

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 8, 2017**

The meeting was called to order at 7:00 p.m.

I. ROLL CALL

PRESENT

Commissioner Wendy Geckeler
Commissioner Merrell Hansen
Commissioner Laura Lueking
Commissioner Debbie Midgley
Commissioner James Rosenauer
Commissioner Steven Wuennenberg
Chair Stanley Proctor

ABSENT

Commissioner Allison Harris
Commissioner John Marino

Councilmember Dan Hurt, Council Liaison (*arrived at 7:50 p.m.*)
Mr. Christopher Graville, City Attorney (*arrived at 7:20 p.m.*)
Mr. Justin Wyse, Director of Planning & Development Services
Ms. Cassie Harashe, Project Planner
Ms. Cecilia Hernandez, Project Planner
Mr. Mike Knight, Project Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor announced that City Council members were presently attending a Finance & Administration Committee meeting and may be joining the Planning Commission meeting later in the evening.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS – Commissioner Wuennenberg read the “Opening Comments” for the Public Hearing.

A. P.Z. 08-2017 BriteWorx Carwash (Wallis Companies): A request for a zoning map amendment from a “PC” Planned Commercial District to a new “PC” Planned Commercial District for 1.8 acres located on the western corner of the intersection of Baxter Road and Clayton Road. (21R410960).

STAFF PRESENTATION:

Project Planner Cassie Harashe gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Harashe stated that Staff has received several emails and phone calls regarding this project. Emails received prior to the meeting

material being distributed have been included in the meeting packets; emails received since then will be included in a subsequent meeting packet. Ms. Harashe then provided the following information about the subject site:

Site History

The subject site was originally zoned "C8" Planned Commercial District. In 1998, Arch Energy petitioned to change the zoning which was initially denied by the City. That zoning petition requested a filling station, including emergency towing; repair services provided that no automobile, truck or other vehicle would be parked or stored in the open on the premises for longer than 24 hours; a fast-food restaurant; and a vehicle washing station for automobiles. In June 2001, the zoning was changed to "PC" Planned Commercial District by Ordinance 1750 and subsequently amended in October 2001 by Ordinance 1793 and again in December 2001 by Ordinance 1803. These two amendments included minor changes to the development criteria.

Comprehensive Land Use Plan

The Comprehensive Land Use Plan designates the subject site as *Community Retail*, which is defined as serving multiple neighborhoods and neighboring communities. The Land Use chapter of the Comprehensive Plan specifically includes the intersection of Clayton and Baxter Roads for *Community Retail* use.

Request Comparison

	Allowed thru Existing Ordinance	Proposed Use
Height	25 ft. building max. 20 ft. canopy max.	27 ft. shown on section view
Setbacks-North	Store: 82 ft. Carwash: 170 ft. Canopy: 180 ft.	All structures: 35 ft. Parking: 25 ft.
Setbacks-South	Store: 100 ft. Carwash: 58 ft. Canopy: 40 ft.	All structures: 30 ft. Parking: 30 ft.
Setbacks-East	Store: 39 ft. Carwash: 150 ft. Canopy: 27 ft.	All structures: 30 ft. Parking: 30 ft.
Setbacks-West	Store: 110 ft. Carwash: 38 ft. Canopy: 105 ft.	All structures: 35 ft. Parking: 25 ft.
Landscape Buffer	No defined width; "generous planting program" for north & west property lines	Existing north & west tree canopy to remain and be enhanced South & east property line: 30 ft.
Uses	Filling station with food shop, including emergency towing and repair (no overnight storage), restaurants, fast food, carwash	Carwash only
Hours of Operation	24 hours	7 a.m. to 9 p.m.
Screening	6 ft. masonry/precast concrete near carwash; wooden north & west	Precast concrete along north & west property lines
Access from Baxter	Full	Right-in/Right-out only
Access from Clayton	2 Full	1 Right-in/Right-out only
Lighting	8 ft. on north and west of building 16 ft. remainder of site	

PETITIONER'S PRESENTATION:

Mr. Kevin Kamp, Civil & Environmental Consultants – representing Wallis Companies, 4848 Park 370 Blvd. Ste. F, Hazelwood, MO.

Mr. Kamp stated that the property is existing in a Planned Commercial District and the request would retain this zoning. He pointed out that the proposed use is significantly limited compared to what has been previously approved for the site.

Existing Conditions

The site includes 12 fueling islands, car wash, and convenience store operating 24 hours. There are currently three curb cuts – one on Baxter Road and two on Clayton Road.

Approved Ordinance Plan

The site currently has an approved ordinance which allows for a convenience store, fast-food operation, two bays for an automatic car wash, and eight fueling stations with sixteen fueling positions. The ordinance allows for a 24-hour operation.

Proposal

The Petitioner proposes a self-service car wash facility operating from 7:00 a.m. to 8:00 p.m. The facility would employ staff to guide customers' vehicles onto the conveyer belts when entering the car wash. BriteWorx offers free self-service vacuums for its patrons when exiting the car wash. The site would have two right-in/right-out turns only – one on Baxter Road and one on Clayton Road.

Comparison

	2001 Approved Plan	Proposed Plan
Use	Convenience store, dual car wash, 16 fuel dispensers	Car wash
Building & Canopy	3 Structures covering 0.283 acres	2 Structures covering 0.125 acres (<i>44% reduction</i>)
Green Space	0.836 acres	0.924 (<i>10% increase</i>)
Entrances	One full access, One 1-3/4 access	Two right-in/right-out accesses (<i>one each on Baxter and Clayton</i>)

Proposed Improvements

Side yard at car wash	Greater screening with adjacent property owners Better screening materials
Side yard landscaping	Existing landscaping & berm to remain Existing trees preserved Upgraded fencing
Rear yard	Remove invasive species Replace with native trees and plants Provide storm water management system

Height of Building

Mr. Kamp stated that the proposed architecture for the building will come at a later date following the rezoning. He noted that a typical design for BriteWorx includes 27-foot towers on either side of the building; however, they are open to working with the City pertaining to the architecture for this site.

Discussion

In responding to questions from the Commission, Mr. Kamp provided the following information:

Proximity to the Homes to the North

While the pavement in the proposed plan is a little closer to the homes to the north than the current conditions on the site, the proposed screening is more substantial. The building is also a little closer due to the circulation needs of the new use vs. the current use.

Masonry Wall/Noise

The proposed masonry wall could range in height from 6-10 feet. The wall is a masonry unit similar to MoDOT noise walls, but with superior architecture and finish utilizing a shake-like-looking natural stone. The wall would help attenuate both noise and light, including some of the ambient noise generated from traffic at the intersection of Baxter and Clayton Roads.

Commissioner Lueking inquired as to the type of wall used on the updated car wash on the opposite corner from the subject site. It was noted that a fence is in place at that site as opposed to a wall, but Staff will provide additional information on this.

Vacuum Equipment

The centralized vacuum equipment will be brought into the interior of the building so less noise will be generated at the vacuum stalls. Mr. Kamp stated that while there are no facilities in Missouri that utilize the central vacuum equipment, there are two BriteWorx operations in the area which use canister-styles vacuums – one in Florissant and one in Columbia, Illinois.

Layout

Commissioner Hansen questioned as to whether the site layout could be re-arranged so the noisier parts of the operation could be moved towards the road side of the site rather than adjacent to the residences. Mr. Kamp explained that the site has a significant grade challenge and they want to be able to address any storm water issues and comply with MSD requirements. Consequently, it is more feasible to have a storm water facility located near Baxter Road than to have the vacuums in this area. Additionally, because of the nature of the business, it is desirable to have vehicles make all left-hand turns within the site.

Closed Hours

The vacuums will be turned off when the facility is closed at 9:00 p.m. and lighting will be dimmed but security lighting will still be provided.

Operating Hours

It was clarified that the two local BriteWorx facilities have operating hours of 7:00 a.m. to 8:00 p.m. and that the Petitioners are amenable to having a closing time of 8:00 p.m. for this location as well.

Lighting

Mr. Justin Wyse, Director of Planning & Development Services noted that the current ordinance for the redevelopment of the convenience store includes very specific language for lighting on the northern side of the site, and asked Mr. Kamp if they are

willing to provide similar protection from light glare for the adjacent residents. Mr. Kamp indicated they are open to working with Staff on this matter and may even consider the use of bollard lighting around the perimeter of the site, depending upon the sight lines established.

Water

Currently, from the intersection of Clayton and Baxter, the majority of the water flows north down a hill where it enters a series of catch basins at the rear of the property. There is also a series of pipe networks and overland flow that convey the water down to, through, and past some of the storm water management practices in place at the neighboring residential subdivisions. The proposal moves the parking closer than its current location, which allows the water to be collected and sent through a rain garden. They are prepared to meet all MSD regulations with respect to water flow.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

1. **Mr. Bret Marks**, representing Brookmont Estates, 551 Corley Drive, Chesterfield, MO.

Mr. Marks stated that he is representing 17 homes within Brookmont Estates which is approximately 300 yards west of the subject site. A subdivision meeting was held May 7, 2017 to discuss the proposed car wash, and the unanimous vote was to express opposition to the petition. The general concern expressed by the Brookmont residents was that they do not have any details about how their specific concerns would be addressed – such as:

- Noise abatement
- Traffic
- Use, storage, and transportation of chemical detergents, waxes, etc.
- Chemical spills

Discussion

Commissioner Wuennenberg asked Mr. Marks if the Brookmont residents discussed the approved proposed plans for a 24-hour convenience store, gas station and car wash. Mr. Marks replied that they do not have any details about the current proposal or any alternate proposals, which is a concern to them. But they are strongly opposed to the proposed car wash use and do not have an issue with the current 24-hour gas service use because there is not a lot of activity on site after 9:00 p.m.

2. **Mr. George Brenner**, Claymont Estates, 508 Redondo Drive, Chesterfield, MO.

Mr. Brenner stated his concerns as follows:

- Traffic
- Safety
- Noise from the car wash tunnel
- Questions the necessity for another car wash in this area
- Questions about whether water is recycled or dumped into the sanitary sewers

He also explained that he has visited the BriteWorx facility in Florissant and has found it to be "garish and a visual pollution" and feels it would not be harmonious with the adjacent Chesterfield neighborhoods.

3. **Mr. Grant Richard Oscarson**, Claymont Estates, 625 Packford Drive, Chesterfield, MO.

Mr. Oscarson noted his agreement with the previous Speakers but stated he is also concerned about increased traffic and safety considering the nearby middle school and high school, as well as bikers and runners along Clayton Road.

4. **Ms. Debbie Berger**, Woodfield, 2457 Baxton Way, Chesterfield, MO.

Ms. Berger stated that her property surrounds the proposed car wash and her front yard will face this site. The Woodfield subdivision was built in the 1970s and the residents have put a lot of money into updating their properties. She then noted her concerns as follows:

- Their property will lose value due to the tunnel car wash, 15 self-service vacuums, and overhead lighting.
- The level of the land will be raised 22 feet behind Baxton Court, upon which the car wash will be placed.
- The car wash tower will be in direct view of about 12 homes.
- Noise from vacuum use.
- If only right-hand turns are allowed from Baxter, customers will continue, as they do now, to turn into Woodfield subdivision, u-turn, and then make a right into the Mobil station. These u-turns on the narrow streets in Woodfield cause damage to parking signs, curbs, and lawns. Since the streets are privately owned, the residents pay for all the repairs.
- BriteWorx has projected 300 trips/day which could cause safety issues for students of nearby schools because of increased traffic.
- Impact of environmental pollution to adjacent residences – more water run-off, more noise, and more light pollution.

In visiting the Florissant facility, she observed that the car wash was "extremely noisy and garish". Even though a sound wall is in place, noise from the car wash could be heard in the back yards of the adjacent properties. She feels that this type of operation is better suited along Manchester Road than the subject site. Ms. Berger then asked the Planning Commissioners to visit the Florissant BriteWorx operation.

5. **Mr. Skip Diffley**, Woodfield, 2465 Baxton Way, Chesterfield, MO.

Mr. Diffley voiced his opposition to the rezoning request as he does not believe the City should change the zoning when it is not in the best interest of the residents. He then noted his concerns as follows:

- Water run-off
- Existing problems with the subdivision's lake will be exacerbated by water run-off.

6. Ms. Jane Geer, Woodfield, 2378 Baxton Way, Chesterfield, MO.

Ms. Geer provided the following statistics:

- There are four car washes within 1.7 miles on Clayton Road.
- The peak operating times for the BriteWorx Florissant facility are 1-3 p.m. for six days; and 12-1 p.m. on Thursdays – which would conflict with school traffic.

She noted her opposition to the petition for the following reasons:

- Noise
- Traffic

7. Mr. Richard Goldbaum, Woodfield, 2371 Baxton Way, Chesterfield, MO.

Mr. Goldbaum passed on speaking.

8. Ms. Betty Morris, Woodfield, 2387 Baxton Way, Chesterfield, MO.

Ms. Morris passed on speaking.

9. Mr. David Ozersky, speaking on behalf of his mother, Myra Ozersky, who resides at 15128 Baxton Court, Chesterfield, MO.

Mr. Ozersky stated that Mrs. Ozersky's house backs up directly to the subject site and noted her concerns as follows:

- The elevation of the building will be an "eyesore" from her living room and bedrooms.
- Noise
- Water run-off – Mrs. Ozersky already has water issues with her basement and has concerns that additional run-off will exacerbate the problem.
- The operation is more suited to Manchester Road than a residential area.

10. Mr. Dean Berger, Woodfield, 2457 Baxton Way, Chesterfield, MO.

Mr. Berger encouraged the Commissioners to visit the Florissant facility and then noted his concerns as follows:

- The blue and white colors of the car wash will not blend in with the adjacent brown and beige-colored, brick-constructed commercial properties.
- Noise

11. Ms. Jane Wright, Woodfield, 2408 Baxton Way, Chesterfield, MO.

Ms. Wright stated that the subject site has been maintained poorly during the time that she has lived in the area for the last 11 years. She has concerns about:

- Excess water run-off.
- Height of the structure compared to the neighboring residences.
- Increased traffic that will impact the ability to exit the Woodfield subdivision.

She also related that she had visited the Florissant facility and noted the following about that site:

- All the shrubs are dead.
- The one masonry wall does not appear to abate the noise.
- Employees have stated that the facility is “always swamped” and that there are complaints about damages done to vehicles from the car wash.

In speaking to the Florissant Building Commissioner, she was informed that they have had problems with BriteWorx since it was built, and that the residents are constantly complaining about the noise and bright lights from the facility.

Ms. Wright stated that she took photos of the BriteWorx facility in Florissant, which she then passed on to Staff. She pointed out that the photos show that the facility is surrounded by commercial businesses vs. residences in the subject area.

12. Mr. Bruce Affleck, Woodfield, 2439 Baxton Way, Chesterfield, MO.

Mr. Affleck was not present when called.

13. Ms. Rosemary Quigley, 15145 Baxton Court, Chesterfield, MO.

Ms. Quigley passed on speaking.

SPEAKERS – NEUTRAL: None

Chair Proctor informed the audience that the purpose of the Public Hearing was to listen to concerns raised by the residents that will be addressed with the Petitioner. There will be a future Issues meeting, followed by a Vote meeting.

REBUTTAL:

Mr. Kamp stated that they would respond to the concerns at the Issues Meeting. He also pointed out that the proposal limits the hours of operation, limits the intensity of use, and dramatically changes the currently-approved plan as to what could be built on the site.

Regarding noise, there is currently a six-foot fence at the property line, which is the lowest elevation on the site. The proposed masonry wall would be closer to the developed area and at a higher elevation, and an enhanced landscape buffer would also be provided.

Regarding the Florissant facility, Mr. Kamp stated that they were not afforded to have a fence on two sides and noted that the car wash is along a major corridor. That site also has exterior vacuum canisters which are different than what is being proposed at the subject site.

ISSUES:

1. Noise – noise created on the site vs. the ambient noise
2. Traffic – how would vehicles be staged on the busiest of days – such as on the first sunny day after a snow storm – so as not to create an issue with traffic along Clayton or Baxter
3. Water retention and water run-off
4. Provide information on the materials to be used for the masonry wall – is a sound wall constructed of the same material as a masonry wall?

5. Chemicals - use and storage of; would the chemicals be any different/worse than what is currently being used on site at the gas station?
6. Provide information about what has already been approved for renovation of the site.
7. Expand on the information relative to raising the elevation 22 feet; provide information on the elevation change of what has already been approved.
8. Isolation of the surrounding neighborhoods from the facility – sight and sound

Commissioner Wuennenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Wuennenberg made a motion to approve the Meeting Summary of the April 24, 2017 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and passed by a voice vote of 7 to 0.

VI. PUBLIC COMMENT

1. Mr. Dan Capps, 11850 Studt Avenue, St. Louis, MO was available to answer questions regarding Four Seasons Plaza, Sign Request.
2. Mr. Charles Hulse, 257 Chesterfield Business Parkway, Chesterfield, MO was available to answer questions regarding the Summit Development/Topgolf projects.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. Four Seasons Plaza, Sign Request (2017): A request for two signs to exceed six (6) feet in height and fifty (50) square feet in outline area for a 16.3 acre tract of land located on the south side of Olive Blvd, west of its intersection with Woods Mill Rd.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Sign Request for Four Seasons Plaza. The motion was seconded by Commissioner Wuennenberg and passed by a voice vote of 7 to 0.

- B. Larry Enterprises – Lynch Hummer, Lot A1 (McBride Design Center)
ASDCP: Partial Amended Site Development Concept Plan and Amended Conceptual Landscape Plan for a 8.36 acre lot of land zoned "PI" Planned Industrial District located on the west side of Boone's Crossing on the north side of North Outer 40 Road.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Partial Amended Site Development Concept Plan and Amended Conceptual Landscape Plan for Larry Enterprises – Lynch Hummer, Lot A1 (McBride Design Center). The motion was seconded by Commissioner Lueking and passed by a voice vote of 7 to 0.

- C. **Larry Enterprises – Lynch Hummer, Parcel 1 (McBride Design Center):** Site Development Section Plan, Lighting Plan, Landscape Plan, Architectural Elevations, and Architect's Statement of Design for a 3.1 acre lot of land zoned "PI" Planned Industrial District located on the west side of Boone's Crossing on the north side of North Outer 40 Road.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Lighting Plan, Landscape Plan, Architectural Elevations, and Architect's Statement of Design for **Larry Enterprises – Lynch Hummer, Parcel 1 (McBride Design Center)**. The motion was seconded by Commissioner Lueking and passed by a voice vote of 7 to 0.

- D. **Summit Development/Topgolf:** A Site Development Concept Plan for a 22.218 acre tract of land zoned "PC" Planned Commercial District located north of North Outer 40 Road and east of Boone's Crossing.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Site Development Concept Plan for **Summit Development/Topgolf**. The motion was seconded by Commissioner Midgley and passed by a voice vote of 7 to 0.

- E. **Summit Development/Topgolf, Lot B (Topgolf):** A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for a 14.75 acre tract of land zoned "PC" Planned Commercial District located north of North Outer 40 Road and east of Boone's Crossing.

Commissioner Hansen, 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 **Summit Development/Topgolf, Lot B** with the condition that ten additional trees be included along the southern netting. The motion was seconded by Commissioner Wuennenberg and passed by a voice vote of 7 to 0.

- F. **Summit Development/Topgolf:** A Record Plat for a 22.218 acre tract of land zoned "PC" Planned Commercial District located north of North Outer 40 Road and east of Boone's Crossing.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Record Plat for **Summit Development/Topgolf**. The motion was seconded by Commissioner Midgley and passed by a voice vote of 7 to 0.

VIII. UNFINISHED BUSINESS - None

IX. NEW BUSINESS

A. Appointment of Nominating Committee

Chair Proctor reported that he has appointed the following individuals to serve on this year's Nominating Committee:

- Commissioner Steve Wuennenberg, Chair
- Commissioner Wendy Geckeler
- Commissioner James Rosenauer

The Committee will present a Nominating Slate of Officers at the May 22nd Planning Commission Meeting, and the Commission will have its election of officers at the June 12th meeting.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:10 p.m.



Steve Wuennenberg, Secretary