

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 27, 2012**

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

I. ROLL CALL

PRESENT

Mr. Bruce DeGroot
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Steven Wuennenberg
Chair Michael Watson

ABSENT

Ms. Wendy Geckeler

Mayor Bruce Geiger
Councilmember Randy Logan, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Justin Wyse, Senior Planner
Mr. Kevin Neill, Project 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 Mayor Bruce Geiger and Councilmember Randy Logan, Council Liaison.

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

- A. **P.Z. 08-2012 City of Chesterfield (Extended Hours of Operation for Thanksgiving Holiday):** An amendment to City of Chesterfield Ordinance Numbers 2575, 2081, 2128, 2371, 1794, 2156, 1898, 2682, 2643, 1884, 2547, 2442, 2448, 2637, 2492, 2558, and 2495 to allow extended hours of operation for retail establishments on Thanksgiving and the following day only, for those developments throughout the City of Chesterfield which have current restrictions on hours of operation for retail. Those developments include the following:

84 Lumber, Towne Centre, Chesterfield Commons, Chesterfield Commons East, Chesterfield Commons North, Chesterfield Commons Four, Chesterfield Commons West, Chesterfield Commons West (Tech Park), Chesterfield Outlets, Chesterfield Oaks, Chesterfield Retail, Clarkson Center, Clocktower Plaza, Edison Crossing, Four Seasons Plaza, Four Seasons Plaza West, Stallone's Formal Wear, Walgreens on the Parkway.

STAFF PRESENTATION:

Mr. Aimee Nassif, Planning & Development Services Director stated the following:

- Over the past few years, the City has experienced an increase in retailers requesting flexibility in the restrictions on their hours of operation for the Thanksgiving holiday. However, there is no flexibility permitted for hours of operation in the current language of the Planned District ordinances.
- There are approximately 87 developments in the City that are zoned Planned Commercial and Planned Industrial. Staff research has determined that 27 of these developments have restrictions on their hours of operation, of which 18 have both the retail use and restrictions on the hours.
- During June and July of this year, Staff worked with the Planning & Public Works Committee on this matter. Staff was directed by the Committee to open up the Planned District ordinances for each of the 18 developments to add flexibility to the hours of operation for the Thanksgiving and Black Friday holiday.
- This would be accomplished through the use of a Special Activities Permit. Seven days prior to the Thanksgiving holiday, the property owner can submit a Special Activities Permit to the City. The permit would require signatures from both the property owner and the tenant requesting the extension. The permit would be reviewed by the Planning & Development Services Division.
- The language proposed by Staff, and recommended by the Planning and Public Works Committee, for each site specific ordinance is as follows:

The permitted hours of operation for retail establishments only may be expanded for Thanksgiving Day and the day after Thanksgiving, upon review and approval of a Special Activities permit, signed by the property owner and submitted to the Planning and Development Services Division at least seven (7) business days in advance of said holiday.

Ms. Nassif pointed out that the 18 developments involved in the ordinance amendments are listed on page 2 of the Staff Report. The City has contacted all of the property owners prior to the Public Hearing. All the property owners have expressed their support of the amendment. If approved, Staff will send letters to each of the property owners so they, in turn, can notify their tenants.

Discussion

Mayor Geiger asked for confirmation that the tenant cannot request extended hours without the property owner's approval. Ms. Nassif indicated that this is correct.

Chair Watson asked for clarification on when the property owner must submit a Special Activities Permit. Ms. Nassif replied that the request must be submitted **at least** seven days in advance of the holiday – however, requests can be submitted earlier than that.

Ms. Nassif explained that if the Planning Commission approves the amendment this evening, it would be reviewed by City Council for a second reading at Council's October 3rd meeting. Requests could be submitted after that date for this year's Thanksgiving holiday.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner Wuennenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING MINUTES

Commissioner Lueking made a motion to approve the minutes of the **August 13, 2012 Planning Commission Meeting**. The motion was seconded by Commissioner Proctor and **passed** by a voice vote of 7 to 0 with 1 abstention from Commissioner Nolan.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. OLD BUSINESS

- A. **P.Z. 08-2012 City of Chesterfield (Extended Hours of Operation for Thanksgiving Holiday)**: An amendment to City of Chesterfield Ordinance Numbers 2575, 2081, 2128, 2371, 1794, 2156, 1898, 2682, 2643, 1884, 2547, 2442, 2448, 2637, 2492, 2558, and 2495 to allow extended hours of operation for retail establishments on Thanksgiving and the following day only, for those developments throughout the City of Chesterfield which have current restrictions on hours of operation for retail. Those developments include the following:

84 Lumber, Towne Centre, Chesterfield Commons, Chesterfield Commons East, Chesterfield Commons North, Chesterfield Commons Four, Chesterfield Commons West, Chesterfield Commons West (Tech Park), Chesterfield Outlets, Chesterfield Oaks, Chesterfield Retail, Clarkson Center, Clocktower Plaza, Edison Crossing, Four Seasons Plaza, Four Seasons Plaza West, Stallone's Formal Wear, Walgreens on the Parkway.

Ms. Nassif stated she was available for any questions.

If the ordinance amendments are approved, City Attorney Heggie asked if a process will be established with the Police Department regarding which retailers are requesting the extended hours. Ms. Nassif stated that a process already exists. She explained that the Police will be notified through the Special Activities Permit, which is actually their permit that the Planning and Development Services Division also reviews and approves.

Commissioner Lueking asked whether a permit is necessary for those developments that do not have any restrictions on their hours of operation. Ms. Nassif replied that they will not need a permit.

Commissioner Wuennenberg made a motion to approve P.Z. 08-2012 City of Chesterfield (Extended Hours of Operation for Thanksgiving Holiday).
The motion was seconded by Commissioner DeGroot.

Upon roll call, the vote was as follows:

Aye: Commissioner Wuennenberg, Commissioner DeGroot,
Commissioner Lueking, Commissioner Midgley,
Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Chair Watson

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:12 p.m.

Bruce DeGroot, Secretary