoning	Land Use
North	“NU” Non-Urban District	I-64/40 and Vacant Land
East	“C-3” Shopping District	Chesterfield Grove Development
South	“M-1” Industrial District	Earthworks, Inc. (stone supplier)
West	“M-3” Planned Industrial District	Storage Masters Facility

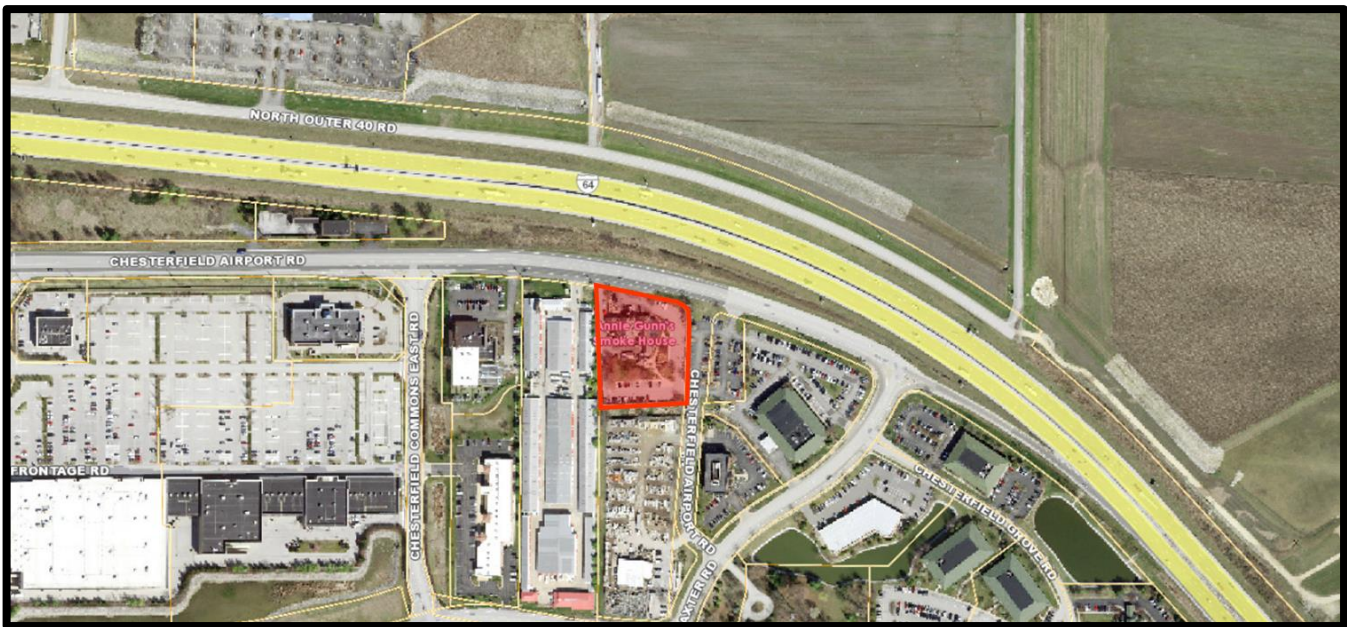


Figure 1: Aerial Image



**SITE PHOTOS**



**Tent—Northeast Corner**



**Tent—North Side View**



**Tent—Southeast Corner**



**Tent—East Side View**



**Landscape Area—Along East Side of Tent Structure**



**Landscape Area—Along East Side of Structure**

### **STAFF ANALYSIS**

When the Amended Architectural Elevations were originally reviewed by the Architectural Review Board and Planning Commission in 2008, various concerns were expressed by the Board members and Commissioners. In order to make a recommendation to the Planning Commission regarding the five year renewal of the tent structure, Staff reviewed those past concerns and presents the following findings for the Planning Commission's consideration.

The Architectural Review Board was primarily concerned by the quality of the material being used on the tent structure and the structure's lifespan. Additionally, the Board discussed the compatibility of the structure with the landscaping, building elevations and color scheme of the restaurant. Relative to the applicant's request for a five year renewal, Staff inspected the site and took photos presented in this report. It is Staff's opinion that the tent structure remains in good condition, with no visible damage, marks, or wear to the structure. The substantial landscaping bordering the tent structure provides excellent screening, and the structure color blends in with the greenery. Large art installations in the form of metal sculptured benches lend a park like atmosphere to the broad east elevation.

The Planning Commission's concerns primarily centered on setting a precedent by considering such structures as permanent. At that time, it was noted by the City Attorney that the applicant's request was a unique situation and that the restaurant had been a part of Chesterfield Valley for many years prior to the City's incorporation. Prior to the request for the existing tent, a similar-type of structure was in place over the patio for ten or more years. In the ten years since the initial approval of the tent structure, no other requests for such structures have been received by the Department of Planning and Development Services.

### **STAFF RECOMMENDATION**

Staff has reviewed the request and has found it to be in conformance with the Comprehensive Plan and Zoning Ordinance. Staff recommends approval of the renewal request.

### **MOTION**

The following options are provided to the Planning Commission for consideration relative to this application:

- 1) "I move to approve (or deny) the five-year renewal of the Amended Architectural Elevations for The Smokehouse (Annie Gunn's Restaurant) with the temporary structure depicted on the renderings as a permanent structure for the purpose of the City's Zoning Ordinance."
- 2) "I move to approve the five-year renewal of the Amended Architectural Elevations for The Smokehouse (Annie Gunn's Restaurant) with the temporary structure depicted on the renderings as a permanent structure for the purpose of the City's Zoning Ordinance with the following conditions..." (Conditions may be added, eliminated, altered or modified).



**APPROVED**  
CITY OF CHESTERFIELD PLANNING  
COMMISSION

Date 10/27/08 Signed [Signature]  
AMENDED  
ARCHITECTURAL  
ELEVATIONS



ANNIE GUNN'S



NORTH ELEVATION

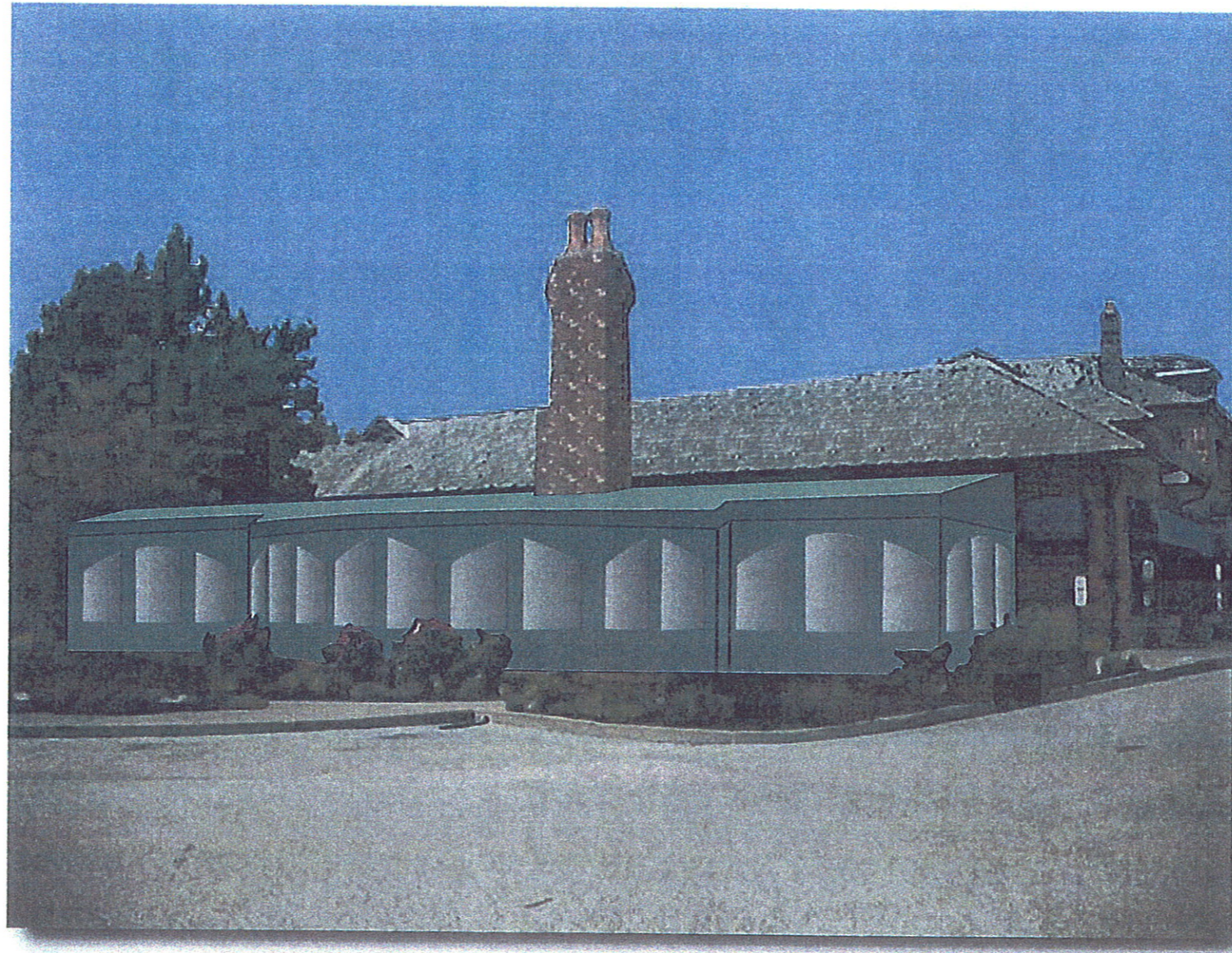
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ANNIE GUNN'S



EAST ELEVATION

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ANNIE GUNN'S



SOUTH ELEVATION

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