

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
SEPTEMBER 12, 2022**

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

I. ROLL CALL

PRESENT

ABSENT

Commissioner Gail Choate
Commissioner Khalid Chohan
Commissioner Allison Harris
Commissioner John Marino
Commissioner Debbie Midgley
Commissioner Nathan Roach
Commissioner Jane Staniforth
Commissioner Steven Wuennenberg
Chair Guy Tilman

Mayor Bob Nation
Councilmember Merrell Hansen, Council Liaison
Mr. Nathan Bruns, representing City Attorney Christopher Graville
Mr. Justin Wyse, Director of Planning
Ms. Alyssa Ahner, Planner
Ms. Shilpi Bharti, Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Tilman acknowledged the attendance of Mayor Bob Nation; Councilmember Merrell Hansen, Council Liaison; Councilmember Barb McGuinness, Ward I; Councilmember Mary Monachella, Ward I; Councilmember Aaron Wahl, Ward II; and Councilmember Dan Hurt, III.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS - Commissioner Wuennenberg read the "Opening Comments" for the Public Hearings.

- A. P.Z. 04-2022 14319 Olive Blvd (Queatham House LLC):** An ordinance amending the Unified Development Code by changing the boundaries of an existing "NU" Non-Urban District with a Historic overlay to a "PC" Planned Commercial District with a Historic overlay for a 2-acre tract of land located north of Olive Blvd (16R310974).

STAFF PRESENTATION:

Planner Alyssa Ahner gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Ahner then provided the following information about the subject site:

Request Summary

The petitioner is requesting to rezone from “NU” Non-Urban District with a Historic Overlay to a “PC” Planned Commercial District with a Historic Overlay, along with additional permitted uses, revised hours of operation, and updated development criteria.

Site History

St. Louis County action:

- 1965: The site was zoned “NU” Non-Urban District.
- 1981: A request to rezone to “C8” Planned Commercial District was denied *due to the desire not to establish a precedent for commercial rezoning along this portion of Olive Blvd.*
- 1983: A Landmark and Preservation Area (LPA) was requested in conjunction with P.C. 77-83 to allow retail shops and a restaurant in the existing residence, along with an outdoor garden seating area and the sale of wine and beer. Planning Commission recommended approval. The proposal was referred to the Public Improvements Committee (PIC) and a recommendation of denial was made.
- 1984: Petitioner modified their original request. P.C. 120-84 requested a Landmark and Preservation Area (LPA) in addition to permitting retail and restaurant uses. The restaurant was limited to 25 seats and would be located entirely within the residence. The hours of operation would be 10:00 a.m. to 4:00 p.m. Monday through Saturday. APPROVED.

City of Chesterfield action:

- 1990: Ordinance 444 was approved by City Council, which expanded the tea room area to 45 seats; restricted the specified total commercial area; permitted a maximum of 4 parking spaces along the north side of the existing structure; specified that the parking area landscape screening was to include evergreen trees; and amended the hours of operation to 7:00 a.m. to 4:00 p.m. seven days a week. Ordinance 482 was approved later that year permitting the sale of wine and beer, by the drink, for consumption on the premises.
- 1993: A request was made to amend the hours of operation. Upon completion of Olive Blvd improvements, the hours of operations for the retail use would be from 7:00 a.m. to 6:00 p.m. The hours of operation for the restaurant use would be limited from 7:00 a.m. to 4:00 p.m. seven days a week. APPROVED.
- 2003: Ordinance 1960 was approved, which established a landmark designation and design guidelines for the subject site. The permitted uses are those of the underlying zoning – “NU” Non-Urban. Today, the only permitted use of this inactive district is *Single-Family residential*.

Comprehensive Plan

The Comprehensive Plan’s Land Use Plan shows the site as falling within the *Suburban Neighborhood* use designation, which is characterized as land typically developed as a neighborhood for single-family detached homes with uniform housing densities.

Request #1 – Permitted Uses

The following additional permitted uses are being requested:

- Banquet facility
- Retail sales establishment, neighborhood
- Grocery, neighborhood
- Restaurant, sit-down
- Farming, livestock, and stables (*Limited to 7,225 sq feet of grape vineyard*)

Request #2 – Revised Hours of Operation

11 a.m. to 9 p.m. - Thursday through Sunday.

The existing hours of operation are shown below:

Retail Use: 7 a.m. to 6 p.m. - 7 days a week
 Restaurant Use: 7 a.m. to 4 p.m. - 7 days a week

Request #3 – Setbacks

The table below outlines the proposed **Structure Setbacks**

Setbacks	NU	Existing	Proposed
Front Yard	50 feet	50 feet	50 feet
Rear Yard	20 feet	20 feet	20 feet
Side Yard	20 feet	20 feet	20 feet

Per Section 405.03.040 of City Code:

No structure shall be permitted within thirty-five (35) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

Since one of the proposed setbacks is within 35 feet of an adjacent residential property, a 2/3 affirmative vote is required for the proposed setbacks to be approved.

The table below outlines the proposed **Parking Setbacks**

Setbacks	NU	Existing	Proposed
Front Yard	0 feet	0 feet	150 feet
Side Yard	0 feet	0 feet	100 feet, 70 feet
Rear Yard	0 feet	0 feet	15 feet

Per Section 405.03.040 of City Code:

No parking area, internal drive, loading space, or structure shall be permitted within twenty-five (25) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

The current zoning of “NU” Non-Urban does not have parking setback requirements. The applicant is proposing setbacks that meet the current parking lot configuration. Since one

of the proposed setbacks is within 15 feet of a residential property, a 2/3 affirmative vote is required for the proposed setbacks to be approved.

Historic Overlay

The existing Historic Overlay is to be carried over into the new “PC” Planned Commercial District. This overlay includes the following criteria found in governing Ordinance 1960:

- Requirements for Certificate of Appropriateness
- Design Guidelines
- Height and Area Regulations
- Minimum Dwelling Size
- Floor Area

Preliminary Development Plan

The Preliminary Development Plan depicts the location of the historic structure and the area designated to be a vineyard.

Discussion

Chair Tilman asked for clarification on the requested use of *Farming, livestock, and stables* – specifically *livestock*. Ms. Ahner explained that the applicant plans to have a vineyard on the property. Under the requested Planned Commercial zoning, the only use that would allow a vineyard is the *Farming livestock and stable* use.

Commissioner Wuennenberg asked for clarification on the landscape buffer requirements for the requested zoning. Staff confirmed that a 30-foot landscape buffer would be required, which would cut into the proposed setbacks.

APPLICANT’S PRESENTATION:

1. Mr. Scott Ririe, 13 Bellerive Country Club Grounds, Town & Country, MO

Mr. Ririe stated that they purchased the property in April, 2021 to be used primarily as an event space, and used on weekends as a “winery-feel location”. They have gone through the process of gaining all the proper permits and started the work. There have been no modifications to the exterior of the house; the interior is a “complete refresh” with updated flooring, paint, electrical work, and plumbing. Period furniture has been added to the interior along with historical photographs.

2. Ms. Heather Everett, 118 Peine Hollow Place, Wentzville, MO

Ms. Everett stated that planned events would be small and intimate – such as bridal showers, baby showers, family reunions, retreat events, reading groups, and small dinners. With respect to outdoor events, she explained that small speakers would be situated so as not to be heard by neighboring properties, but used to provide background music. It was also pointed out that the house does not have a commercial kitchen, so any food events would be catered.

Discussion

Responding to questions from the Commission, Ms. Everett provided the following information.

- Current capacity permits 45 indoor seats but they are hoping to expand that number.

- There are 30 parking spaces on site. They plan to team up with a local company to provide rides to the house for scheduled events, which would alleviate traffic issues on Olive.
- The site has a stone patio that would hold 15 tables. A site plan showing the location of the patio will be provided.
- The outdoor space will be used both for private events and as a place for patrons to stop by and congregate. While wine will be served on the patio, they are not going for a “bar feel”.
- The building and patio will only be open until 9:00 p.m.
- Background music on the patio would be set up in a manner so as not to intrude on the neighbors. Mr. Ririe added that he has worked with an acoustical engineer to set up a surround-sound system around his home’s pool in Town & Country. Because of how the speaker system has been positioned, the music is not heard by his neighbors.

Chair Tilman stated that the Commission will want additional information on how the music will be handled, along with landscaping.

Commissioner Harris expressed concern that the patio area will turn into a bar-like atmosphere. Ms. Everett indicated that patrons will be monitored to avoid such a situation.

Commissioner Wuennenberg noted that 15 tables would allow 60 guests on the patio, which he feels is too many considering the surrounding neighbors. He thinks the parking and landscaping can be done well to shield a lot of the site from the neighbors, but feels that the size may need to be scaled down.

Commissioner Choate pointed out that under the Landmark ordinance, any alterations to the structure require a Certificate of Appropriateness from the Historical Society, and she asked whether one had been acquired with respect to the renovations and patio addition. Ms. Everett replied that approval was given for the front signage but she was not sure about the other work that was done on site.

Commissioner Midgley asked if there have been any discussions with nearby establishments that may allow use of their parking lots for overflow parking. She also pointed out that if wine is being served, they will become known as a wine bar. Ms. Everett replied that they are planning to be an event center, along with having a restaurant with outdoor seating, but they are not asking for a wine bar.

Commissioner Chohan asked if the applicant has had any professional consultation regarding the noise in this type of a setting. Ms. Everett replied that this has not taken place yet for the Old House in Hog Hollow, but they intend to do so. She also noted that the Riries have worked with an audible engineer for their residential home’s pool area.

Commissioner Marino expressed his appreciation for the efforts being done to maintain the site, and hopes that a solution can be found for the concerns being expressed.

SPEAKERS IN FAVOR:

1. Ms. Jane Durrell, 135 Bellechasse Drive, Chesterfield, MO

Ms. Durrell stated that she is a 54-year resident of Ward I of Chesterfield and lives about one mile from the Old House at Hog Hollow. She expressed her appreciation for the “stateliness of the house”. She feels that all the parties who have a stake in the Old House (*owners, neighbors, appointed and elected officials, and the general public*) “can make small efforts to accommodate the others and still keep this site the amazing destination that it is”. She suggested that flowering shrubs, a line of pine trees, or a fence could work as a buffer visually and for audio concerns, on either or both sides of the property line. She feels that it is an asset to the community and encourages all who are concerned about the petition, to “join hands to make it work”.

2. Mr. Christopher Lee Melkus, 10395 Forest Brook Lane, Creve Coeur, MO

Mr. Melkus stated he works as a beer expert for the Wine & Cheese Place in Clayton, and spends a lot of time in Chesterfield. In the past, he visited the Old House on a number of occasions with family, and enjoyed the “historical, old-school vibe of the place”. He has talked to the owners about their plans for the site and spoke about the possibility of having some tastings there. He is impressed with what the owners have done with the place and supports approval of the petition.

SPEAKERS IN OPPOSITION:

1. Mr. Kent Higginbotham, 646 Spyglass Summit Drive, Chesterfield, MO
2. Ms. Rosemary Rifkin, 14348 Spyglass Ridge, Chesterfield, MO
3. Ms. Terri Wynn, President of the HOA of Spyglass Summit, 14324 Spyglass Ridge, Chesterfield, MO

(Ms. Rifkin and Ms. Wynn assisted Mr. Higginbotham with displaying photos of the site and nearby residences. Copies of the presentation were given to members of the Planning Commission.)

Mr. Higginbotham stated that he is an elected member of the Spyglass Summit HOA, and is speaking on behalf of the HOA. Spyglass Summit is a gated enclave of 50 attached villa homes, consisting of 25 buildings, with resales of units approaching \$600,000. The community is a very desirable location because of its quality construction, landscaping, privacy and security. For nearly 30 years, the Old House at Hog Hollow existed as an antique store with minimal impact on the Spyglass Summit subdivision.

In September 2021, the new owners began clearing the site extensively, which left the homes exposed to Olive Boulevard, the Old House, and its parking lot. The owners have started installing a fence, which has a see-through lattice on top and a 12-24” gap at the bottom, which the homeowners do not feel is adequate for screening purposes.

Even with an adequate fence line established, they are concerned with the buffer zone between the Old House and their property. They expect to have a solid 7-8’ tall fence on top of a 3-4’ tall berm, along with a tree line to mute noise from Olive Blvd. and the Old House property. They have concerns about lighting, loud music from the patio area, and the potential for crowds to spill over onto their property. They request that a plan be provided.

Their primary concerns relate to the plans for outdoor parties with live music, entertainment, and alcohol service. If the request is approved, the homeowners would expect the following:

- Berm and fencing along the entire west and north perimeter of the Old House property
- Fencing on top of a berm
- Planting along the fence line to help absorb light, sound and view
- Buffer zone where no activity is allowed
- Lighting shielded so it does not spill onto surrounding property
- No outdoor music
- Additional safeguards to be designated once a final site plan is submitted

Mr. Justin Wyse, Director Planning, explained that during the zoning phase the criteria requirements would be defined for such things as lighting, use, noise, outdoor uses, parking, buffering, etc. If the zoning was approved, a plan would then need to be submitted showing how the applicant complies with the requirements.

4. Mr. Bernard Mayer, 612 Paddington Hill Drive, Chesterfield, MO

Mr. Mayer noted his agreement with the comments already made, and then added his concerns as follows:

- Parking and traffic issues that would be generated by the proposed use

He noted that the property has been placed on Chesterfield's Historic Register, which provides tax benefits to the owner, along with requirements that the owner must fulfill. One of the requirements is that *this property shall have no more than 30 parking stalls permitted on the site*. He questioned how the current owners will be able to enact their plans for events with only 30 parking spaces. He has concerns that parking will spill over into the neighborhoods.

5. Mr. John Hendrickson, 115 Kendall Bluff Court, Chesterfield, MO

Mr. Hendrickson expressed his dissatisfaction with the amount of trees and shrubbery that were removed from the property.

6. Mr. Gary Vickar, 14352 Spyglass Ridge, Chesterfield, MO

Mr. Vickar stated that he agrees with the comments already made and noted that his concerns relate especially to noise. He also invited the Commission to drive through the Spyglass subdivision to understand the residents' concerns and frustration.

7. Ms. Sara Foley, 600 Spyglass Summit Drive, Chesterfield, MO

Ms. Foley stated that she and her husband live closest to the subject site. She explained that they bought their house because of its privacy and expressed concern about the amount of vegetation and trees that have been removed from the site.

8. Ms. Mary Louise Smith, 14380 Spyglass Ridge, Chesterfield, MO

Ms. Smith stated that she is in agreement with comments made by previous speakers, and after listening to the applicant's presentation, she has the following questions:

- Did the owners talk to the Historical Society about renovations to the house?
- Why would the owners spend so much money on renovations unless they were pretty sure they were going to get their permit?

9. Mr. Subra Vadlamani, 14350 Spyglass Court, Chesterfield, MO

Mr. Vadlamani noted his concerns regarding plans for a “wine bar” at the subject site.

10. Mr. Neil Frederickson, 629 Spyglass Summit Drive, Chesterfield, MO

Mr. Frederickson noted his concerns regarding the two large trees that have been removed from the site, and the lack of communication from the property owners about their plans for the site.

11. Ms. Elena Kratz, 651 Spyglass Summit Drive, Chesterfield, MO

Ms. Kratz noted her concerns as follows:

- The burning of wood in a barrel in the middle of the night
- Numerous spray paint markings on the grounds of the site
- MSD has installed a sewer in front of the property; however there is a curb in front of the sewer which causes concern that the water will not be able to enter the sewer.
- The site has been turned into an “eyesore”
- Lack of communication with the adjacent neighborhoods

12. Mr. John Merjavay, 633 Spyglass Summit Drive, Chesterfield, MO

Mr. Merjavay noted his concerns with the removal of shrubbery and trees that were close to 100 feet high, making the site look “like the back yard of a dump”. He asked that the requested amendment be denied.

13. Ms. Ruth Frederickson, 629 Spyglass Summit Drive, Chesterfield, MO

Ms. Frederickson noted concerns about the previous project manager in that he threatened her and her husband to the point of having to call the police, and who on another occasion tried to run her over with his car.

14. Ms. Lynn Mitchell, 650 Spyglass Summit Drive, Chesterfield, MO

Ms. Mitchell questioned how a “party house” fits into a neighborhood where homes are selling for at least \$500,000. She has concerns that the proposed plans will adversely affect property values. She also noted concerns about the large size of the patio with outside lights and people. She asks that the City protect the citizens, their property values, and their lifestyles.

15. Mr. Herman Mitchell, 650 Spyglass Summit Drive, Chesterfield, MO

Mr. Mitchell stated that he is in agreement with comments previously made and questioned why the site is being considered for commercial zoning when all the surrounding properties are zoned residential. He stated that he has concerns about “the process” and feels that the process should allow residents to be aware of the fire

department permits for the capacity of the site, and how much activity will be outside. He expects that this information will be available before the petition is voted upon.

Commissioner Wuennenberg stated that the process begins with the applicant making a request, followed by a public hearing to allow residents to express their opinions about the petition. The Planning Commission then has to determine whether the request is appropriate for the site, whether it needs to be pared down, and whether it can work for everyone involved.

Mayor Bob Nation stated that the City tries to be very transparent during this process. He noted that the City's Comprehensive Plan's Land Use Plan calls for a *Suburban Neighborhood* designation for the subject site. In his opinion, a request for a commercial zoning in this area is "a far reach". He also noted that the City has tried very hard not to allow commercial zoning along Olive Street Road, and is confident that the Planning Commission will take all this into consideration when making a decision on this petition.

16. Ms. Christy Fryer, 14335 Olive, Chesterfield, MO

Ms. Fryer stated that she lives next door to the site and has a long, private drive back to her property, and noted her concerns about the following:

- "An alcohol venue" on the subject site in a residential neighborhood, which causes safety issues.
- All of the trees and vegetation that have been removed, which had provided a buffer to noise, lights, and traffic.
- Construction traffic which has blocked the road over the past number of months
- The requested zoning would "inflict upon the residents a lot of traffic, noise, lights, and music".
- Before and after-hours operations of the venue.

17. Ms. Marge Merjavy, 633 Spyglass Summit Drive, Chesterfield, MO

Ms. Merjavy stated that she lives directly across the street from where the sewer line has been installed and where the trees were "lush". She then showed a picture of what the area looks like now after the trees were removed. They had moved to the neighborhood because of its quiet atmosphere and finds what is being done as "not acceptable".

18. Mr. Mark Gershenson, 14336 Spyglass Ridge, Chesterfield, MO

Mr. Gershenson stated that they moved to Chesterfield and the Parkway School District because they have a severely disabled son. After their son graduated, they moved into their home on Spyglass Ridge which is a gated community. They made the move so that their son can feel safe as he walks around the neighborhood, which is part of his ongoing therapy. He has very poor communication skills, and if something were to happen to him, he would be unable to communicate about the situation. Speaker has concerns about a "bar" being put in at the subject site, which causes safety concerns for his son. He is 100% opposed to the zoning request.

19. Ms. Anne Agovine, 14630 Spyglass Ridge, Chesterfield, MO

Ms. Agovine had already left the meeting by this point.

20. Ms. June Brown, 14312 Spyglass Ridge, Chesterfield, MO

Ms. Brown stated that they moved to their current home because of the quiet atmosphere. She noted her concerns about a potential “bar”, music, and lights at the subject site.

21. Ms. Mary (last name illegible and street address not provided), Chesterfield, MO

Speaker had already left the meeting by this point.

22. Mr. Alfred Brown, 14312 Spyglass Ridge, Chesterfield, MO

Mr. Brown stated that he retired in 2020 due to health issues, and moved to their current home because he “needed peace and quiet and has to walk/exercise in a safe environment”. He has concerns about the following:

- The number of tables being proposed for the patio area
- Alcohol being served outside
- Safety issues

23. Ms. Linda Daake, 14309 Gatwick Court, Chesterfield, MO

Ms. Daake stated that she walks within the Spyglass subdivision because she feels safe and enjoys the beauty of the area. She noted her concerns as follows:

- She feels that the proposed petition will “upset the integrity of the two neighborhoods”.
- Noise
- Wine being served
- The maximum number of people that would be allowed on the premises has not been spelled out
- Insufficient parking for the site with overflow parking on Gatwick Court or the private drive next to the site
- Lighting
- Amount of greenery that has been removed and not yet taken off site

Ms. Daake added that her biggest concern is that if the site is rezoned to a Planned Commercial District, and the proposed venue goes out of business, it opens the door to unknown uses that could adversely affect real estate values.

The following individuals chose not to speak but noted their agreement with comments already made and their opposition to the petition:

24. Ms. Judith Schlesinger, 667 Spyglass Summit Drive, Chesterfield, MO

25. Ms. Armerlla Jenkins, 812 Grimstone, Chesterfield, MO

26. Mr. Bill Wynn, 14324 Spyglass Ridge, Chesterfield, MO

27. Ms. Ginny McCook, 14362 Spyglass Court, Chesterfield, MO

28. Ms. Sue Hempstead, 14384 Spyglass Ridge, Chesterfield, MO

29. Ms. Bonnie Vickar, 14352 Spyglass Ridge, Chesterfield, MO

30. Ms. Victoria Higginbotham, 646 Spyglass Summit Drive, Chesterfield, MO
31. Mr. Joseph Foley, 600 Spyglass Summit Drive, Chesterfield, MO
32. Ms. Gita Vadlamani, 14350 Spyglass Court, Chesterfield, MO
33. Mr. Andrew Smith, 14380 Spyglass Ridge, Chesterfield, MO
34. Mr. Robert Rifkin, 14348 Spyglass Ridge, Chesterfield, MO
35. Mr. Mark Earnhardt, 14308 Spyglass Ridge, Chesterfield, MO
36. Mr. Eric Token 619 Spyglass Summit Drive, Chesterfield, MO
37. Ms. Carolyn Token, 619 Spyglass Summit Drive, Chesterfield, MO
38. Mr. Keith Maddox, 659 Spyglass Summit, Chesterfield, MO
39. Ms. Linda Maddox, 659 Spyglass Summit, Chesterfield, MO
40. Ms. Barbara Wright, 14320 Spyglass Ridge, Chesterfield, MO
41. Mr. Dave Clay, 680 Spyglass Summit Drive, Chesterfield, MO
42. Ms. Susan O'Neill, 664 Spyglass Summit Drive, Chesterfield, MO
43. Ms. Anne Kirkpatrick, 14354 Spyglass Court, Chesterfield, MO
44. Ms. Betty Allyn, 668 Spyglass Summit Drive, Chesterfield, MO

APPLICANT'S RESPONSE:

1. Mr. Scott Ririe

Mr. Ririe provided the following information:

- They are not proposing a “bar” – the site will be used as an event center. They plan on having events such as lessons on painting at which wine and hors d'oeuvres may be served; an outdoor guys' night with cigar truck with limited attendance; baby showers, etc.
- He noted that the site has 30 parking spaces, which is how they arrived at the figure of 60 people for outdoor events. He is open to scaling that number back.
- The venue closes at 9:00 p.m., which coincides with the time Spyglass subdivision closes its gates.
- Outdoor seating is open only from Thursday-Sunday, 11:00 am to 9:00 pm during nice weather.
- There will not be any cooking on site; events will be catered.
- There is the ability of providing coffee and rolls for meetings.

2. Mr. Patrick Kayeth, 14042 Boxford Ct., Chesterfield, MO

Mr. Kayeth stated that he was hired as the General Contractor for the interior renovations on the project. All permits were obtained and work done in accordance with the permits. During his work there, he observed a lot of interest in the house and was asked numerous times as to when it would open. He feels that restoring the house is more beneficial than having it demolished. The vegetation clearing involved mainly overgrown honeysuckle and dead trees on the subject site – nothing was removed offsite.

3. Mr. Ryan Parlman, Envirogreen, 230 Hawning Road, St. Charles, MO

Mr. Parlman stated that Envirogreen was hired to renovate the landscape. They removed 80-90% of overgrown honeysuckle, along with dead and diseased, dying trees. The larger trees that were cut down were done so by MSD. The site still contains a lot of nice trees – Silver Maples, Mulberries, and Spruces. They have begun replacing trees in the parking lot area to regrow a fast buffer, which will help abate the noise. He added that a landscape plan will be submitted.

SUMMARY

Mr. Wyse stated that Staff will summarize the issues and provide them to the applicant for a formal response. Once a response has been received, the petition will be brought back for another meeting before the Planning Commission.

Commissioner Wuennenberg added that the meeting agenda and meeting packet will be posted on the City's website, which will include the response to issues received from the applicant. The residents are welcome to attend all future meetings on this petition.

Chair Tilman called for a five-minute break with the meeting to reconvene at 9:20 p.m.

- B. P.Z. 09-2022 Valley Village (Stock & Associates):** A request for a zoning map amendment from the "C8" Planned Commercial District to a "PC" Planned Commercial District for 10.9 acres located on the northwest corner of Chesterfield Airport Road & Wings of Hope Blvd (17W620312, 17W620334, 17W640091).

STAFF PRESENTATION:

Planner Shilpi Bharti gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Bharti then provided the following information about the subject site:

Request Summary

The applicant is requesting to rezone the parcel from "C8" Planned Commercial to a "PC" Planned Commercial District to allow 29 permitted uses.

Site History

The site was zoned "M3" Planned Industrial District by St. Louis County prior to the City's incorporation. In 1997, the site was rezoned to "C8" Planned Commercial District, followed by the Site Development Concept Plan being approved in 1999. The hotel was also built in 1999 at 18375 Chesterfield Airport Road.

Comprehensive Plan

The Comprehensive Plan's Land Use Plan shows the site within the *Regional Commercial* Land Use District, which is characterized as an area that serves regional commercial needs and draws visitors from both Chesterfield and the surrounding areas.

Request #1 - Permitted Uses

The applicant is requesting the following 29 uses: (Uses shown in **bold** are existing uses.)

- | | |
|--------------------------------------|--|
| 1. Animal Grooming Service | 17. Restaurant-Fast Food, No Drive-Thru |
| 2. Art Gallery | 18. Restaurant-Take Out |
| 3. Art Studio | 19. Retail Sales Establishment-Community |
| 4. Banquet Facility | 20. Retail Sales Establishment-Neighborhood |
| 5. Office- Dental | 21. Car Wash |
| 6. Office- General | 22. Car Wash, Self-Service |
| 7. Office- Medical | 23. Drug Store and Pharmacy |
| 8. Bakery | 24. Drug Store and Pharmacy, with Drive-thru |
| 9. Bar | 25. Financial Institution, No Drive-Thru |
| 10. Brewpub | 26. Financial Institution, Drive-Thru |
| 11. Coffee Shop | 27. Hotel and Motel |
| 12. Coffee Shop Drive-thru | 28. Hotel and Motel-extended stay |
| 13. Grocery-Community | 29. Warehouse, general |
| 14. Grocery-Neighborhood | |
| 15. Restaurant-Sit Down | |
| 16. Restaurant-Fast Food, Drive-Thru | |

Request #2 – Development Standards

The applicant is requesting the following Development Standards:

Development Standards	PC District	Requested
Maximum height of structure	-	45 feet
Building setback from north, east, and west boundary	-	25 feet
Parking setback from north, east, and west boundary	-	25 feet (with the exception of 3 feet from the future right-of-way dedication of Olive Street Road.)
Building setback from south (Chesterfield Airport Road right-of-way)	-	40 feet
Parking setback from south (Chesterfield Airport Road right-of-way)	-	40 feet
Open space	35%	35%
Density Requirement	Maximum 0.55 FAR	Maximum 0.55 FAR

Preliminary Development Plan

The Preliminary Development Plan has been updated from the one approved in 1999. New access is provided north of the subject site. The additional parking proposed on the western portion of the site is intended to allow for shared use between this development and the Chesterfield Hockey Association to the north. No curb cuts are proposed along Chesterfield Airport Road. The hotel at 18375 Chesterfield Airport Road will remain in place, additional parking and potential buildings are proposed for 18363 Chesterfield Airport Road and 18369 Chesterfield Airport Road.

PETITIONER’S PRESENTATION:

Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – speaking on behalf of Chesterfield Hockey Association.

Mr. Stock explained that the petition is driven by the opportunity to acquire additional land. The property was zoned in 1997 and since then, the Comfort Inn & Suites has

been the only development on the site. Around 2008, the bank foreclosed on the original developer and the remaining land is now with a second bank. This afforded the opportunity for Chesterfield Hockey Association to go under contract on that portion of land which surrounds the Comfort Inn & Suites.

The applicant is requesting the following:

- A total of 29 uses, which are commensurate with the uses allowed in the ordinance for Chesterfield Hockey Association.
- A 0' parking setback from internal lot lines within this Planned Commercial District

Mr. Stock pointed out that the existing C8 ordinance only allow five uses, of which only one has come to fruition in the past 23 years, which is the *hotel/motel* use. The *restaurant, bar, retail, and office* uses have not come to fruition. They are asking for a total of 29 uses to provide some flexibility for development.

The zoning request requires the ordinance to be opened, which allows requirements to be updated. The current ordinance includes a parking setback 10' from the internal property line; the applicant is requesting a 0' setback, which is a common request in order to allow shared parking.

The Preliminary Plan shows a parking lot, which would be constructed by Chesterfield Hockey Association at such time as they would expand their facility.

Discussion

Commissioner Marino questioned as to whether there have been any issues with the parking. Mr. Stock replied that the parking has been sufficient up to this point.

There was discussion regarding the possibility of having traffic signalizations at the two entrances to the site. Chair Tilman asked that Staff provide an update on the situation, including information on long-term expectations.

Chair Tilman also asked the applicant to review the uses and to advise the Commission of any use that may not be commensurate with Chesterfield Hockey's ordinance.

V. APPROVAL OF MEETING SUMMARY

Commissioner Marino made a motion to approve the Meeting Summary of the August 22, 2022 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions on the following petitions:

- P.Z. 05-2022 Gateway Golf Center (Gateway Studios, LLC),

- P.Z. 06-2022 17733 N. Outer Forty Road (Gateway Studios, LLC), and
- P.Z. 08-2022 TSG Chesterfield Airport Road (Stock & Associates Consulting Engineers Inc.).

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS

- A. P.Z. 05-2022 Gateway Golf Center (Gateway Studios, LLC):** A request for a zoning map amendment from the “PC” Planned Commercial District to a new “PC” Planned Commercial District for 22.78 acres located on the north side of Outer 40 Road (17V630059).
- B. P.Z. 06-2022 17733 N. Outer Forty Road (Gateway Studios, LLC):** A request for a zoning map amendment from a “M3” Planned Industrial District to a “PC” Planned Commercial District for 34.02 acres located on the north side of Outer 40 Road (16V320056).

Mr. Justin Wyse provided the following information about the petitions:

Uses

The Applicant was originally requesting 29 uses. At the Public Hearing, Planning Commission recommended that the following permitted uses be removed from the request:

- Arena and stadium
- Grocery-Community
- Grocery – Neighborhood
- Financial Institution – Drive Thru
- Restaurant – Fast Food, Drive thru

The applicant has since removed these uses from their request resulting in a total of 24 uses.

Cross Access

The applicant is working with the City on revising some of the cross access, particularly as it relates to the property owner to the north of the athletic complex.

Modification Request

With respect to P.Z. 05-2022 Gateway Golf Center, the applicant is requesting setback modifications. Per the UDC, a Planned Commercial District requires a 35-foot setback from adjoining property designated as Parks & Recreation. The property west of the subject site is designated as Parks and Recreation. The applicant has requested a 25’ ft setback and zero foot parking setback from the west boundary of the PC District. The request for modification requires 2/3 of Planning Commission vote for approval. It was noted that the applicant has actively been coordinating with the City on revisions to existing access easements to align with the City’s desires and Staff recommends approval of the modification.

Commissioner Wuennenberg made a motion to approve P.Z. 05-2022 Gateway Golf Center. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

**Aye: Commissioner Roach, Commissioner Staniforth,
Commissioner Wuennenberg, Commissioner Choate,
Commissioner Chohan, Commissioner Harris,
Commissioner Marino, Commissioner Midgley,
Chair Tilman**

Nay: None

The motion passed by a vote of 9 to 0.

Commissioner Wuennenberg made a motion to approve the modification request to the setbacks. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

**Aye: Commissioner Staniforth, Commissioner Wuennenberg,
Commissioner Choate, Commissioner Chohan,
Commissioner Harris, Commissioner Marino,
Commissioner Midgley, Commissioner Roach,
Chair Tilman**

Nay: None

The motion passed by a vote of 9 to 0.

Commissioner Wuennenberg made a motion to approve P.Z. 06-2022 17733 N. Outer Forty Road. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

**Aye: Commissioner Wuennenberg, Commissioner Choate,
Commissioner Chohan, Commissioner Harris,
Commissioner Marino, Commissioner Midgley,
Commissioner Roach, Commissioner Staniforth,
Chair Tilman**

Nay: None

The motion passed by a vote of 9 to 0.

- C. **P.Z. 08-2022 TSG Chesterfield Airport Road (Stock & Associates Consulting Engineers Inc.)**: A request for a zoning map amendment from a “PC” Planned Commercial District to a new “PC” Planned Commercial District for 13 acres located north of Chesterfield Airport Road.

Planner Alyssa Ahner provided the following information:

Request Summary

The petitioner is requesting one additional use and a revision to the open space language.

Request #1 – Permitted Uses

The petitioner is requesting to add **Car Wash** as a permitted use.

At the Planning Commission’s request during the August 22nd public hearing, the applicant has reviewed the list of permitted uses and is requesting to remove the following 12 uses.

- | | |
|---------------------------------------|--|
| 1. Art gallery | 7. Dry-cleaning establishment |
| 2. Art studio | 8. Dry-cleaning establishment, with drive-thru |
| 3. Banquet facility | 9. Hotel and motel |
| 4. Check cashing facility | 10. Hotel and motel, extended stay |
| 5. Church and other places of worship | 11. Specialized private school |
| 6. Community center | 12. Theater, indoor |

Request #2 – Open Space

The petitioner is requesting to revise the language in Ordinance 3082 pertaining to **Open Space**, as follows: (*revisions shown in red*)

A minimum of thirty-five percent (35%) is required for ~~this development~~
~~each lot.~~

Public Art

Staff is recommending removal of the public art requirement for this development. It was noted that public art is a requirement in the City Center but is not included in the Regional Commercial Land Use designation which encompasses the entire subject site.

Preliminary Development Plan

The Preliminary Development Plan shows the proposed location of the car wash.

Commissioner Wuennenberg made a motion to approve **P.Z. 08-2022 TSG Chesterfield Airport Road**. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

**Aye: Commissioner Harris, Commissioner Marino,
Commissioner Midgley, Commissioner Roach,
Commissioner Staniforth, Commissioner Wuennenberg,
Commissioner Choate, Commissioner Chohan,
Chair Tilman**

Nay: None

The motion **passed** by a vote of 9 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 9:53 p.m.


Jane Staniforth, Secretary