

BILL NO. 2555

ORDINANCE NO. _____

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 1717 TO ALLOW FOR AN AMENDMENT TO THE PARKING SETBACKS AND DEVELOPMENT REQUIREMENTS FOR A 19.8 ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL DISTRICT LOCATED NORTH OF THE INTERSECTION OF SPIRIT DRIVE NORTH AND CHESTERFIELD AIRPORT ROAD, SOUTH OF I-64/ U.S. 40-61, AND WEST OF TRADE CENTER BOULEVARD (P.Z. 15-2007 CAMBRIDGE ENGINEERING)

WHEREAS, the petitioner, Kramer Assets Group, has requested an ordinance amendment to the parking setbacks to allow for shared driveways within the existing parking setbacks and to change "greenspace" to "openspace" and the removal of the reference to "stormwater drainage structures"; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment request with a vote of 8-0 with a modification to add the square footage of the buildings from Ordinance 1717 back into the Attachment A; and,

WHEREAS, the Planning & Zoning Commission, having considered said request, recommended approval of the petition by a 4-0 vote: and,

WHEREAS, the City Council, having considered said request, voted to approve the Ordinance Amendment.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Ordinance Number 1717 is hereby repealed and those conditions therein are incorporated into the Attachment A, which is attached hereto and made a part hereof for Cambridge Engineering.

Legal Description

A tract of land being part of U.S. Survey 1010 and part of Lot 1 of the Subdivision of Lands of Spencer Tyler, according to the plat thereof recorded in Deed Book 7 Page 25 of the St. Louis County Recorder's Office located in U.S. Survey 419, all in Township 45 North, Range 3 East of the 5th Principal Meridian, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the intersection of the Southerly line of Missouri Interstate Highway 64 and the Northeasterly line of above said U.S. Survey 419, said point also being the Northwesterly corner of a tract of land as conveyed to Kramer Assets Group, LLC, as recorded in Book 11776 Page 2307 of above said records; thence along the Southerly line of said Interstate 64 and the Northerly line of said Kramer Assets

Group, LLC and the Northerly line of a tract of land as conveyed to Kramer Assets Group, LLC, as recorded in Book 12523 Page 1389 of above said records the following courses and distances; thence South 83 degrees 04 minutes 20 seconds East 611.18 feet to a point of curvature to the left for which the radius point bears North 06 degrees 55 minutes 40 seconds East 34517.47; thence along said curve to the left with a chord which bears South 83 degrees 05 minutes 43 seconds East 27.51 feet an arc length of 27.51 feet to the Northwesterly corner of a tract of land as conveyed to Terra Investments, L.L.C. by instrument recorded in Book 11999 Page 1013 of said Recorder's Office; thence along the Westerly and Northerly lines of said Terra Investments, L.L.C. tract the following courses and distances; thence South 06 degrees 55 minutes 24 seconds West 1095.67 feet; thence North 83 degrees 06 minutes 20 seconds West 289.72 feet to the Northeasterly line of above said U.S. Survey 419, said point also being the Southwesterly line of said U.S. Survey 1010; thence along said Northeasterly line of U.S. Survey 419 North 10 degrees 51 minutes 03 seconds West 688.01 feet; thence departing said Northeasterly line North 83 degrees 04 minutes 20 seconds West 494.08 feet to the Southwesterly line of above said Lot 1 of the Subdivision of Lands of Spencer Tyler, said point also being on the Southeasterly line of a tract of land as conveyed to Danna Development, L.L.C. by instrument recorded in Book 12836 Page 324 of above said records; thence along said Southwesterly line of Lot 1 of the Subdivision of the Lands of Spencer Tyler, North 10 degrees 53 minutes 25 seconds West 462.87 feet to the Southerly line of above said Missouri Interstate Highway 64; thence along said Southerly line South 83 degrees 04 minutes 20 seconds East 494.41 feet to the Point of Beginning and containing 727,738 square feet or 16.707 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on June 28, 2006.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment "A", which is attached hereto and made a part hereof.

Section 3. The City Council, pursuant to the petition filed Cambridge Engineering (Kramer Commerce Center) in P.Z. 15-2007, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 14th day of May, 2007, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 6/4/2007

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PI" Planned Industrial District shall be:
 - a. Business, professional, and technical schools.
 - b. Business service establishments.
 - c. Cafeterias for employees and guests only.
 - d. Child care centers, nursery school, and day nurseries.
 - e. Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence on the premises is essential to the operation of a permitted use or uses.
 - f. Financial institutions.
 - g. Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - i. Facilities producing or processing explosives or flammable gases or liquids;
 - ii. Facilities for animal slaughtering, meat packing or rendering;
 - iii. Sulpher plants, rubber reclamation plants, or cement plants; and
 - iv. Steel mills, foundries, or smelters.
 - h. Medical and dental offices.
 - i. Offices or office buildings.
 - k. Outpatient substance abuse treatment facilities.
 - l. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of

wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

- m. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities (indoor use only).
- n. Printing and duplicating services (indoor use only).
- o. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- p. Warehousing, storage, or wholesaling of manufactured commodities, excluding live animals, explosives, or flammable gases and liquids.

2. The following Ancillary Uses shall be permitted:

- a. Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.
- b. Cafeterias for employees and guests only.

3. The above uses shall be restricted as follows:

- a. Proposed Building "C" shall be primarily office according to the Chesterfield Valley Master Plan.

B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. HEIGHT

- a. The maximum height of the building, exclusive of roof screening, shall not exceed thirty (30) feet or two stories whichever is less measured from final grade. The height of the existing building shall be permitted.

2. BUILDING REQUIREMENTS

- a. A minimum of thirty percent (30%) openspace is required for this development.
- b. The expansion of Building "A" shall not exceed 60,410 square feet. The total square footage of Building "A", after

completion of the expansion, shall not exceed 278,220 square feet.

- c. Building "B" shall not exceed 28,800 square feet.
- d. Building "C" shall not exceed 67,200 square feet.

C. SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

- a. Ninety (90) feet from the right-of-way of I-64/ U.S. 40-61. The existing Cambridge Engineering structure is setback sixty (60) feet from the new right-of-way of I-64/ U.S. 40-61 and shall remain as built. Upon the removal of the aforementioned structure, the ninety (90) foot setback shall be in effect.
- b. Fifty-five (55) feet from the southern boundary of this development at Building "B".
- c. One hundred sixty-five (165) feet from the southern boundary of this development at Building "C".
- d. Thirty (30) feet from the western boundary of this development.
- e. Ninety (90) feet from the eastern boundary of this development.
- f. Sixty (60) feet from Long Road Crossing Drive.
- g. Ten (10) feet from internal property lines.

2. PARKING SETBACKS

No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

- a. Thirty (30) feet from the right-of-way of I-64/U.S. 40-61. No parking shall be allowed in front of the existing Cambridge Engineering Building. Existing pavement is provided for Fire Protection District only.

- b. Thirty (30) feet from the southern boundary of this development.
- c. Twenty-five (25) feet from the east and west boundaries of this development with the exception of a shared driveway along the western property line of Lot 2 bearing N 10° 51' 03" W north of Long Road Crossing Drive.
- d. Fifteen (15) feet from Long Road Crossing Drive.
- e. Ten (10) feet from internal property lines with the exception of shared driveways.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- 3. Parking lots shall not be used as streets.
- 4. No construction related parking shall be permitted within the Chesterfield Airport Road right-of-way.
- 5. No parking shall be permitted on any roadway in or adjacent to the development. The parking restriction and requirement for signage shall be indicated on the Site Development Plan and improvement plans. Signage shall be posted prior to approval of improvement plans or issuance of building permits for adjacent lots.

E. LANDSCAPE AND TREE REQUIREMENTS

The developer shall adhere to the Tree Manual of the City of Chesterfield Code.

F. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.
2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
3. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

G. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Building "C" shall have the appearance of an office building. All other buildings shall be built of a combination of glass and concrete tilt-up panels and/or brick (or design similar to Spirit Trade Center structures) as approved by the Architectural Review Board.
4. No loading docks shall face north, east or west for a distance of Three hundred (300) feet from the south right-of-way of I-64/ U.S. 40-61.

5. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan.
6. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

Access to Long Road Crossing Drive shall be limited to a maximum of two (2) drive entrances on the north side and two (2) drive entrances on the south. All drive entrances shall be a minimum of fifty (50) feet from the eastern property line of the tract.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right-of-way.
2. If a gate is installed on a street in this development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.
3. Provide a forty (40) foot right-of-way with a minimum of ten (10) foot roadway improvement, maintenance, utility and drainage easements on both sides for Long Road Crossing Drive (f/k/a Chesterfield Business Parkway North) across the tract in accordance with the plans entitled "Chesterfield Business Parkway North Road Improvements" on file in the Department of Public Works. In addition, provide additional right-of-way and easements for the Spirit Drive North/Long Road Crossing Drive intersection and associated roundings as depicted on said plans.

The roadways have been constructed to provide a twenty-six (26) foot travelway with seven (7) foot shoulders on both sides. Appurtenant storm drainage facilities shall be provided as directed by the Department of Public Works when adjacent lots develop.

4. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along both sides of Long Road Crossing Drive. The sidewalk shall

be privately maintained; therefore, no public easements shall be required.

K. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

L. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan.
3. Per the Chesterfield Valley Master Storm Water Plan, ten (10) foot wide flat bottom ditches have been constructed along the north, east and west property lines of this site, with drainage directed to the east to the pump station at Long Road. Provide Chesterfield Valley Storm Water Easements along the north, east and west property lines, as required and directed by the Department of Public Works, to accommodate the Chesterfield Valley Master Storm Water Plan channel in those areas, and depict the channel on all Site Development Plans and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.

M. GEOTECHNICAL REPORT.

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic

fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

N. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. Prior to the issuance of an occupancy permit, any existing stormwater channel located on this site and between this site and the pump station to which it should drain shall be regraded to restore the channel to the line and grade of the original design.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.

- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one (1) additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

The Site Development Concept Plan shall include, but not be limited to, the following:

1. Outboundary plat and legal description of the property.
2. Location of all roadways adjacent to the property and general location, size, and pavement widths of all interior roadways.
3. General design of the development including unit types (i.e., single-family detached, single-family attached, garden apartment), number of each unit type proposed, location of units, minimum and maximum size of single-family lots, approximate size of multiple-family structures, and location and size of common areas and recreation facilities.
4. Location and size of any commercial uses, types of uses proposed and general parking layout.
5. Zoning district lines and floodplain boundaries.
6. Density calculations.
7. Provide a conceptual landscape plan in accordance with the City of Chesterfield Code.
8. Provide a lighting plan in accordance with the City of Chesterfield Code.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within one hundred fifty (150) feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within one hundred fifty (150) feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.

17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. CHESTERFIELD VALLEY TRUST FUND

A. Roads

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Highways and Traffic. The amount of the developer's contribution to this fund shall be computed on the basis of the following:

<u>Type of Development</u>	<u>Required Contribution</u>
Industrial	\$3,685.05/acre of gross acreage

If the types of development proposed differ from those listed, rates shall be provided by the St. Louis County Department of Highways and Traffic.

Credits for roadway improvements required in condition will be awarded as directed by the St. Louis County Highways and Traffic. Any portion of the roadway improvement contribution which remains, following completion of road improvements required by the development shall be retained in the trust fund.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

B. Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$486.43 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contributions shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to approval of the Site Development Plan unless otherwise directed by the St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

C. Stormwater

The stormwater contribution is based on the gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of stormwater from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the stormwater contribution will be computed on the basis of \$1,534.99 per acre for the total area as approved on the Site Development Plan.

The stormwater contributions to the Trust Fund shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

D. Sanitary Sewer

The sanitary sewer contribution is collected as the Caulks Creek impact fee.

The sanitary sewer contributions within Chesterfield Valley area shall be deposited with the Metropolitan Sewer District as required by the District.

The amount of this required contribution for the roadway, stormwater and primary waterline improvements, if not submitted by January 1, 2001 shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Departments of Highway and Traffic.

Trust fund contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits.

VI. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VII. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Concept Plan and Site Development Section Plans approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.