



690 Chesterfield Pkwy W • Chesterfield MO 83017-0760 Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us.

December 3, 2008

Planning Commission City of Chesterfield 690 Chesterfield Parkway West Chesterfield, MO 63017

The Planning Commission agenda for December 8, 2008 will include the following item for your consideration:

Hardee's Iceplex (16851 North Outer 40 Road): A request for approval of a free-standing sign for a 12.87-acre "PC" Planned Commercial District-zoned recreational facility located east of the intersection of Boone's Crossing and North Outer 40 Road.

## Dear Planning Commission:

Warren Signs and Summit Development have submitted a request for a monument sign for the above-referenced development which exceeds the sign requirements established in the City of Chesterfield Zoning Ordinance. The Department of Planning and Public Works has reviewed the request and submits the following report.

#### BACKGROUND

- The subject parcel is located at 16851 North Outer 40 Road. It also has frontage along North Outer Forty Road.
- This parcel was zoned "NU" Non-Urban District prior to incorporation of the City of Chesterfield.
- Conditional Use Permit (CUP) #19 was approved for the site on November 16, 1993.
- On October 19, 1999, the City of Chesterfield approved Ordinance 1564, which zoned the
  property to "PC" Planned Commercial. Ordinance 1564 requires signage to adhere to the
  criteria set forth in the City of Chesterfield Zoning Ordinance.
- On August 26, 2008, an application for a sign for the subject development containing an electronic message center was rejected by the City of Chesterfield.
- On November 7, 2008 a sign for this location with an electronic message center was presented to the City of Chesterfield Board of Adjustment. The Petitioners

chose to withdraw the sign and have re-designed it to conform to the City of Chesterfield Zoning Ordinance.

#### SUBMITTAL INFORMATION

Developments requesting attached and/or detached signage are reviewed and approved by the Department of Planning and Public Works unless a Sign Package exists for the development or if modifications to the design requirements are being requested. This request is before the Planning Commission for review because the Petitioner is requesting modifications to the Sign Requirements found in Section 1003.168.C of the City of Chesterfield Zoning Ordinance.

The modifications being requested to section 1003.168C(2) are as follows:

DIMENSIONS	MAXIMUM ALLOWED	MAXIMUM PERMISSALBE PLANNING COMMISSION INCREASE	PROPOSED SIGN
HEIGHT	SIX (6) FEET	TWENTY (20) FEET FROM THE FINISHED GRADE AT THE BASE OF THE SIGN	FEET FROM THE FINISHED BASE
SIGN FACE (COPY AREA)	FIFTY (50) SQUARE FEET PER SIGN FACE		SQUARE FEET
SIGN BASE	THREE FEET ABOVE THE AVERAGE FINISHED GRADE	THE COMMISSION MAY APPROVE A TALLER BASE. THE ZONING ORDINANCE DOES NOT PROVIDE A MAXIMUM.	FINISHED

#### DEPARTMENTAL INPUT

A packet of information submitted by the Petitioners is attached for your review. The submittal was reviewed for compliance with all City of Chesterfield ordinances. The Department of Planning and Public Works requests action by the Planning Commission on the request for a freestanding sign for Hardee's Iceplex (16851 North Outer 40 Road).

Respectfully Submitted,

Annissa McCaskill-Clay

Annissa G. McCaskill-Clay, AICP

Lead Senior Planner

# APPLICATION TO THE CITY OF CHESTERFIELD PLANNING COMMISSION FOR A SIGN PERMIT



NOVEMBER 26, 2008





November 26th, 2008

(;-

Annissa G. McCaskill-Clay, AICP Lead Schior Planner City of Chesterfield 690 Chesterfield Parkway West Chesterfield, Missouri 63017-0760

City of Chesterfield Planning Commission Chesterfield City Hall 690 Chesterfield Pkwy W Chesterfield, MO 63017-0670

RE: Hardees looplex Request for Variance

Dear Annissa and Members of the Commission,

We are submitting this letter to you in conjunction with our application for a monument sign at the Hardee's Iceplex. Specifically we are requesting the Planning Commission allow the proposed sign to be not more than twenty (20) feet in height and have a total face area of ninety-six (96) feet. A landscape plan of the area around the sign is attached as exhibit A.

We believe these dimensions are reasonable for the site and are necessary to overcome practical difficulties and hardships imposed by the unique characteristics of the site. Furthermore we believe the sign will benefit the public by making travel to this unique community resource easier and more convenient.

The lot the Iceplex sits on is typical of many in Chesterfield Valley. It is flat and accessed from N. Outer Forty. It is adjacent to the Missouri River levee to north and the Interstate I-64 borders to the south. The lot frontage has excellent visibility to I-64, however the building is screened from I-64 by a row of mature trees, which are required by the buildings zoning ordinance, along N. Outer Forty. See exhibit B for a view of the existing conditions. As a result, signs on the Iceplex building are barely visible to N. Outer Forty and I-64, necessitating a sign at the North Outer 40 entrance to the site.

Current ordinance allows for a monument sign to be installed which would be ten (10) feet tall. A monument sign of this height would not be visible to castbouted I-64 traffic. When the Hardee's Iceplex was constructed in 1996 this would not have been an issue because the median did not exist. In 2000/2001, MODOT installed the approximately three (3) foot tall concrete median. As the attached Exhibit C illustrates, east bound drivers would not be able to see a monument sign that is ten feet tall. As the exhibit also illustrates, the height of our proposed sign makes it visible to eastbound traffic.

The Hardees Iceplex hosts many regional sports events throughout the year and therefore has need for signage sufficient to provide adequate way-finding for visitors coming from inside and outside of the greater St. Louis metropolitan area. The distance from the Iceplex building to the eastbound lanes of I-64 (480 feet) make it impractical to provide wayfinding with a building sign; in order to be legible, the size of the sign would far surpass that allowed by the City of Chesterfield.

The proposed sign will have no adverse effect on neighboring properties. To the north is the Missouri River levy; no one resides north of the levy. Letters from the neighbors to the west and east regarding the proposed sign are attached as exhibit D. To the south is I-64; neighbors beyond I-64 are distant by 400' or more and unaffected by the sign. Please see attached Exhibit E, which indicates the proposed sign location and distances to neighboring properties. Furthermore, as you may be aware, there are many signs in the City of Chesterfield that have bases in excess of the 3' requirement. Nine (9) such signs are located in Chesterfield Commons across I-64 from the Iceplex.

Additionally, and just as importantly, the Hardees Iceplex is an important asset to the people of Chesterfield and the region. Thousands of people from all over the St. Louis area use the Iceplex for fitness activities, competitive sports, and recreation. Local, regional and national sports championships are determined at the Iceplex (see exhibit E for a list of programs and events hosted at the Iceplex). These events and programs draw 650,000 visitors per year to the Iceplex, and therefore Chesterfield Valley. The Iceplex's many national events, including the southern-most ever NCAA men's hockey tournament game, draw fans and players from all over North America, generating over 5,000 hotel room nights for Chesterfield and the region.

The Hardees Iceplex is a significant community resource for the residents of Chesterfield, the people of the region, and the St. Louis metropolitan area. It is a resource for families and friends to enjoy these activities together, and for everyone to be a sports spectator. The Iceplex is one of the most, if not the most visited attraction in Chesterfield, and it sits at a very prominent location along the 40/I-64 corridor. We welcome the role of being a community asset and believe that the proposed sign will enhance our facility and therefore the community.

Thank you for your consideration of this application, we look forward to your decision.

Sincerely,

John Ross

President Summit Development

Hardee's Iceplex

Attachments (A-E)



## DEPARTMENT OF PLANNING

## APPLICATION FOR A SIGN PERMIT

Signs are permitted in accord with the regulations of the City of Chesterfield Zoning Ordinance. Some sites have regulations for signs that are more restrictive as part of the conditions of the ordinance governing a particular Planned Commercial District, Planned Industrial District, Mixed Use Development District, Conditional Use Permit, Commercial-Industrial Designed Development Procedure, Planned Environmental Development Procedure, or Landmark Preservation Area.

For questions about this application, please contact the "Planner of the Day" at 636-537-4733.

		I. APPLICA	NT INFORMATIO	NC				
Project Ad		16851 North Outer 40 Road	(Hardee's IcePle	x)				
City:	Chesterfie	ld	State:	MO	Zip:	63005		
		of record of the hereinafter The Summit Center, LLC					County	
Address:	16851 N.	Outer 40 Road						
City:	Chesterfie	eld	State:	MO	Zip:	63005		
Applicant (If different that Address:								
City:			State:		Zip:			
Tel.:			Fax:					
		II. SIC	SN PACKAGE					
Is a Sign F	ackage re	quired for this project site	?	Chec	k (✓) one	[ ] Yes	[ ]N	o
If yes, doe	s the requ	ested sign conform to the S	Sign Package?	Chec	k (✓) one	[ ] Yes	[ ]N	0

# [THIS SPACE INTENTIONALLY LEFT BLANK]

		(p)(1)(0)(6)(5)(((3)(0)(0)	
[ ] Temporary	Post Date:	Remove Date:	
[ ] Directional			
[ ] Informational			
[X] Free-Standing	2		
[ ] Building [ ] Other:			
[ ] Other.			4
Size (Dimensions):	20' tall x 12'-10" wide (	92.5 sqft sign area)	•
Color(s):		lue / Green / Black (with	a manual changeable readerboard
Estimated Cost:	\$25,000.00		
	an madalan kanan da kanan k	on than the of the contraction	
Amusement/Recreat Church/Religious Hospital/Institution Store/Retail	ion [XX] Office/Banl [ ] Industrial [ ] Parking Ga [ ] Public Wor		School/Educational [ ] Service Station [ ] Common Area [ ] Free standing/Pole [ ]
		CANTONIA POLICIA	
The following docume	ents are to be submitted to	o the City of Chesterfield	ł:
<ol><li>For free standing/ showing the locat</li></ol>	ion of the sign.	signs: A copy of the app	proved site development plan
<ol> <li>If St. Louis Count</li> <li>Completed A</li> </ol>	showing size, color, and n ty approval is required: pplication for Municipal 2 pplication materials		
I, Warren Sign		fy that I am the owner in	fee or agent authorized to apply
for this permit.	NAME)		
Owner/Agent:	Jue Wint	( EL)	
Tel.: 636-282-1	(SIGN NAM	IE)	
-		y West, Chesterfield, MO 6	

SIGN 09/03

Page 2 of 8

	STAFF USE ONLY
Zoning District:	
Compliance with Ordinance(s) Conforms to Sign Package	Check (♥) one         Yes       No       Notes         [ ]       [ ]         [ ]       [ ]
Calculations:	
Remarks:	
Department of Planning Approv	al:
Approved by:	Date:
Title:	
Planning Commission approval if	necessary:
On,20 _	the application was referred to the Planning Commission for review
	as <i>approved / denied</i> (CIRCLE ONE).
Remarks:	
Self-graffice (Selffice grafts described and finite and	nation of the first war and the second the second contribute of the first and the first second second contribute and

690 Chesterfield Parkway West, Chesterfield, MO 63017-0760 Ph. (636)537-4746 Fax (636)537-4798 <a href="www.chesterfield.mo.us">www.chesterfield.mo.us</a>



#### DEPARTMENT OF PLANNING

#### APPLICATION FOR MUNICIPAL ZONING APPROVAL

TO:	Department of Public Works	FROM:	City of Chesterfield
	Division of Code Enforcement		
	St. Louis County Government		u .
	41 South Central		
	Clayton, Missouri 63105		

The City of Chesterfield contracts with the St. Louis County Department of Public Works to provide permitting and inspection services. Review of plans, collection of fees, and issuance of permits are handled by the County. However, before obtaining any permit, or beginning any construction project, a zoning approval must be obtained from the City of Chesterfield.

Zoning approval signifies that the property can be used as requested and that the location of a proposed structure is within the legal limits of the property lines as delineated by regulations contained within the City of Chesterfield Zoning Ordinance. Please be advised that some sites have regulations that are more restrictive as part of conditions of the ordinance governing a particular Planned Commercial District, Planned Industrial District, Estate District, Mixed Use Development District, Conditional Use Permit, Commercial-Industrial Designed Development Procedure, Planned Environmental Development Procedure, or Landmark Preservation Area.

Petitioners are strongly urged to visit the County web site at http://www.stlouisco.com/pubworks/ or contact the St. Louis County Department of Public Works at (314) 615-7155 for submittal requirements, permitting information and a detailed list of work that does not require a building permit and/or zoning approval

For questions about this application, please contact the "Planner of the Day" at 636-537-4733.

#### I. APPLICANT INSTRUCTIONS

- 1. Obtain City of Chesterfield approval;
- 2. Obtain \*Fire District approval; An additional separate permit is required from the fire district.
- 3. Obtain St. Louis County approval.
- \*NOTE: It is the responsibility of the applicant to determine which Fire District covers the project property.
  - Monarch Fire Protection District: Tel. 314-514-0900, ext. 309
  - Metro West Fire Protection District: Tel. 636-458-2100

#### II. PROJECT INFORMATION

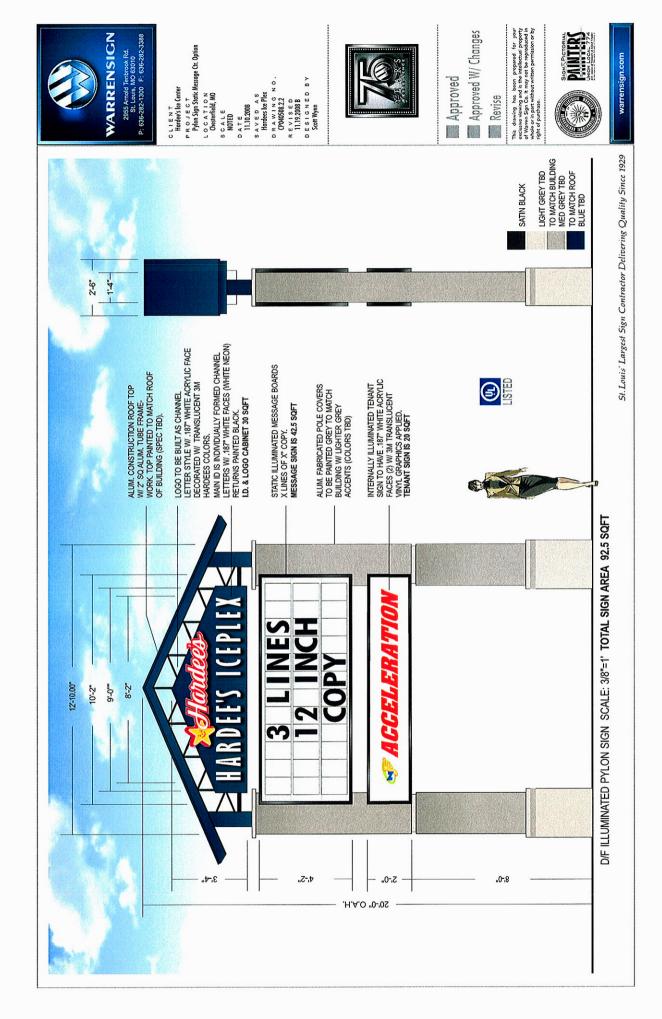
Property Owner:	The Summit	Center, Ll	_C				
Project Address:	16851 North	Outer 40	Road				
City:	Chesterfield			State:	MO	Zip:	63005
Tenant Name (if differ	ent than above):	Hardee'	s IcePlex				
Owner/Tenant Author	orization to Ap	plicant:					
			(Sign	nature of ow	ner/tenan	or duly au	thorized agent required)

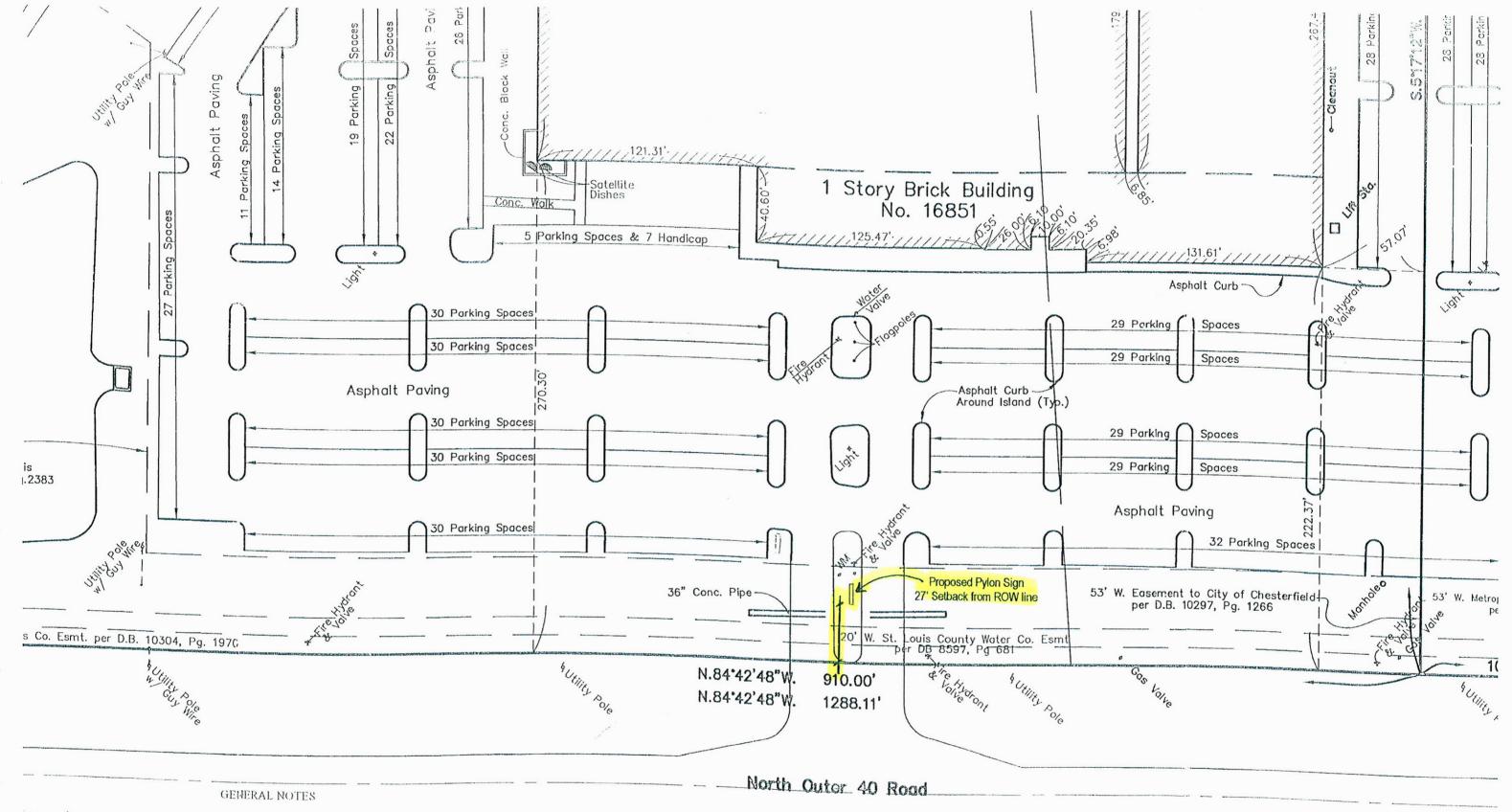
Applicant Name:								
Applicant Address:								
Phone Number:				Attn:				
If the property is locat proposed work.	ed within a subdiv	ision,	the appli	cant is to	o no	tify Subdi	vision Trusi	tees of the
Subdivision Name:								
Subdivision Trustee A	eknowledgement:							
			(	Signature of	truste	e or duly autho	rized agent)	
Were the Subdivision	Trustees Notified?		Check (	√) one		[ ] Yes	[ ] No	
Description of Work: Install one 92.5 sqft illuminated pylon sign with an overall height of 20' and which incorporates a manual changeable readerboard.								
		-						
,								
Advisory: Application	s for Municipal Z	oning	g Approv	al which	are	rejected	may be re	submitted

Advisory: Applications for Municipal Zoning Approval which are rejected may be resubmitted once changes have been made. Please note that relief from some requirements, in the form of a variance, may be requested via application to the Board of Adjustment. For information about the Board of Adjustment, please contact the Department of Planning at 636-537-4746.

(FOR CITY OF CHES	STERFIELD AND	ST. LOUIS COU	UNTY STAF	F USE ONLY)
Municipal Zoning Classifi	cation:			
Is this project located with	in a Flood Plain:	(Check one)	Yes	_ No
Status 1: APPROVED	REJECTED	(circle one)		
Approved/Rejected by:			Date:	
Print Name and Title:	14 (14 (14 (14 (14 (14 (14 (14 (14 (14 (			
Comments:				
Status 2: APPROVED	REJECTED	(circle one)		
Approved/Rejected by:	years and a second		Date:	
Print Name and Title:				
Comments:				
EXTERIOR FIRE PROT	<u>ECTION</u>			
Approved by:			Date:	
Print Name and Title:				
Fire Protection Provided I	Зу:			
ST. LOUIS COUNTY PE	RMIT APPLICAT	TON NUMBER	<u>.</u>	
Notes:				

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igation of recorded easements, restrictions and covenants has been limited to those listed in First American f St. Louis, Inc. Commitment for Title Insurance No. 6219470F, having an effective Date of. March 26, 2003.

ents to Schedule B Section 2 Exceptions, as they pertain to matters of survey, are based solely on the property ations and/or plats contained in the referenced document. Easements are graphically plotted as accurately as ation in referenced document permits. All calls to Deeds and Plats are for those recorded in the St. Louis

10. Easement granted to St. Louis County Water Company according to instrument recorded in Book 8597. page 681 is on the subject parcels and is shown.

11 Easement Agreement for invitees and agrant

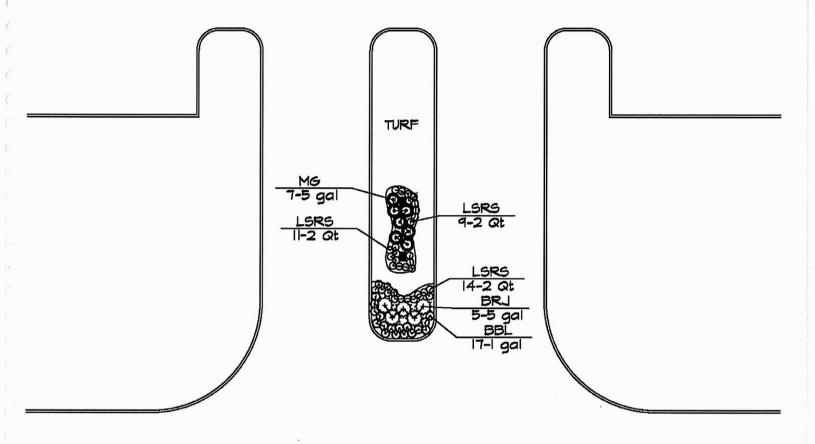
**MISSOURI** STATE HIGHWAY T.R. 40

SCALE: 1" = 50'

## **EXHIBITS**

- A. LANDSCAPE PLAN
- B. TREES OBSTRUCTING ICEPLEX
- C. SITE LINE SECTIONS
- D. LETTER FROM SUMMIT OUTER FORTY, LLC & LETTER FROM HUSCH BLACKWELL SANDERS, LLC
- E. USERS

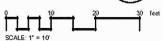




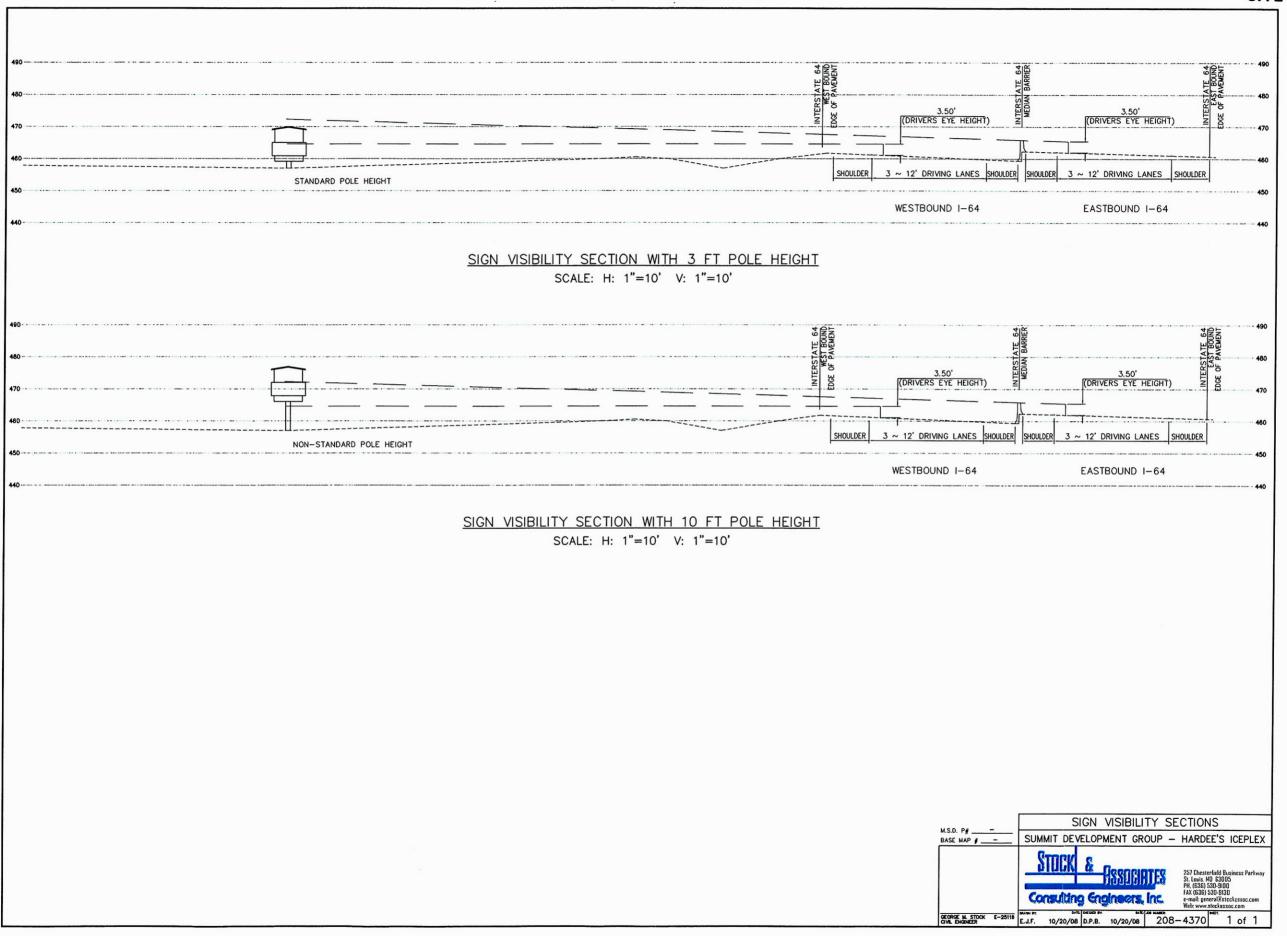
PLANT SCHEDUL	E		
SHRUBS	QTY	BOTANICAL/COMMON	SIZE
BRJ	5	Juniperus sabina 'Broadmoor' / Broadmoor Juniper	5 gal
ANNUALS/PERENNIALS	aty	BOTANICAL/COMMON	SIZE
BBL	17	Liriope muscari 'Big Blue' / Big Blue Liriope	l gal
LSRS	54	Perovskia atriplicifolia 'Little Spire' TM / Little Spire Russian Sage	2 Qt
GRASSES	QTY	BOTANICAL/COMMON	SIZE
MG	7	Miscanthus sinensis 'Gracillimus' / Maiden Grass	5 gal







**EXHIBIT B** TREES OBSTRUCTING ICEPLEX



## SUMMIT OUTER FORTY INVESTORS LLC 100 SOUTH BRENTWOOD, SUITE 222 ST. LOUIS, MO 63105 314.863.9991

October 21, 2008

Mr. John Ross Summit Development Group 100 S. Brentwood Blvd., Suite 222 St. Louis, MO 63105

RE:

Hardees Iceplex

Proposed Sign

Dear John:

I have reviewed the information you provided for the proposed sign (illustration dated September 15, 2008) at the Iceplex driveway entrance along N. Outer Forty. I understand that you are requesting variances for the sign from the City of Chesterfield Board of Adjustment for the sign base height and the message board. The Summit Outer Forty Investors have no objection to the sign or the electronic message board. Please feel free to share our approval with the City of Chesterfield.

Please contact me if I can be of any further assistance to you in this matter.

Sincerely,

SUMMIT OUTER FORTY INVESTORS LLC

Scott M. Reese

Authorized Member





G. Kimberley Diamond Attorney

190 Carondelet Plaza, Suite 600 St. Louis, MO 63105 314.480.1704 fax: 314.480.1505 kim.diamond@huschblackwell.com

October 24, 2008

Mr. John Ross Summit Development Group 100 S. Brentwood Blvd. Suite 100 St. Louis, MO 63105

**RECT** OCT 27 2008

Re: Hardees Iceplex Proposed Sign

Dear John:

We have reviewed the information you provided for the proposed sign (illustration dated September 15, 2008) at the Iceplex driveway entrance along N. Outer Forty. We understand that you are requesting variances for the sign from the City of Chesterfield Board of Adjustment for the sign base height and the message board. As a neighboring landowner, the Levee District does not object to the sign, and defers to the City with respect to approval. You may share this letter with the City of Chesterfield.

Please contact me if we can be of any further assistance to you in this matter.

Very truly yours,

HUSCH BLACKWELL SANDERS LLP

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G. Kimberley Diamond

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GKD/mb

## EXHIBIT E USERS

## **650,000 VISITORS PER YEAR**

#### **CONTINENTAL CHAMPIONSHIPS**

2006 Special Hockey North American Tournament

## **NATIONAL CHAMPIONSHIPS & EVENTS**

- 2005 Special Hockey Championships
- 2006 USA Hockey Central District Bantam Camp
- 2007 Youth Excellence in Sports Program as part of the 2007 Frozen Four NCAA Championships
- 2007 NCAA YES Clinic (in conjunction with 2007 NCAA Ice Hockey Championships)
- 2008 Robertson Cup Jr. A National Championships
- 2008 US Speedskating Sr. National Championships
- 2009 USA Hockey Youth National Championships

### **ANNUAL EVENTS & TOURNAMENTS**

- The Arctic Blast MLK Holiday Tournament
- MidWest Prospects Fall Classic
- St. Louis AAA Blues Labor Day Tournament
- Arch March Recreational Tournament
- North American League Midget Showcase
- Top Flight February Tournament
- Northern Edge Elite Hockey Schools
- Puckfest Adult Tournament
- · St. Louis Blues Alumni Charity Game
- Missouri High School Hockey State Semi-Finals



## EXHIBIT E USERS

#### **USER GROUPS**

- Chesterfield Hockey Association- CHA accounts for almost 50% of all ice sold at the facility, and serves as the only ice hockey participation opportunity for the residents of the city of Chesterfield. With over 500 members, CHA is one of the largest youth hockey clubs in St. Louis.
- St. Louis AAA Blues- The AAA Blues are the elite hockey club in St. Louis and call the Hardee's Iceplex home. The AAA Blues account for 12% of all ice sold at the facility.
- High Schools- High schools that regularly practice at the facility include:
  - Marquette
  - Lafayette
  - Chaminade
  - Desmet
  - CBC
  - Whitfield
  - Westminster
  - Priory
  - · Parkway Central
  - Parkway West
- Adult Leagues- We have more than 30 teams that participate in our adult league, making it the largest USA Hockey sanctioned league in St. Louis. This represents almost 500 participants.
- Northern Edge Elite Hockey School- We offer beginner lessons for over 300 families per year and host the Metro Edge Synchronized Skating Teams as well as Creve Coeur Skating Club.
- Speed Skating- We are a practice rink for the Metro Speed Skating Club
- St. Louis Blues Alumni- The former Blues players have a dedicated facility on property and call the facility home by practicing I- 2 times per week and hosting several charity events throughout the year.
- St. Louis Bandits Jr. A Hockey Club- The Bandits are a developmental program for the best 16-20 year old players in the country. Over the past 3 seasons, the Bandits have sent more than 30 players on to major college teams with scholarships, and have had 5 players drafted in the National Hockey League, all while winning back to back National Championships.

