

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
OCTOBER 28, 2013**

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

**I. ROLL CALL**

**PRESENT**

Ms. Wendy Geckeler  
Ms. Merrell Hansen  
Ms. Amy Nolan  
Mr. Robert Puyear  
Chair Michael Watson

**ABSENT**

Ms. Laura Lueking  
Ms. Debbie Midgley  
Mr. Stanley Proctor  
Mr. Steven Wuennenberg

Councilmember Connie Fults, Council Liaison  
Harry O'Rourke, representing City Attorney  
Ms. Aimee Nassif, Planning & Development Services Director  
Ms. Jessica Henry, Project Planner  
Ms. Mary Ann Madden, Recording Secretary

**II. PLEDGE OF ALLEGIANCE**

**III. SILENT PRAYER**

Chair Watson acknowledged the attendance of Councilmember Connie Fults, Council Liaison.

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

- A. P.Z. 12-2013 The Wedge (McGrath Plaza):** A request for a change of zoning from an existing “C8” Planned Commercial District to a new “PC” Planned Commercial District for 5 tracts of land totaling 5.26 acres located on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road. (17W620235, 17W620246, 17W610104, 17W610094, 17W610083)

**STAFF PRESENTATION:**

Project Planner Jessica Henry gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Henry stated the following:

- The purpose of the request is to allow the property to be used for the construction of four new buildings, including a convenience store with pump islands, a fast-food restaurant, and future retail and commercial development.

- All State and local Public Hearing notification requirements have been met.
- The Chesterfield Blue Valley development is located just west of the site, and there is a Comfort Inn hotel on the north side of the site across Chesterfield Airport Road. To the south across Olive Street Road is an electric utility substation. Much of the remaining land surrounding the subject site is currently vacant.
- There is an existing Phillips 66 convenience store with pump islands on the easternmost parcel. The remaining parcels are vacant.

### Site History

- The site was zoned “NU” Non-Urban District prior to the incorporation of the City of Chesterfield.
- The convenience store/service station structure was built in 1960 and was zoned “NU” with the adoption of the 1965 St. Louis County zoning ordinance.
- The three large existing parcels are governed by three different City of Chesterfield Ordinances. Each of the three parcels was granted a change in zoning from the “NU” Non-Urban to the “C-8” Planned Commercial district in 1993. Since that time, the parcel containing the Phillips 66 structure has twice requested to amend its site specific governing ordinance—
  - In 1994, Ordinance 959 permitted an increase to two pump island canopies and 5 pump islands; the original ordinance permitted one canopy and three pump islands.
  - In 1998, the pump island canopy setback was amended from 40’ to 25’ from Chesterfield Airport Road.

### Requested Uses

There are 79 requested uses taken from the PC district regulations as shown below:

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|---|---|
| 1. Administrative office for educational or religious facility. | 26. Donation collection bin.                                  |
| 2. Animal grooming service.                                     | 27. Drug store and pharmacy.                                  |
| 3. Art gallery.   | 28. Drug store and pharmacy, drive-thru.                      |
| 4. Art studio.  | 29. Dry cleaning establishment.                               |
| 5. Auditorium.  | 30. Dry cleaning establishment, drive-thru.                   |
| 6. Automatic vending facility.                                  | 31. Education facility--Specialized private schools.          |
| 7. Automobile sales, new.                                       | 32. Education facility--Vocational school.                    |
| 8. Automobile sales, used.                                      | 33. Educational facility--College/university.                 |
| 9. Automotive retail supply.                                    | 34. Educational facility--Kindergarten or nursery school.     |
| 10. Bakery.   | 35. Farmers' market.  |
| 11. Bar.  | 36. Filling station and convenience store with pump stations. |
| 12. Barber or beauty shop.                                      | 37. Film drop-off and pick-up station.                        |
| 13. Bowling center.   | 38. Film processing plant.                                    |
| 14. Brewpub.  | 39. Financial institution.                                    |
| 15. Broadcasting studio.  | 40. Financial institution, drive-thru.                        |
| 16. Car wash.   | 41. Grocery--Community.                                       |
| 17. Car wash, self-service.                                     | 42. Grocery--Neighborhood.                                    |
| 18. Check cashing facility.                                     | 43. Grocery--Supercenter.                                     |
| 19. Church and other place of worship.                          | 44. Kennel, boarding.   |
| 20. Club.   |   |
| 21. Coffee shop.  |   |
| 22. Coffee shop, drive-thru.                                    |   |
| 23. Commercial service facility.                                |   |
| 24. Day care center, child.                                     |   |
| 25. Device for energy generation.                               |   |

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|---|---|
| 45. Laundromat.                                       | 63. Restaurant, take out.                     |
| 46. Library.  | 64. Restaurant, with drive-thru window.       |
| 47. Lodge.  | 65. Retail sales establishment, community.    |
| 48. Museum.   | 66. Retail sales establishment, neighborhood. |
| 49. Newspaper stand.                                  | 67. Retail sales establishment, regional.     |
| 50. Office, dental.                                   | 68. Retail sales, outdoor.                    |
| 51. Office, general.                                  | 69. Satellite dish.                           |
| 52. Office, medical.                                  | 70. Tackle and bait shop.                     |
| 53. Oil change facility.                              | 71. Tattoo parlor/body piercing studio.       |
| 54. Parking area, including garages, for automobiles. | 72. Telecommunications structure.             |
| 55. Professional and technical service facility.      | 73. Telecommunications tower or facility.     |
| 56. Public safety facility.                           | 74. Theater, indoor.                          |
| 57. Reading room.                                     | 75. Theater, outdoor.                         |
| 58. Recreation facility.                              | 76. Transit transfer station.                 |
| 59. Research facility.                                | 77. Union halls and hiring halls.             |
| 60. Restaurant, fast food.                            | 78. Vehicle repair and services facility.     |
| 61. Restaurant, outdoor customer dining area.         | 79. Veterinary clinic.                        |
| 62. Restaurant, sit down.                             |   |

The applicant is also requesting six light industrial type uses as shown below:

1. Education facility--Vocational school, outdoor training.
2. Laboratory--Professional, scientific.
3. Mail order sale warehouse.
4. Manufacturing, fabrication, assembly, processing, or packing.
5. Self-storage facility.
6. Warehouse, general.

The above light-industrial uses may be permitted and established in the site specific ordinance within a PC District for properties within the area known as Chesterfield Valley and specifically located west of Long Road, bordered on the north by the City of Chesterfield city limits and bordered on the south by the Central Midland Railroad.

#### Adjacent Zoning

- *South & East:* The properties to the south and east of the site are zoned "M3" Planned Industrial District.
- *North:* The properties to the north are zoned planned industrial with the exception of the Comfort Inn Suites.
- *West:* The Chesterfield Blue Valley development is to the west of the site and is zoned "PC" Planned Commercial.

#### Comprehensive Land Use Plan

The Comprehensive Land Use Plan designates the site as *Mixed Use (Retail/Office/Warehouse)*, which is defined as *a mixture of office, office/warehouse, distribution, and retail development with a maximum height of 3 stories (45 feet above grade). Development should have a "business park" quality.* Some of the proposed uses are compatible with the Comprehensive Plan, however other uses are not.

#### Preliminary Plan

The Preliminary Plan shows the general footprints of the four proposed structures, as well as the proposed parking areas. The applicant is proposing five curb cuts along Olive

Street and Chesterfield Airport Roads, as well as proposed entrances to Outlot A and Parcel 1 from the cul-de-sac.

#### Items under Review by Staff

Staff has met with the Petitioner on several different occasions to discuss various aspects of the proposed plan that are in conflict with City of Chesterfield requirements. The preliminary plan does not address all of the areas of Staff concern.

Following are the major items under Staff review:

1. Outstanding Agency comments
  - Staff is awaiting comments from Laclede Gas
2. Number and location of proposed access points
  - The proposed entrance locations do not meet the City's driveway access location and design standards as listed in Ch. 26 Article II of the City of Chesterfield Code.
3. Building and parking setbacks
  - The Applicant is requesting parking setbacks of 10' and building setbacks of 20' for Parcels 1-3 and a parking setback of 10' and building setback of 15' for Outlot A. The requested setbacks raise concern about the site buffers, tree preservation, and open space requirements.
4. Site buffers, tree preservation, and open space
  - The Applicant's Narrative states that the 35% open space requirement for the PC district will be met; however the requested setbacks do not reflect the City's requirement of a 30' landscape buffer along major arterials.
  - The Applicant is requesting to clear cut the site; however no information regarding the mitigation of this action is provided in the Applicant's Narrative.
5. Number and type of requested uses
  - Many of the requested uses are not feasible for a site of this size, including:
    - *Theatre*
    - *Educational facility—college/university*
    - *Grocery—Supercenter* (requires more than 25,000 sq. ft. of GFA)
    - *Retail sales establishment—regional* (requires more than 25,000 sq. ft. of GFA).
  - Additionally, the Light Industrial uses, such as *Manufacturing, fabrication, assembly, processing, or packing* do not comply with the Comp Plan's classification for this site.
6. Density of site
  - The Applicant is requesting the maximum density allowed in the PC District—a FAR of 0.55. Staff is concerned about the feasibility of achieving this density while meeting all other code requirements.

#### **DISCUSSION**

Chair Watson asked for the number of existing curb cuts on the site. Ms. Henry replied that there are two – one large curb cut and one gravel road that is currently overgrown.

Commissioner Puyear stated that it appears there is a lot of work needed to clean up the proposal.

## **PETITIONER'S PRESENTATION:**

1. Mr. Steve Madras, Energy Petroleum Company and Energy Marketing, 15925 Chowning Court, Ballwin, MO stated the following:
  - They are a family-owned business and have been in St. Louis for approximately eight years. They have purchased 13 stores from Clark Oil, which they have torn down and rebuilt – the most recent store redeveloped by them is located at 13970 Manchester Road.
  - The current property owner of the subject site is Redia McGrath. Energy Petroleum Company has contracted with her to run the subject station. In addition, they have a contract with Ms. McGrath to purchase the land.
  - They have been working with St. Louis County on the proposed access points.

## **DISCUSSION**

In response to questions from the Commission, Mr. Madras clarified the following points:

### **Subject Site**

They are involved with the entire site - not just the gas station. They are not proposing a truck stop for this site.

They are proposing a convenience store with gas, including light diesel. They intend to tear down the current service station after completion of the new one. The location of the gas station is shown on the Preliminary Development Plan as *Proposed C-Store* and *Proposed Canopy*.

It was pointed out to Mr. Madras that the site is a highly-visible entrance to the City and as such, standards are high. Mr. Madras stated that he fully respects the fact that the site is an entrance to the City and pointed out that the things that they do are "top-notch". He then suggested that the Commission view their site at 13970 Manchester Road.

### **Outlot A**

They are not proposing much of anything at this time for Outlot A – Mr. Madras stated that "it most probably will end up being green space or a sign." He then added that regarding Outlot A, St. Louis County is going to concede part of the road to them.

### **Access**

Years ago, Ms. McGrath donated part of the right-of-way to the current road conditions. In doing so, she was given access rights off the new road per City Ordinance 811.

### **Uses**

Several Commission members expressed concern about the number and type of uses being requested, noting that a number of uses would not have the ability to meet the parking requirements. Mr. Madras indicated that they are willing to reduce the number to four uses – a convenience store with carwash, fast food, retail rental, and a possible restaurant.

### **Setbacks**

Chair Watson noted that because the subject site is an entrance to the City, it must adhere to the required setbacks. Mr. Madras stated that they are requesting lesser setbacks because of the odd shape of the property, which is bound by three roads.

Commissioner Geckeler added that the 30-foot landscape buffers are part of the “class look of Chesterfield” and will be required for this site. Mr. Madras responded that there will be a lot of space for green space because of the irregular shape of the site.

Commissioner Hansen asked Mr. Madras whether the site layout will be modified to meet the City’s required setbacks when the list of uses is modified. Mr. Madras stated that they would prefer to have the setbacks as requested and are requesting a variance to the City’s requirements.

Councilmember Fults then expressed strong concerns about the proposal noting that, along with the setback issues, there are too many uses and too many access points. She explained that the site must meet all the City’s requirements and then there is the possibility of allowing a variance on one of the requirements. She encouraged the Petitioners to continue meeting with City Staff and to listen to the advice being given.

Mr. Madras stated that this is their first experience with building something in Chesterfield and will take Councilmember Fults’ suggestions under advisement. He noted, however, that the uses and access necessary for what they want for the site “may not fit with what Chesterfield is looking for”. He added that the current conditions of the site are “bad” and the building needs to be torn down and a new structure constructed.

2. Mr. Doug Tiemann, Civil Engineer with Picket, Ray & Silver, Inc., 22 Richmond Center Court, St. Peters, MO.

Mr. Tiemann stated that they have met with St. Louis County a minimum of four times and have met with the City of Chesterfield four times. He noted that all three streets – Chesterfield Airport Road, relocated Olive, and existing Olive – are controlled by St. Louis County and County controls their access points. The entrances reflected on their plan are what St. Louis County has told them are acceptable.

### **Access Points**

Mr. Tiemann noted the following proposed access points:

1. They are restricted to providing an entrance opposite the entrance to the Comfort Inn hotel on Chesterfield Airport Road.
2. The second entrance along Chesterfield Airport Road is spaced according to the traffic study done for Blue Valley and reviewed by the County. This access point is to be a right-in/right-out location and has been agreed to by County.
3. On the relocated portion of Olive Street, the curb cut, which is an actual street, provides access to the portion of Old Olive that must be maintained because of the substation and the property owners on the south side of Olive Street.
4. As part of an agreement with Chesterfield, through Ordinance 811, an entrance along Olive Street Road was granted to the property owner as a right-in/right-out location.
5. One final access point is proposed along Olive Street Road at the end of the site in the location of a dead-end street with a cul-de-sac. County is not concerned about this access point.

They are open to meeting with the City with respect to the location of the proposed entrances in order to meet Chesterfield’s requirements but the location of some of the access points are restricted by County.

Mr. Tiemann pointed out that because of the triangular shape of the site, along with having roads all around it, the site is difficult to develop and difficult to provide access to it.

They have met with the City, surrounding property owners and the Spirit of St. Louis Airport. The Airport is in favor of the development and sees some advantages to it in that it will provide some access to their property.

There are existing drainage easements along the relocated portion of Olive Street Road and ditches on the site that have to remain, which will affect how the site is developed. Approximately 3 to 5 feet of fill will be placed over the entire site in order to get drainage from the site – the site is very low and does not drain very well. Part of the fill is required because relocated Olive was elevated about one foot higher than they had requested.

The center portion of the site – showing the *Proposed C-Store* and *Proposed Canopy* – is the portion that they looking to develop at this time. This provides an opportunity to get a new gas station and improve the appearance of this area.

#### **DISCUSSION**

Ms. Aimee Nassif, Planning and Development Services Director stated she understands that St. Louis County owns and maintains the roadways to the north and south of the site; however since the site is located in Chesterfield, it must meet the City's access management requirements. The City's requirements do not permit access points to be closer than 350 feet, centerline to centerline. Most of the proposed access points are much closer than 350 feet. There are several constraints and new road conditions that will dictate the location of curb cuts. Ms. Nassif added that she has spoken to James Knoll of St. Louis County and he advised her that he has reviewed the proposed plan and while it may meet County's access management requirements, he understands that it does not meet Chesterfield's requirements. St. Louis County will be looking to Chesterfield as the final authority of what will be required and placed in the conditions of the ordinance.

She advised that Staff is available to work with the Petitioners on their proposal – particularly their requests pertaining to access. She has concerns about left-hand turns onto Chesterfield Airport Road among others. There are also distance requirements for opposite left-hand turns that are not currently being met. She stated that everyone is eager to see the site redeveloped but the code requirements must be met.

Mr. Tiemann noted their concern about safe driving conditions also and stated that they had asked for additional lanes, but County has not agreed to them.

Ms. Nassif then pointed out to Mr. Tiemann that the definitions of all the permitted uses are available on the City's Code for review. Some of the uses being requested – such as *grocery store-supermarket*, *education facility*, and *the retail-community uses* have definitions that include square footage amounts. Staff has discussed this with them previously and is available to help with modifying the list of requested uses to get something more feasible for the site.

**SPEAKERS IN FAVOR:** None

**SPEAKERS IN OPPOSITION:** None

**SPEAKERS – NEUTRAL:** None

**ISSUES:**

Ms. Henry asked if the Commission had any additional direction for Staff regarding the identified issues.

Chair Watson summarized that the Commission wants adherence to the buffer requirements or justification for a variance.

Chair Watson then asked for clarification as to whether the Petitioner is locked into having an access point on Chesterfield Airport Road directly across from the hotel. Ms. Nassif explained that the proposed curb cut along Chesterfield Airport Road opposite the hotel is not required, just being requested.

Commissioner Geckeler requested more information on why the site needs to be raised 3 to 5 feet and more information on the waterways. She expressed concern that if the entire site is clear cut, all trees will be removed and she feels that there may be a few trees worth preserving.

Commissioner Geckeler then read the Closing Comments for the Public Hearing.

**V. APPROVAL OF MEETING SUMMARY**

Commissioner Puyear made a motion to approve the Meeting Summary of the October 14, 2013 Planning Commission Meeting. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 4 to 0 with 1 abstention from Commissioner Nolan.

**VI. PUBLIC COMMENT - None**

**VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS**

- A. **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)

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of a five-year renewal of a temporary structure for **The Smokehouse (Annie Gunn's Restaurant)**. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 5 to 0.

**VIII. OLD BUSINESS - None**

**IX. NEW BUSINESS**

It was noted that Chair Watson will complete the Planning Commission Liaison Schedule for the 2014 Architectural Review Board meetings and forward it to Ms. Nassif.

**X. COMMITTEE REPORTS - None**

**XI. ADJOURNMENT**

The meeting adjourned at 8:03 p.m.

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Steve Wuennenberg, Secretary