



**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
JUNE 13, 2022**

The meeting was called to order at 7:02 p.m.

I. ROLL CALL

PRESENT

Commissioner Caryn Carlie
Commissioner Allison Harris
Commissioner John Marino
Commissioner Debbie Midgley
Commissioner Nathan Roach
Commissioner Jane Staniforth
Commissioner Guy Tilman
Acting Chair Steven Wuennenberg

ABSENT

Councilmember Merrell Hansen, Council Liaison
Mr. Nathan Bruns, representing City Attorney Christopher Graville
Mr. Justin Wyse, Director of Planning
Mr. Mike Knight, Assistant City Planner
Ms. Alyssa Ahner, Planner
Ms. Mary Ann Madden, Recording Secretary

Acting Chair Wuennenberg acknowledged the attendance of Councilmember Merrell Hansen, Council Liaison; Councilmember Mary Ann Mastorakos, Ward II; and Councilmember Dan Hurt, Ward III.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS - Commissioner Staniforth read the "Opening Comments" for the Public Hearing.

- A. P.Z. 01-2022 Kemp Automobile Museum (Johnny Y Properties LLC):**
An ordinance amending the Unified Development Code by changing the boundaries of an existing "PC" Planned Commercial District to a new "PC" Planned Commercial District for a 2.65 acre tract of land located on the south side of Interstate 64 east of Chesterfield Commons Drive (17T230190).

STAFF PRESENTATION:

Mr. Mike Knight, Assistant City Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Knight then provided the following information about the subject site:

Request Summary

The Petitioner is requesting to: (1) delete restrictions on the fast food use, including the prohibition on drive-through restaurants; and (2) update the Preliminary Development Plan.

Site History

In 2007, the site was rezoned from “M3” Planned Industrial to “PC” Planned Commercial with the sole use being a restaurant. The Preliminary Development Plan was updated in 2015 and additional uses permitted. One of the uses added at that time was *Fast-Food* with the restriction of no drive through and requiring non-disposable dishware, and custom prepared food to order vs. pre-prepared and racked food items – classified as *Fast-Casual*. The Site Development Plan was approved in 2018 but the site has not been developed.

Comprehensive Plan

The Comprehensive Plan’s Land Use Plan shows the site as falling within the *Regional Commercial* use designation, which is characterized as areas that serve regional commercial needs and draw visitors from both Chesterfield and the surrounding areas.

Request #1 – Delete Restrictions on Fast Food use

The Petitioner is requesting that the following restrictions on the *fast food* use be removed:

- no drive through,
- use of non-disposable dishware, and
- custom-prepared to order food vs. pre-prepared and racked food items

The applicant states that the dining habits of customers have changed as a result of the pandemic and has made the availability of a drive-through critical to the success of restaurants.

Request #2 – Updates to the Preliminary Development Plan

Mr. Knight explained that the **current Preliminary Development Plan** includes one building envelope with parking to the south; the **proposed Preliminary Development Plan** shows the restaurant building with a drive-thru component separate from the retail component.

DISCUSSION

Commissioner Tilman asked for the history of *Fast-Casual*. Mr. Knight stated that research of meeting minutes shows that there was a concern at that time regarding a drive-thru component for this site. The applicant then submitted the criteria that was ultimately approved (*no drive-thru, use of non-disposable dishware, and use of custom-prepared to order food vs. pre-prepared and racked food items*).

Mr. Justin Wyse, Director of Planning, added that there was a general concern about how drive-thru restaurants in the Valley would impact the residential on the bluffs. Over

time, those concerns have been mitigated and drive-thru restaurants permitted in the Valley.

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, Doster, Ullom & Boyle, LLC, 16150 Main Circle Drive, Chesterfield, MO.

Mr. Doster also addressed the question regarding *fast-casual* explaining that at the time the *restaurant* use was first requested, the client's concept was completely different than the current concept. At that time, the concept was to have a larger, sit-down, mid-scale type of restaurant, and the client had no concerns with eliminating the drive-thru component and having the *fast-casual* restriction imposed.

Currently, customers prefer the drive-thru component of fast-food restaurants vs. dining in. While indoor seating is being proposed, the primary activity will be the drive-thru. He also noted that restaurants are facing an issue with adequate staffing. With the proposed drive-thru restaurant, less staffing is required.

Request

The applicant is looking to eliminate the *Fast Casual* restriction and the prohibition against the drive-thru.

If the restrictions are removed, there will be a drastic reduction in the mass on the site reducing the square footage from 24,400 square feet in one building to 11,100 square feet in two buildings.

Changes from the previously approved Site Development Plan to the Proposed Preliminary Plan:

- The proposed plan reduces the building square footage by 8,377 square feet (a reduction of 46%).
 - The proposed plan reduces the overall impervious area including parking lot, building, and sidewalk by 16,553 square feet (0.38 acres).
 - The proposed plan improves fire department access and maneuverability on the proposed development.
2. Ms. Brandy Zackery, Arnold Consulting Engineering Services, P.O. Box 1338, Bowling Green, KY.

Ms. Zackery pointed out that the proposed plan provides a lot more green space than the approved original plan. While going through the improvement plan phase in 2018-2019, the fire department expressed concerns about being able to move through the site due to the large building being proposed. The fire department has given its approval on the new proposed plan noting improvements to accessing the site.

Discussion

Commissioner Marino asked if the site has the flexibility to provide a double drive-thru line, if needed in the future. Ms. Zackery replied that the site has restrictions with existing trees, easements, and buffers that would not allow for a double drive-thru.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

V. APPROVAL OF MEETING SUMMARY

Commissioner Staniforth made a motion to approve the Meeting Summary of the May 9, 2022 Planning Commission Meeting. The motion was seconded by **Commissioner Midgley** and **passed by a voice vote of 7 to 0.** (*Commissioner Roach abstained.*)

VI. PUBLIC COMMENT

A. 633 S. Goddard Lighting Plan

Representing the Petitioner

1. Mr. Michael Ott, 633 S. Goddard Avenue, Chesterfield, MO

Mr. Ott referred to comments received from the City requesting that the proposed 70-foot mounting height of the lights be addressed by *providing a statement from a qualified lighting designer providing industry standards and information substantiating the request, as required by code.* Mr. Ott stated that this information has been provided and is included in the meeting packet. In addition, they have received approval from both the Airport and FAA on all five light poles proposed for the site. Mr. Ott added that they have also addressed two other subsequent comments from the Planning Staff, which were not related to lighting.

He noted that Perfect Game has contracted with them and their facility to be a source for teams coming into the area for training and use.

B. Chesterfield Commons, Lot 14 (Hawaiian Bros) ASDSP

Representing the Petitioner

1. Mr. Mitch Truster, Vice-President of Development for Hawaiian Bros, 720 Main Street, Kansas City, MO
2. Mr. Jonathon Doll, Excel Engineering, 100 Camelot Drive, Fond du Lac, WI

Mr. Truster stated that Hawaiian Bros currently has 31 restaurants and is growing quickly across the Midwest. They specialize in re-purposing and re-imagining buildings – such as the former Longhorn Steakhouse, which has been vacant since 2020. They are excited to enter Chesterfield and anticipate hiring 75-100 employees.

Discussion

Commissioner Harris asked if they have encountered any problems with how the drive-thru is designed in that pedestrians have to cross through cars to enter the restaurant. Mr. Truster replied that they spent considerable time in working out the best configuration for access and stacking. They have moved the main dining room entrance to the east side of the building, which gets it away from the menu boards located on the

north side and the pick-up windows on the west side. Vehicles will queue on the north side and while there may be a few cars coming around on the east side, a pathway is typically created for pedestrians.

It was also noted that 80-85% of their business is drive-thru, DoorDash/Uber Eats, and curbside pick-up.

C. Crazy Bowls & Wraps (AAE)

Representing the Petitioner

1. Mr. Keith Kitsis, Crazy Bowls & Wraps, 1403 Baur Blvd., St. Louis, MO – *Mr. Kitsis had to leave so was unavailable to speak.*
2. Mr. Tyler Ruckman, Tao & Lee Associates, 411 North 10th Street, St. Louis, MO

Mr. Ruckman stated that they are proposing to revitalize an existing drive-thru restaurant site at 13435 Olive Boulevard.

D. Enterprise (ASDP)

Representing the Petitioner – available for questions:

1. Ms. Kate Stock Gitto, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO
2. Mr. Randall Phillips, local operator with Enterprise, 1020 West Run Drive, Ballwin, MO
3. Mr. Walter Albrech, Chiodini Architects, 1401 Brentwood, Brentwood, MO
4. Ms. Lauren Ivester, Enterprise, 600 Corporate Park Drive, St. Louis, MO

E. The District (ASDP)

Representing the Petitioner – available for questions:

1. Mr. Tim Lowe, The Staenberg Group, 2127 Innerbelt Business Drive, St. Louis, MO
2. Mr. Steve Mueller, HDA Architects, 4565 McRee Avenue, St. Louis, MO 63110

F. Wildhorse Village, Lot 2A-2 (Terraces at Wildhorse Village) SDSP

Representing the Petitioner – available for questions:

1. Ms. Kate Stock Gitto, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO
2. Mr. Tyson Pyle, Director of Architecture with Arcturis, 3410 Holliday Avenue, St. Louis, MO

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **633 S. Goddard Ave. (Lighting Plan)**: A Lighting Plan for a 5.50-acre tract of land zoned "M3" Planned Industrial District, located on the west side of Goddard Avenue, south of its intersection with Chesterfield Airport Road (17V230132).

Commissioner Staniforth representing the Site Plan Committee, reported that the Lighting Plan for 633 S. Goddard did not receive approval at the earlier Site Plan Committee Meeting and asked for a motion.

Commissioner Tilman made a motion recommending approval of the Lighting Plan for 633 S. Goddard Ave. The motion was seconded by Commissioner Staniforth.

Discussion

In response to questions, Mr. Justin Wyse, Director of Planning, stated that the majority of the light poles at the Chesterfield Valley Athletic Complex are 70 ft. in height. Noting that the subject site will also be used for athletic fields, Commissioner Tilman felt that the requested 70-foot height for light poles should be allowed.

Acting Chair Wuennenberg noted that while 70-foot lights are at the CVAC, they are not widely used throughout the Valley. His concern regarding the request is the site's location.

Commissioner Staniforth expressed concern that the Applicant may have been given conflicting information from Staff and who acted in good faith by providing the requested information. She noted that the proposed business would be severely restricted if they cannot have the safety of the lights.

Mr. Wyse reported that Staff has been working with the Applicant for several years on getting approval for the multipurpose fields without the lighting. He also noted that the comment letter sent by Staff included the statement that *the Unified Development Code has a maximum height of 20 feet for the light poles*. He also spoke to the Applicant before the meeting packets went out regarding the height issue.

Acting Chair Wuennenberg explained that there is a process that is followed in order for an applicant to be placed on an agenda. During the meeting, the Commission reviews pertinent information such as site location, type of business, etc. in order to make a decision. He noted that he likes the facility and the business, but does not think it is the right location for 70-foot lights.

For the record, Commissioner Carlie pointed out that City code states that commercial illumination is limited to a maximum of 8 foot-candles. The Staff report notes that light spillage onto an adjacent property is shown as high as 15 foot-candles, but commentary from the Applicant indicates that the foot candles' spillage would be no more than 5 foot-candles.

Commissioner Marino expressed his concern that the height request is significantly more than what is allowed by code (70 ft vs 20 ft).

Commissioner Midgley felt that when the field went in, the Applicant should have researched as to what type of lighting would be needed and what is allowed by the City.

Commissioner Carlie stated that the 70-foot lights that are recommended by the lighting industry parallels and supports a performance sports organization. She noted that the actual work being done on the campus is unique to intensifying athletes and the lighting of such a field supports that effort.

Upon roll call to approve, the vote was as follows:

**Aye: Commissioner Carlie, Commissioner Staniforth,
Commissioner Tilman**

**Nay: Commissioner Harris, Commissioner Marino,
Commissioner Midgley, Commissioner Roach,
Acting Chair Wuennenberg**

The motion failed by a vote of 3 to 5.

- B. Chesterfield Commons, Lot 14 (Hawaiian Bros) ASDSP:** An Amended Site Development Section Plan, Landscape Plan, Lighting Plan and Amended Architectural Elevations for a fast food drive-up restaurant located on 1.94-acre tract of land located west of Chesterfield Commons Drive and south of Chesterfield Airport Road, zoned "C8"- Planned Commercial.

Commissioner Staniforth, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan, Landscape Plan, Lighting Plan, and Amended Architectural Elevations for Chesterfield Commons, Lot 14 (Hawaiian Bros). The motion was seconded by Commissioner Tilman and passed by a voice vote of 8 to 0.

- C. Crazy Bowls & Wraps (AAE):** Amended Architectural Elevations and Architect's Statement of Design for a 0.27-acre tract of land zoned "PC"—Planned Commercial District located north of Olive Blvd and east of N. Woods Mill Drive.

Commissioner Staniforth, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations and Architect's Statement of Design for Crazy Bowls & Wraps. The motion was seconded by Commissioner Harris and passed by a voice vote of 8 to 0.

- D. Enterprise (ASDP):** An Amended Site Development Plan, Landscape Plan, Tree Stand Delineation, Tree Protection Plan, Architectural Elevations, and Architect's Statement of Design for a 1-acre tract of land zoned "PI"—Planned Industrial District located north of the intersection with Chesterfield Airport Road and Cepi Drive.

Commissioner Staniforth, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Plan, Landscape Plan,

Tree Stand Delineation, Tree Protection Plan, Architectural Elevations, and Architect's Statement of Design for Enterprise. The motion was seconded by Commissioner Midgley and **passed by a voice vote of 8 to 0.**

- E. **The District (ASDP):** An Amended Site Development Plan, Landscape Plan, Architectural Elevations, and Architect's Statement of Design for a 48.15-acre tract of land zoned "PC"—Planned Commercial District located north of North Outer 40 Road and east of Boone's Crossing.

Commissioner Staniforth, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Plan, Landscape Plan, Architectural Elevations, and Architect's Statement of Design for The District. The motion was seconded by Commissioner Harris and **passed by a voice vote of 8 to 0.**

- F. **Wildhorse Village, Lot 2A-2 (Terraces at Wildhorse Village) SDSP:** A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for a 3.6-acre tract of land zoned "PC&R" – Planned Commercial and Residence District located southwest of the intersection of Wildhorse Creek Road and Lakeview Terrace.

Commissioner Staniforth, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for Wildhorse Village, Lot 2A-2 (Terraces at Wildhorse Village). The motion was seconded by Commissioner Tilman and **passed by a voice vote of 6 to 2.** (*Commissioners Harris and Midgley voted "no".*)

VIII. UNFINISHED BUSINESS - None

IX. NEW BUSINESS

- A. Election of Officers

On behalf of the Nominating Committee, Commissioner Marino made a motion to approve the following slate of officers for 2022-2023:

Chair: Guy Tilman
Vice-Chair: Steve Wuennenberg
Secretary: Jane Staniforth

The motion was seconded by Commissioner Harris and **passed by a voice vote of 8 to 0.**

B. Proposed Amendments to the By-Laws

On behalf of the Nominating Committee, Commissioner Marino proposed the following amendments to the By-Laws to be voted on at the next Planning Commission meeting:

Delete the following:

- Chair of the Planning Commission to attend Planning and Public Works Committee Meetings and Architectural Review Board Meetings.
- Vice-Chair of the Planning Commission to attend the Planning and Public Works Committee Meetings and Architectural Review Board Meetings when the Chair is unable to attend.

There was additional discussion and agreement on the importance of having at least one Planning Commissioner present at these meetings to act as a liaison and to be able to: (1) provide feedback to the PPW Committee on what occurred at Planning Commission, and (2) to provide information to the Planning Commission on what occurred at the ARB meeting. Commissioner Marino will craft language on how representation at these meetings would occur.

Discussion followed on **Article III, Section 5 of the By-Laws** pertaining to *Election of Officers*, which states:

Once the term for the Chair has expired, he/she may seek to be re-elected. If re-election is not sought, the Vice Chair shall be automatically nominated for Chair. A vote on this nomination will then be taken by the Planning Commission.

It was agreed that the following language should be deleted:

If re-election is not sought, the Vice Chair shall be automatically nominated for Chair.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:07 p.m.

Jane Staniforth, Secretary