

BILL NO. 2818

ORDINANCE NO. _____

AN ORDINANCE REPEALING ST. LOUIS COUNTY ORDINANCES 11,775 AND 11,355 AND CITY OF CHESTERFIELD ORDINANCE NUMBER 2559 AND REPLACING THEM WITH A NEW ORDINANCE THAT AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "PC" PLANNED COMMERCIAL DISTRICT WITH A NEW "PC" PLANNED COMMERCIAL DISTRICT FOR A 2.35-ACRE TRACT OF LAND LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF OLIVE STREET ROAD AND RIVER VALLEY DRIVE. (P.Z. 09-2010 FOUR SEASONS PLAZA WEST {SCHUYER CORP.})

WHEREAS, Doering Engineering, on behalf of Schuyer Corp., has requested a change in zoning from a "PC" Planned Commercial District to a new "PC" Planned Commercial District for a 2.35 acre tract of land located on the southwest corner of the intersection of Olive Street Road and River Valley Drive; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 8, 2010; and,

WHEREAS, the Planning Commission recommended approval of a modification to the open space requirement in consideration of the existing development; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the change of zoning; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning; and,

WHEREAS, the City Council, having considered said request voted to approve the change of zoning request.

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 Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a "PC" Planned Commercial District for a 2.35 acre tract of land located on the southwest corner of the intersection of Olive Street Road and River Valley Drive and described as follows:

A tract of land being part of Lot 3 of the Four Seasons, Plat 6, Book 171, Page 17, and in U.S. Survey 207, T.64.N., R.5E., of the St. Louis County, Missouri Records.

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" and preliminary plan, which are attached hereto and, made part of.

Section 3. The City Council, pursuant to the petition filed by Schuyer Corp., in P.Z. 09-2010, 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 hearings, held by the Planning Commission on the 8th day of November 2010, 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 _____, 2011

ACTING MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

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 "PC" Planned Commercial District shall be:
 - a. Administrative office for educational or religious facility
 - b. Art gallery; Art studio
 - c. Bakery
 - d. Barber or beauty shop
 - e. Coffee shop
 - f. Commercial service facility
 - g. Day care center, child
 - h. Day care center, adult
 - i. Drug store and pharmacy
 - j. Dry cleaning establishment
 - k. Financial institution
 - l. Financial institution, drive-thru
 - m. Grocery – neighborhood
 - n. Office, dental
 - o. Office, general
 - p. Office, medical
 - q. Professional and technical service facility
 - r. Public safety facility

- s. Restaurant, outdoor customer dining areas
 - t. Restaurant, sit down
 - u. Restaurant, take out
 - v. Retail sales establishment, community
 - w. Veterinary clinic
2. The above uses in the "PC" Planned Commercial District shall be restricted as follows:
- a. Use "1" above will be restricted to one (1) drive-thru in this development which can be in the form of a stand alone ATM or attached to the building.
3. Hours of Operation.
- a. Hours of operation for this "PC" Planned Commercial District shall be 7:00 AM to 10:00 PM.
 - b. Refuse collection for the site shall commence no earlier than 8:00 AM.
 - c. Deliveries to the site shall commence no earlier than 6:30 AM.

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 one (1) story.
2. Building Requirements
- a. A minimum of twenty-three percent (23%) openspace is required for this development.
 - b. This development shall have a maximum F.A.R. of 0.24.

C. SETBACKS

1. Structure Setbacks

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

- a. Sixty (60) feet from the right-of-way of Olive Boulevard on the northern boundary of the "PC" Planned Commercial District.

- b. Thirty (30) feet from the eastern, western and southern boundaries of the "PC" Planned Commercial District.

2. Parking Setbacks

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

- a. Fifteen (15) feet from the right-of-way of Olive Boulevard on the northern boundary of the "PC" Planned Commercial District.
- b. Twenty (20) feet from the western and southern boundaries of the "PC" Planned Commercial District.
- c. Five (5) feet from the eastern boundary of the "PC" Planned Commercial District.

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.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. The developer will collaborate with the adjacent residential neighbors on said Landscape Plan to provide sufficient landscaping against the uses on the subject site.

F. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. 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 (or MoDOT), for sight distance considerations prior to installation or construction.
3. Temporary signs, portable signs and roof signs are prohibited.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. Lighting for the site, with the exception of security lighting, shall be turned off by 10:00 PM, seven (7) days a week.

H. ARCHITECTURAL

1. The developer shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

I. ACCESS/ACCESS MANAGEMENT

1. Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance No. 2103 and as may be amended from time to time.
2. Access to this "PC" Planned Commercial development shall be provided via the cross access established on the adjacent parcel to the east. The nearest edge of the entrance may not be spaced closer than 100 feet from the right of way line for Olive Boulevard. Any existing entrances that do not meet this requirement must be removed and/or closed off from use as directed by the Department of Planning and Public Works.

3. Remove the first raised island off of Olive Boulevard when entering the subject site then re-stripe for separate left, right and through lanes. In addition, provide additional green space, if possible in the area where cross access is to be removed as directed in #2 above.
4. Ingress and egress must conform to the Missouri Department of Transportation (MoDOT) Access Management Guidelines and must be reviewed and approved by MoDOT. Any changes to the entrance geometrics and drainage design shall be in accordance with MoDOT standards and shall be reviewed and approved by MoDOT.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Olive Boulevard frontage of the site as directed. The sidewalk may be located within State right of way, if permitted by MoDOT, or within a six (6) foot wide sidewalk, maintenance and utility easement.
2. Obtain approvals from the Department of Planning and Public Works and MoDOT for areas of new dedication and roadway improvements.
3. Any work within MoDOT's right of way will require a MoDOT permit.

K. POWER OF REVIEW

The City Council shall review and provide final approval of the Site Development Plan for the proposed development subsequent to Planning Commission review.

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 channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
3. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right of way.

4. All drainage detention storage facilities shall be placed outside of the setbacks set in this ordinance, or fifteen (15) feet from the new or existing right of way, whichever is greater.

M. SANITARY SEWER

1. Formal plan submittal and approval will be required by the Metropolitan St. Louis Sewer District. Formal plan approval is subject to the requirements of detailed review.
2. Encroachments over public sewers should be avoided; relocation of the sewers and/or vacation of the easements may be required.

N. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning and 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.

O. MISCELLANEOUS

1. All utilities will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.

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 additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include, but not be limited 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. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.

11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 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, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. 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.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. 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.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. RECORDING

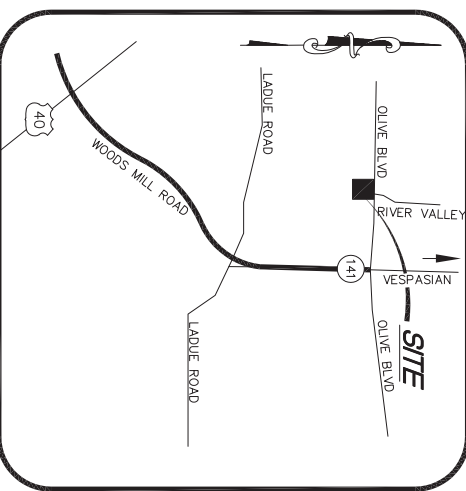
Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VI. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan 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.

FOUR SEASONS PLAZA WEST PRELIMINARY PLAN

13700 OLIVE BOULEVARD
CHESTERFIELD, MISSOURI 63017
A TRACT OF LAND BEING LOT 3 OF FOUR SEASONS, PLAT 6, BOOK 171, PAGE 17 AND IN U.S. SURVEY 207, TOWNSHIP 46 NORTH, RANGE 5 EAST

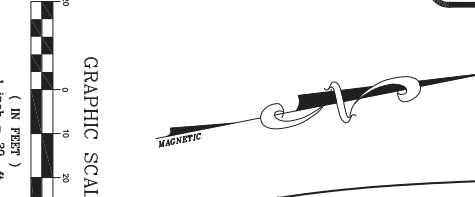


LOCATION MAP
(NOT TO SCALE)
WUNNENBURGS: AA-17
LOCATOR NO.: 16OZ30280
ADDRESS: 13700 OLIVE BLVD.
CHESTERFIELD, MO 63017

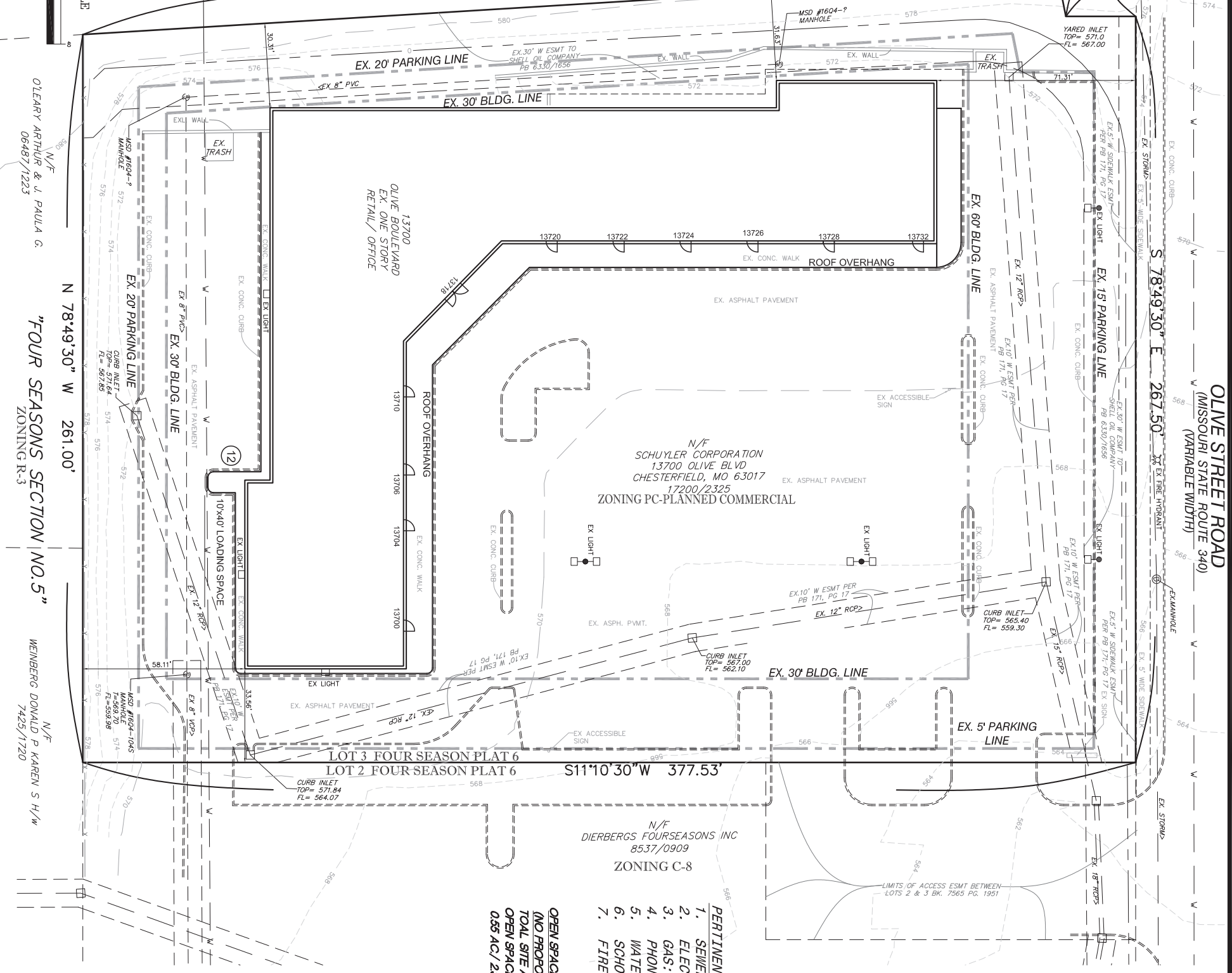
TOTAL AREA OF TRACT: 2.35 ACRES
PRESENT ZONING: PC-PLANNED COMMERCIAL
COMMERCIAL DISTRICT

LEGAL DESCRIPTION
A TRACT OF LAND BEING LOT 3 OF FOUR SEASONS, PLAT 6, BOOK 171, PAGE 17, FURTHER DESCRIBED AS FOLLOWS, R.S.E., ST. LOUIS COUNTY, MISSOURI, AND BEGNNING AT A POINT ON THE SOUTH LINE OF OLIVE STREET ROAD AS WHENED BY RECORD MAP #2918900145H, BEING MORE PARTICULARLY AS FOLLOWS:
BEGNNING AT A POINT ON THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO MISSOURI FOUR SEASONS, INC. BY DEED RECORDED IN BOOK 4848, PAGES 122, 123, 124 AND 125, THE POINT OF BEGINNING BEING THE POINT OF BEGINNING OF SAID TRACT, THENCE SOUTH 78 DEGREES 49 MINUTES 30 SECONDS EAST A DISTANCE OF 287.50 FT. TO A POINT, THENCE SOUTH 11 DEGREES 10 MINUTES 30 SECONDS WEST A DISTANCE OF 250.00 FT. TO A POINT, THENCE NORTH 11 DEGREES 10 MINUTES 30 SECONDS WEST A DISTANCE OF 250.00 FT. TO A POINT, THENCE NORTH 88 DEGREES 51 MINUTES 54 SECONDS EAST A DISTANCE OF 132.11 FT. TO A POINT, THENCE SOUTH 88 DEGREES 51 MINUTES 54 SECONDS WEST A DISTANCE OF 132.11 FT. TO A POINT, THENCE NORTH 88 DEGREES 51 MINUTES 54 SECONDS EAST A DISTANCE OF 132.11 FT. TO A POINT, THENCE SOUTH 88 DEGREES 51 MINUTES 54 SECONDS WEST A DISTANCE OF 132.11 FT. TO A POINT, THENCE NORTH 88 DEGREES 51 MINUTES 54 SECONDS EAST A DISTANCE OF 132.11 FT. TO A POINT, THENCE SOUTH 88 DEGREES 51 MINUTES 54 SECONDS WEST A DISTANCE OF 132.11 FT. TO THE POINT OF BEGINNING AND CONTAINING 2.35 ACRES.

OWNER/PREPARED FOR:
PHIL HENDRICKS
SCHUYLER CORPORATION
900 S. HIGHWAY DRIVE
FENTON, MISSOURI 63026
(636) 326-9303



ZONING R-2
N/F
O'LEARY ARTHUR & J. PAULA G.
06487/1223
N 07°40'10" E 350.19'



**FOUR SEASONS PLAZA WEST
PRELIMINARY PLAN**

SITE INFORMATION:
AREA OF TRACT: 102,366 SF OR 2.35 AC.
EXISTING USE: COMMERCIAL
EXISTING ZONING: PC-PLANNED COMMERCIAL

- PERTINENT INFORMATION:**
1. SEWER DISTRICT: M.S.D. AMERLENE
 2. ELECTRIC: LACLEDE GAS
 3. GAS: SOUTHWESTERN BELL
 4. PHONE: MISSOURI-AMERICAN WATER
 5. WATER: PARKWAY
 6. SCHOOL DISTRICT: MONARCH FIRE PROTECTION DISTRICT
 7. FIRE DISTRICT:

**OPEN SPACE CALCULATION:
(NO PROPOSED CHANGE)
TOTAL SITE AREA- 2.35 AC.
OPEN SPACE- 0.55 AC.
0.55 AC / 2.35 AC. = 23%**

**FLOOR AREA RATIO CALCULATION:
(NO PROPOSED CHANGE)
BUILDING- 22,888 SF OR 0.48 AC.
0.48 AC / 2.35 AC. = 21%
MAXIMUM 24%**

FLOODMAP
FEMA MAP #2918900145H, EFFECTIVE DATE AUGUST 2, 1985 SUBJECT PROPERTY NOT WITHIN ANY FLOOD ZONES
SLOPED BENCHMARK #82888, ELEV. 559.33
*ON THE SOUTHWEST CORNER OF A FIRE STATION SIGNAL CONTROL BOX OF CHESTERFIELD FIRE DEPARTMENT STATION #4 AND ADMINISTRATIVE OFFICES 13725 OLIVE BLVD., 0.1 MILES WEST OF RIVER VALLEY DRIVE.

- GENERAL NOTES:**
1. THE SITE IS LOCATED AT APPROXIMATELY 1500 FEET WEST OF THE INTERSECTION OF OLIVE STREET AND HIGHWAY 141.
 2. NO STEP AT ACCESSIBLE ENTRANCE DOORS THROUGHOUT SITE.
 3. SIDEWALKS ALONG THE ACCESSIBLE ROUTE SHALL NOT HAVE A SLOPE EXCEEDING 1:20. SLOPES GREATER THAN 1:20 MUST BE DESIGNED AS A RAMP.
 4. NO FLOOD PLAN ON SITE PER FEMA MAP #2918900145 H
 5. PLANS SHOWN FROM AVAILABLE RECORDS. SITE SUBJECT TO TOPOGGRAPHICAL SURVEY.

BASE MAP 16-Q4



**FOUR SEASONS PLAZA WEST
PRELIMINARY PLAN
13700 OLIVE BOULEVARD
CHESTERFIELD, MISSOURI 63017**

Seal

Engineered By:
DOERING ENGINEERING Inc.
CIVIL ENGINEERING • PLANNING • SURVEYING

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Facsimile: (314) 487-2379
E-Mail: mdoering@doeringeng.com

Revised	Comment

Date: 10/20/10	Drawn: MDO/10/17
Checked: MDO/10/20	Sheet: 1
Scale: 1"=20'	