

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 13, 2014**

The meeting was called to order at 7:05 p.m.

I. ROLL CALL

PRESENT

Ms. Merrell Hansen
Ms. Fay Heidtbrink
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Steven Wuennenberg
Chair Michael Watson

ABSENT

Ms. Wendy Geckeler

Councilmember Dan Hurt, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. John Boyer, Senior Planner
Mr. Jonathan Raiche, Senior Planner
Ms. Purvi Patel, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Councilmember Dan Hurt, Council Liaison; and Councilmember Connie Fults, Ward IV.

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

- A. **P.Z. 11-2014 THF Chesterfield Development LLC (The Commons)**: A request for an ordinance amendment to Ordinance 2081 to modify development criteria and use restrictions for a 160.195 acre tract of land zoned “C-8” Planned Commercial District located between US Highway 40/Interstate 64 and Edison Avenue and East of RHL Drive (17T140253, 17U340067, 17U330112, 17T130166, 17T110212, 17T140143, 17U320102, 17U340089, 17U340100, 17U340111, 17U340144, 17T140341, 17T130144, 17U340155, 17U330091, 17T130089, 17T140165, 17T130155, 17U340090, 17T130133, 17U330123, 17U330101, 17T140132, 17T130210, 17T140187, 17U340078, 17T130188, 17T140088, 17T140330, 17U330255, 17U330321, 17T120741, 17U330288, 17T140101).

STAFF PRESENTATION:

Senior Planner Jonathan Raiche gave a PowerPoint presentation showing photographs of the site and surrounding area. He gave a brief history of the site noting that it was zoned to “C-8” Planned Commercial in 1997. The ordinance was amended multiple times between 1997 and 2004 pertaining to permitted uses and development criteria – including the addition of the outdoor storage and sales use.

The chart below outlines the requests being made by the Applicant at this time:

	Existing	Proposed
Normal Retail Hours (All retail users)	7 a.m. – 11 p.m.	6 a.m. – 11 p.m.
Seasonal Retail Hours (All retail users)	None currently permitted	Day after Thanksgiving thru December 23 6 a.m. - 12 midnight, Sunday – Thursday 6 a.m. - 1 a.m., Friday and Saturday
Promotional Retail Hours (All retail users)	None currently permitted	4 promotions per calendar year by permit only Seasonal Hours would apply, limit of 3 days per event
Outdoor Storage/Sales (Time) (Lowe’s Only)	Restricted to 3/15 thru 10/15	All year
Outdoor Storage/Sales (Area) (Lowe’s Only)	3,200 sq. ft. located according to existing Exhibit A	Limited to areas on Revised Exhibit A, approximately 9,000 square feet

Mr. Raiche pointed out that the proposed hours would apply to all retail users in the designated district affecting approximately 40 retail establishments. An exhibit was presented to the Commission showing the currently-allowed outdoor storage area compared to the proposed expansion to the west, adjacent to RHL Drive.

Items under Review:

- Awaiting additional parking calculation information from Applicant.
- Awaiting additional property owner consent.
- Awaiting outstanding agency comments.
- Revised outboundary survey to accurately reflect the area being changed.

DISCUSSION

Hours of Operation

The Applicant is requesting to be open until 1:00 a.m. on Fridays and Saturdays during seasonal and promotional events. In response to Commissioner Wuenneberg's question, Ms. Nassif noted that retailers in Chesterfield Commons West are permitted to be open until 1:00 a.m.

Chair Watson pointed out that restrictions were placed on the hours of operation for a gym use in the Clock Tower development because of its proximity to the residential area on the bluff. Ms. Nassif confirmed that their operating hours are 7:00 a.m. – 9:30 p.m.

Outdoor Storage Expansion

It was noted that the expanded storage area would involve the removal of some existing parking spaces. Councilmember Hurt questioned whether this parking would be made up in another area. Mr. Raiche replied that the matter is still under review while Staff is waiting for additional information from the Applicant, but the Applicant would not be allowed to remove any parking spaces that would bring them under the current requirements.

During discussion it was confirmed that both the current and proposed outdoor storage areas are not fenced. Home Depot in Chesterfield Commons West is permitted approximately 2,900 sq. ft. of outdoor storage outside of its fenced area, which is comparable to the existing 3,200 sq. ft. of outdoor storage at Lowe's.

Councilmember Hurt referred to past instances where storage trailers were parked on a retail site for an extended period and cautioned the Applicant against such a practice as trailers are not permitted as part of the storage area.

PETITIONER'S PRESENTATION:

1. Mr. Lance Mills, representing THF/Lowe's, 11700 S County Line Road, Oklahoma City, OK.

Mr. Mills explained that the proposal being requested by Lowe's is an effort to better serve their customers. The proposed opening time of 6:00 a.m. is critical as they have contractor customers who prefer to shop early in order to arrive on the job site before the homeowner leaves for work. Mr. Mills also pointed out their competitor just to the west of Lowe's is allowed the 6:00 a.m. opening time.

Mr. Mills then presented an exhibit showing the existing storage area, along with the proposed storage area. While the current zoning ordinance allows 3,200 sq. ft. of outdoor storage, Lowe's is actually only utilizing approximately 2,600 sq. ft. He explained that the expanded storage area is being requested as a convenience to the customer so that more of the desired items are readily available – such as bags of mulch during the spring season. He also presented a photo of the existing landscape screening

and stated that the proposed outdoor storage area would be adequately screened from the public street view along RHL Drive. It was noted that the trees used for screening are a mix of evergreen and deciduous.

Mr. Mills provided the following information with respect to parking:

Existing Parking	Proposed Parking	Required Parking
646 spaces	612 spaces	609 spaces

He pointed out that the proposed parking would comply with the City's parking requirements and stated that Lowe's is more than adequately served at the proposed 612 spaces and would still be adequately served at the required parking of 609 spaces.

In summary, Mr. Mills stated the proposed improvements are intended to better serve the residents of Chesterfield.

DISCUSSION

Commissioner Nolan asked what types of materials would be stored in the expanded area. Mr. Mills replied that they would only store materials that are currently allowed in the outdoor storage area.

Commissioner Nolan expressed concern that the expanded outdoor storage area is arranged in such a way that a corridor is created that would allow vehicles to use it as a loading zone, which could negatively impact traffic trying to enter the shopping district.

The Store Manager for Lowe's was then invited to address the Commission.

2. Ms. Pam Heaps, 290 THF Blvd, Chesterfield, MO.

Ms. Heaps explained that the existing outdoor storage generally contains plant tables. The proposed side storage would include more of the "best-sellers" – such as bags of mulch during the busy spring season. They do not intend to have storage containers in this area. Ms. Nassif pointed out that the existing governing ordinance specifically excludes shipping containers from being stored outside.

Ms. Heaps also stated that currently they are required to remove the outdoor storage as of October 15th, which does not allow them to display pumpkins and Christmas trees for potential customers so they are requesting that this restriction be removed.

DISCUSSION

Loading/Outdoor Storage

Ms. Nassif asked for more information about the route of the loading trucks in relationship to the proposed outdoor storage area. Ms. Heaps confirmed that the trucks would be driving through the two side storage areas to access the back of the building. The loading hours would remain at 7:00 a.m. even though they are proposing an opening time of 6:00 a.m. for retail.

Ms. Heaps also indicated that they could amend the proposed outdoor storage area to remove the storage area nearest RHL Drive in an effort to alleviate any potential traffic jams.

Commissioner Nolan suggested that the outdoor storage area against the building be moved further back towards the back of the building rather than so close to the front corner of the building. She felt this would help the traffic flow.

Councilmember Hurt indicated he would like to have suggestions from the Applicant on how they would encourage thru-traffic in front of the store.

Commissioner Lueking expressed her desire to see the proposed outdoor storage area reduced in size.

Height of Storage

Chair Watson pointed out that the storage racks inside the fenced area are approximately 24 ft. tall and expressed concern that they could be stored outside as there is no restriction on the height of outdoor storage. Ms. Heaps indicated that this is not their intent – they intend to use mobile pallets for the outside area, not long-term merchandising. Mr. Mills then stated that a height restriction can be added to their request.

Hours of Operation

Commissioner Lueking asked if the opening time of 6:00 a.m. could be site-specific. City Attorney Heggie confirmed that the hours of operation could be limited to the westernmost anchor store. Ms. Heaps stated that the opening time of 6:00 a.m. is especially important to them in order to be competitive with the neighboring store, which opens at 6:00 a.m.

Commissioner Lueking noted she is not in favor of allowing operating hours to 1:00 a.m. because of the proximity of Lowe's to the residential development on the bluff. Ms. Heaps indicated that the 1:00 a.m. closing time is not a necessity.

Commissioner Lueking then asked the Applicant to re-assess their proposal and request only those items that are of utmost importance. She explained that much thought and work had gone into the development of this area, and consideration must be given to the neighboring residential subdivision which may be affected by any changes to the site.

Promotions

Chair Watson inquired as to what the requested four promotions per year would entail. Ms. Heaps stated that these relate to “pro events”, which supports the professional customer.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

Ms. Nassif summarized the issues raised:

1. Ask the Applicant to restrict their request to those items they are especially seeking.
2. Ask the Applicant to rethink the location and design of the expanded outdoor storage area to address safety and delivery concerns.
3. Restrict the proposed hours of operation to the westernmost anchor store only.
4. Staff to provide the number of violations for this site.

Commissioner Hansen read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Lueking made a motion to approve the Meeting Summary of the September 22, 2014 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed** by a voice vote of 7 to 0 with 1 abstention from Commissioner Wuennenberg.

VI. PUBLIC COMMENT

A. Chesterfield Blue Valley, Lot 1A (Site Development Section Plan - Gas Mart):

1. Mr. Marty Henson, Henson Consulting representing Southside Properties, LLC – fee-simple owner of Outlot 1A of the Resubdivision of Lot 1 of Chesterfield Blue Valley Development - 2317 Ossenfort Road, Wildwood, MO.

Mr. Henson stated they are requesting approval of the Site Development Section Plan for Chesterfield Gas Mart, which was prepared in accordance with the recently-approved Ordinance 2805. The site would include two freestanding structures – the first structure would contain a 4,807 sq. ft. convenience store, a 1,600 sq. ft. restaurant to be leased by Subway, and a 1,405 sq. ft. automatic car wash. The second structure is a 5,937 sq. ft. metal canopy with eight fuel dispensers. Both structures are single-story.

Hours of operation for the convenience store would be 24 hours/day, 7 days/week. The restaurant would be open 7 days/week from 8:00 a.m. to 10:00 p.m. The fuel supplier will be BP British Petroleum. Parking requirements are 55 spaces and they are providing 55 spaces, 3 of which are ADA accessible.

The developable area of the site is limited by the existing utility, drainage, and access easements on all four sides of the property resulting in only 60% of the 2.1 acre site being developable.

2. Mr. Matt Adams, Adams Architects and Associates, 43 Baxter Lane, Chesterfield, MO – architect for the project.

Mr. Adams provided information on the building materials which are mainly brick with an accent of stone. The building reflects the prairie style that is used throughout the Valley. The rear of the building includes the car wash and also incorporates stone and brick.

The site includes 16 gas pumps with a canopy, drive-up ATM machine, vacuum island, and trash enclosure. The canopy height is 18 ft. and utilizes the BP green color.

DISCUSSION

Councilmember Hurt questioned whether the proposal is requesting any pylon signs on this site. Ms. Nassif confirmed there are no pylon signs being requested for this gas station development, but they are proposing and allowed two freestanding monument signs whose locations are shown on the Site Development Plan. Currently there are also two existing pylons along Olive Street Road.

Councilmember Hurt then asked how the BP logo elements were incorporated into the architecture. Mr. Adams stated that the building will contain signage but it has not yet been designed. It was verified that there will not be any neon involved.

Mr. Adams then presented material samples for the Commission's review.

B. Spirit Valley Business Park, Lot 7 (Site Development Section Plan - The Place)

1. Mr. Eric Fisher, 275 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. Chesterfield Blue Valley, Lot 1A (Site Development Section Plan - Gas Mart): A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and an Architect's Statement of Design for a 2.07 acre tract of land zoned "PC" Planned Commercial District located on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road.

Commissioner Nolan, 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 Chesterfield Blue Valley, Lot 1A (Gas Mart). The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0**.

- B. Spirit Valley Business Park, Lot 7 (Site Development Section Plan - The Place): A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for a 2.9 acre tract of land zoned "PI" Planned Industrial District located southeast of the intersection of Spirit Valley West Drive and Spirit Valley Central Drive.

Commissioner Nolan, 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 Spirit Valley Business Park, Lot 7 (The Place). The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0**.

VIII. OLD BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Steve Wuennenberg, Secretary