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Planning Commission Issues and Vote Report

Meeting Date: January 13, 2020

From: Chris Dietz, Planner

- Location: Northwest of the intersection of Chesterfield Airport Road and Spirit of St. Louis Boulevard.
- Petition: P.Z. 09-2019 18301 & 18357 Chesterfield Airport Rd. (Nasrallah Global RE Services): A request for a zoning map amendment from a "M3" Planned Industrial District to a "PC" Planned Commercial District for a 15.9-acre area of land comprised of two (2) parcels at 18301 and 18357 Chesterfield Airport Road, located northwest of the intersection of Chesterfield Airport Road and Spirit of St. Louis Boulevard. (17V430035 and 17W620301).

SUMMARY

Nasrallah Global RE Services has submitted a request for a zoning map amendment from a "M3" Planned Industrial District to a "PC" Planned Commercial District. The request includes two parcels totaling 15.9 acres of land located northwest of the intersection of Chesterfield Airport Rd. and Spirit of St. Louis Blvd.



Figure 1: Aerial of Subject Site

The Preliminary Plan depicts multiple buildings and the submitted narrative indicates the project is to be developed in phases. An historic barn is also located on the property and identified on the Preliminary Plan as "To Remain". Access to the development includes a north-south connector road spanning the development with proposed curbs cuts on Chesterfield Airport Rd on the south end of the site as well as to the future Olive Street Road extension, once built. There are also cross-access easements to adjacent properties east and west of this development.

The right-of-way of the future Olive Street Road extension runs along the northern boundary of 18357 Chesterfield Airport Rd. and partially through 18301 Chesterfield Airport Rd. before bisecting the parcel to the east and connecting to Spirit of St. Louis Boulevard. Ultimately, the portions of this roadway located on this property will be required to be installed or guaranteed when the property is developed.

Because of this right-of-way isolating 18301 Chesterfield Airport Rd. from the rest of this development, this northern portion will not have access and will remain undeveloped. In lieu of development, the undeveloped land on 18301 Chesterfield Airport Road, shown on the Preliminary Plan as Lot 7, will be allocated to, and offset, the open space and floor area ratio (F.A.R.) requirements of the other nine (9) lots located on what is currently 18357 Chesterfield Airport Road.

During the Public Hearing held on November 13, 2019, two persons spoke in regard to the historic barn, giving context to its history and significance. At the conclusion of Staff's presentation, Planning Commission identified three (3) issues that required further investigation by staff.

ISSUES

Below is a brief summary of those issues, as well as a summary response by the applicant:

1. <u>Access</u>: Concern was raised over the amount of proposed access connections into the development, specifically onto arterial roadways (Chesterfield Airport Road and Olive Street Road Extension). Furthermore, clarification was needed of how the cross-access easement within this development connects to the private road in the development to the west, as a property not part of this petition lies between them.

Applicant's Response: After receipt of the Issues Letter, the applicant has stated that both arterial road access points are needed for this development. Even with the portion of the Olive Street Road extension shown on the Preliminary Plan, it would not grant access to any currently constructed roadway. As of now, the only the portion of the road that has been constructed is located on the Chesterfield Ice and Sports complex development, with no other part of the road adjacent to this development planned to be constructed at this time. As such, Chesterfield Airport Road would be the only viable access point to or from the property and is currently the main arterial road that provides access for commercial and industrial properties in the western portion of Chesterfield. The access point connecting to Olive Street Road will eventually divide the traffic flow in and out of the development, alleviating congestion by utilizing two arterial access points instead of one. Both access points shall comply with the City's Access Management Standards established in the Unified Development Code.

The draft "Attachment A" attached to this report specifies that a Traffic Study shall be provided prior to the approval of any development. Specifically, this Traffic Study shall include an evaluation of safety and operations of each arterial access point's intersection. In the event that the study shows unsafe or poor operating conditions, modifications to access, including the

removal of such proposed access location(s) shall be implemented. Furthermore, it limits the development to no more than one (1) access point along either arterial road.

Regarding the cross-access to the west, the adjacent property to the west is under separate ownership and is not a part of this development. As such, the cross-access easement to the west has been provided on the Preliminary Plan to align with that of the adjacent development, based on the Site Development Concept Plan that was approved with the Valley Village Subdivision. The Attachment A dictates that cross-access to adjacent developments shall be as directed by City of Chesterfield and St. Louis County Department of Transportation.

2. *Historic Structure:* Questions were raised regarding the future of the historic brick barn found on the property.

<u>Applicant's Response</u>: The submitted Preliminary Plan shows the historic barn to remain. The applicant has stated that the barn is an asset to the property and thus intends to keep it in place. While there have been several ideas and suggestions as to what the historic structure may become, its uses may be any of those listed under the Permitted Uses section of the Attachment A. Staff has also added language for these provisions under the "Miscellaneous" section of the Attachment A.

3. <u>Parking Along Chesterfield Airport Road</u>: Concern was raised by members of the Planning Commission regarding limiting the parking along Chesterfield Airport Road, as stipulated in the Chesterfield Valley Design Requirements.

Applicant's Response: The applicant has responded to this concern by stating that the parking areas shown on this plan are only to demonstrate the proposed amount of parking needed, not necessarily their specific layout and locations. Specific requirements for Chesterfield Valley Design Standards shall be followed for each individual lot once Site Development Plans are submitted. Parking and loading spaces for this development shall be as required in the City of Chesterfield Code. Staff has added this language in the Attachment A as well.

SITE HISTORY

The properties were blanket zoned "M3" Planned Industrial District in 1965 by St. Louis County with no site-specific ordinance for this area with agricultural land use being the primary use for this site.

The site also includes a brick barn on 18357 Chesterfield Airport Road which is inventoried as Structures of Historic Interest to the Chesterfield Historic and Landmark Preservation Committee. Both structures are called out on the plan, with the barn to remain.

SURROUNDING LAND USE AND ZONING

The land use and zoning for the properties surrounding this parcel are as follows:

- <u>North</u>: "PC" Planned Commercial undeveloped land, as well as undeveloped "M3" Planned Industrial District, outdoor recreation use, zoned "C8" Planned Commercial and "PS" Park and Scenic District beyond Interstate 64.
- South: Properties includes an art studio and car rental facility—both zoned "M3" Planned Industrial District.
- East: Property is undeveloped and zoned "PC" Planned Commercial District.
- <u>West</u>: Property is undeveloped with a hotel beyond it—both zoned "C8" Planned Industrial District.

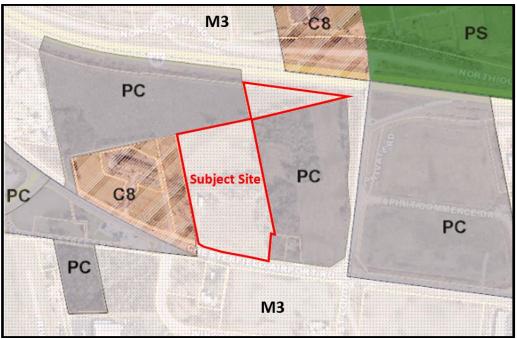


Figure 2: Zoning Map

COMPREHENSIVE PLAN

The City of Chesterfield Comprehensive Plan Land Use Map delineates this property as Mixed Commercial Use, which cites appropriate uses in this designation as retail and office and is consistent with surrounding land use in the area. The subject site is located within the Chesterfield Valley Master Plan area, and if this zoning request were to be approved, any future Site Development Plans would be required to adhere to all applicable Chesterfield Valley Design Policies.



Figure 3: Future Land Use Plan

PRELIMINARY PLAN

A zoning map amendment to a planned zoning district, such as this proposed "PC" Planned Commercial District, requires a Preliminary Development Plan, which has been included in the Planning Commission's packet. Some elements of the proposal include, but are not limited to:

- Ten (10) lots within this district, with one (1) lot to remain undeveloped.
- A portion of right-of-way for the future Olive Street Road extension that runs through the northern section of this district.
- A privately owned and maintained north-south road that connects both Olive Street Road and Chesterfield Airport Road to this development.
- Location of the historic barn, identified as to remain in place.
- Cross-access easements to adjacent developments to the east and west of this district.
- Stormwater management provisions in accordance with City requirements for Chesterfield Valley; and
- Landscape buffers along Chesterfield Airport Road and the future Olive Street Road Extension.

REQUEST

Should Planning Commission provide a vote in favor of the request for a zoning map amendment to establish a new "PC" Planned Commercial District, staff has provided a draft Attachment A, the Applicant's Issues Response Letter, Applicant's Narrative Statement, and the Preliminary Plan for this petition attached in this packet.

This petition has met all filing requirements and procedures of the City of Chesterfield. Staff recommends action from Planning Commission on the change of zoning request and proposed conditions in the Attachment A.

Attachments:

- 1. Applicant's Issues Response Letter
- 2. Applicant's Narrative Statement
- 3. Draft "Attachment A"
- 4. Preliminary Plan



December 19, 2019

Mr. Chris Dietz Planner City of Chesterfield 690 Chesterfield Pkwy W Chesterfield, MO 63017 Ph: 636-537-4000 Email: <u>cdietz@chesterfield.mo.com</u>



RE: 18357 & 18301 Chesterfield Airport Road Change of Zoning Submittal Cochran Project # M18-7572

Dear Mr. Dietz:

We are in receipt of your recent correspondence dated December 5, 2019, regarding review of the above referenced project and provide the following replies to your comments:

- 1. Access:
 - Concern was raised over the amount of proposed access connections into the development specifically onto arterial roadways (Chesterfield Airport Road and Olive Street Road). Address how this issue is to be alleviated or elaborate on the necessity of these access points.

The access point proposed to attach to Chesterfield Airport Road shall conform to all St. Louis County Department of Transportation requirements. Access management requirements of the City of Chesterfield including spacing and sizing shall also be met. Access to Chesterfield Airport Road shall be required for this property because there are currently no streets or roads to the West, East, or North for the project property to gain access. Both of the adjacent properties to the West and East are private property not owned by the project properties owner, but do have cross access ingress/egress easements for connection once the properties develop. The proposed New Olive Road to the North, even with the proposed improvements shown on the current submitted plan, does not grant access to any currently constructed roadway. Beyond the portions of Olive Street Road shown on the currently submitted plans to the East will be a connection to Spirit of St. Louis Blvd. and to the West a connection to the portion of New Olive Road the ice rink built, but neither connections have been made, nor are they planned at this point and both are contained on private property not owned by the project property owner. Chesterfield Airport Road is the only currently viable access point to provide access to or from the project property and is currently the main arterial providing access for commercial and industrial properties in this Western portion of Chesterfield. Beyond the portions shown on these plans

8 East Main Street Wentzville, MO 63385 Phone: 636-332-4574 Fax: 636-327-0760 737 Rudder Road Fenton, MO 63026 Phone: 314-842-4033 Fax: 314-842-5957 530A East Independence Drive Union, MO 63084 Phone: 636-584-0540 Fax: 636-584-0512 534 Maple Valley Drive Farmington, MO 63640 Phone: 573-315-4810 Fax: 573-315-4811 767 North 20th Street Ozark, MO 65721 Phone: 417-595-4108 Fax: 417-595-4109 905 Executive Drive Osage Beach, MO 65065 Phone: 573-525-0299 Fax: 573-525-0298 and the portions built by the ice rink Olive Street Road has no capability to carry traffic due to its lack of connections to arterial roadways like Chesterfield Airport Road and Spirit of St. Louis Blvd. Until Olive Street Road is constructed and connected to Spirit of St. Louis Blvd. and Chesterfield Airport Road itself has no ability to ease traffic flow volumes from Chesterfield Airport Road. Initial traffic flow to and from the project property will be done through the connection at Chesterfield Airport Road and is shown to connect to the future Olive Street Road in the hopes of dividing the traffic flows entering and leaving the project property through the use of two connection points to arterials instead of one. Breaking up the traffic flows in this way should ease the amount of entering and leaving traffic at the Chesterfield Airport Road access location.

b. Identify on the plan how the western cross access will connect to the private road, utilizing the Concept Plan for that adjacent development.

Cross access to the adjacent property to the West is shown via ingress/egress easement which lines up with an existing cross access easement on the Western property shown on the plat bk 349, pg. 57. The adjacent property to the West is private property and is not owned by the project property owner. Any future improvements to the adjacent property, including building and connecting roadways to connect to the project property, are at the discretion of the owner. Per the previously mentioned approved plan of the adjacent property to the West we have shown cross access on the project property to accommodate future access to the private road. Any future access to the private road to the West will be considered secondary to any access connections to Chesterfield Airport Road and Olive Street Road and is not intended to carry a major percentage of the traffic flow to or from the project site but rather act as an internal connection point between commercial developments.

- Historic Structures: Concerns were raised about the future plans of the historic barn on the site. Elaborate on the intended plans for this structure.
 The currently submitted plans show the historic barn to remain. Our client feels the barn is an asset to the development and would like it to remain. The particular lot which contains the barn has already had interest shown due to the barn's presence. There have been many ideas pitched for the proposed use of the barn, including but not limited to, wine bar, microbrewery, and general commercial. The final proposed uses for the property.
- 3. Parking: Chesterfield Valley Design Requirements state that parking for developments shall be located primarily to the side or rear of each building façade facing Chesterfield Airport Road, North Outer 40 and Interstate 64 so as to not be seen from the road. Revise the plan to reflect this requirement for all lots for which this issue applies.

The currently shown layout of parking on each lot was intended to show the appropriate amount of parking could be placed on each lot. The parking and building layout shall be site and client specific, which means the layout shown on the plans will almost certainly be different than the proposed layout for each lot at the time of developmental submittals. Comment Reply Letter Chesterfield Airport Road Chesterfield, MO

Parking for all lots in this future development shall meet all applicable City of Chesterfield City Code, including parking requirements.

Please let us know if you have any questions or require additional information.

Sincerely,

Steven Randall II, P.E. Project Manager **Cochran**



18301 & 18357 Chesterfield Airport Road

Narrative Statement

The properties located at 18301 & 18357 Chesterfield Airport Road have a total site area of 15.94. 18357 measures approximately 600 ft. wide and 970 ft. deep for a site area of 13.35 acres is proposed to be developed. 18301 is a triangular parcel with a site area of 2.59 acres. The property currently is undeveloped and is partially wooded with agricultural fields.

The development will remove portions of the wooded area according to City requirements and construct approximately 71,026 SF of mixed use commercial type development. The project will be developed using the following types of uses:

- 1. Church and other places of worship
- 2. Community Center
- 3. Art Gallery
- 4. Art Studio
- 5. Auditorium
- 6. Banquet Facility
- 7. Recreation Facility
- 8. Office-dental
- 9. Office-general
- 10. Office-medical
- 11. Bakery
- 12. Coffee Shop
- 13. Grocery-community
- 14. Grocery-neighborhood
- 15. Restaurant sit down
- 16. Restaurant Fast Food, no drive thru
- 17. Restaurant Take Out
- 18. Retail Sales Establishment Community
- 19. Retail Sales Establishment Neighborhood
- 20. Animal Grooming Service
- 21. Barber or Beauty Shop
- 22. Check Cashing Facility
- 23. Drug Store and Pharmacy
- 24. Dry Cleaning Establishment
- 25. Financial Institution, No Drive Thru
- 26. Hotel and Motel
- 27. Hotel and Motel-Extended Stay
- 28. Laundromat
- 29. Theatre, Indoor
- 30. College/University
- 31. Specialized Private School
- 32. Vocational School

All outdoor sales/storage will be prohibited in this zoning district.

This development will happen in phases in the coming years. Upon rezoning the property will be marketed and developed according to the users drawn to the site.

The project consists of a total of 15.2 acres and contain multiple users and multiple buildings.

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:

- 1. Thirty (30) feet from the southern boundary of this district.
- 2. Thirty (30) feet from the northern boundary of this district
- 3. Ten (10) feet from the eastern boundary of this district
- 4. Ten (10) feet from the western boundary of this district
- 5. Ten (10) feet from the interior lot boundary lines within this district.

Parking Setbacks:

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

- 1. Thirty (30) feet from the southern boundary of this district
- 2. Thirty (30) feet from the northern boundary of this district
- 3. Ten (10) feet from the eastern boundary of this district
- 4. Ten (10) feet from the western boundary of this district
- 5. Zero (0) feet from the interior lot boundary lines within this district

The retail/office/restaurant buildings shall all be single story construction only. A hotel or motel building shall be allowed to be multiple stories with a maximum of 120 rooms. The maximum height of any building within the district shall be 45 ft. or as required by Spirit of St. Louis Airport restrictions. The maximum size of any building, excluding a hotel, shall be roughly 70,000 sf. The site FAR is set at 0.46.

There will be adequate easements established as part of the development to allow for utilities and for cross access between the lots and to future development north of the property.

The development of each lot shall provide adequate parking according to the City's requirements based on the proposed use. The parking stalls and drive aisles shall be sized according to the City's minimum standards with stalls being 9 ft. wide and 19 ft. long with drive aisles being a minimum of 22 ft. wide. Each lot shall also provide the number of loading spaces required by the City's ordinances.

The lighting shall be positioned to provide zero intensity at the lot line. In order to obtain this it may be necessary to provide shielding on the lights in some areas. Street lights, approved by the City and electric provider, are to be provided along public right of way frontage.

Existing trees shall be preserved according to City requirements. The new development shall be landscaped to meet the City's landscape requirements. The development shall include a 30 ft. landscape buffer along Chesterfield Airport Road and Spirit of St. Louis Boulevard.

Public art areas shall be provided for within the development. Their final locations and specific details, such as placement, type, etc. shall be approved by the City of Chesterfield.

Business hours shall be 6 a.m. to 11 p.m. with possible expansion of hours during the holiday season. If an expansion of hours is desired the business itself, not the developer or property owner, shall apply for a special activities permit thru the City of Chesterfield. The application must be made to the City a minimum of seven (7) business days in advance of the holiday.

Olive Boulevard is to be extended as part of this project per St. Louis County Department of Transportation. The extension thru this site shall be maintained by the property owner until such time as the connection to Chesterfield Airport Road is complete.

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" District shall be:
 - a. Animal Grooming Service
 - b. Art Gallery
 - c. Art Studio
 - d. Auditorium
 - e. Bakery
 - f. Banquet Facility
 - g. Barber or Beauty Shop
 - h. Check Cashing Facility
 - i. Church and other places of worship
 - j. Coffee Shop
 - k. College/University
 - 1. Community Center
 - m. Drug Store and Pharmacy
 - n. Dry Cleaning Establishment
 - o. Financial Institution, No Drive Thru
 - p. Grocery Community
 - q. Grocery Neighborhood
 - r. Hotel and Motel
 - s. Hotel and Motel Extended Stay
 - t. Laundromat
 - u. Office-Dental
 - v. Office-General

- w. Office-Medical
- x. Recreation Facility
- y. Restaurant Fast Food, no drive thru
- z. Restaurant Sit down
- aa. Restaurant Take Out
- bb. Retail Sales Establishment Community
- cc. Retail Sales Establishment Neighborhood
- dd. Specialized Private School
- ee. Theatre, Indoor
- ff. Vocational School
- 2. All outdoor storage and / or outdoor sales activity shall be prohibited within this development.
- 3. Hours of Operation.
 - a. Uses "m", "p", "q", "bb" and "cc" listed above are considered retail uses and retail sales, with respect to those uses, will be subject to hours of operation from 6:00 AM to 11:00 PM. Hours of operation for said uses 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 City of Chesterfield at least seven (7) business days in advance of said holiday.
 - b. All deliveries and trash pick-ups shall be limited to the hours from 7:00 AM to 11:00 PM.
- 4. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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

- 1. Floor Area
 - a. A maximum F.A.R. of 0.35 is required for the entirety of this subdivision. Each lot within this development shall have a maximum F.A.R. of 0.42.

- b. A minimum of thirty-five percent (35%) open space is required for the entirety of this subdivision. Each lot within this development shall maintain a minimum open space of twenty-four percent (24%).
- 2. Height
 - a. The maximum height of buildings, excluding parapets and rooftop equipment, shall not exceed forty-five (45) feet.
- 3. Building Requirements
 - a. Any lot located on the north side of Olive Street Road shall remain undeveloped.
 - b. Uses "r" and "s" above shall be restricted to a maximum of 120 rooms.

C. SETBACKS

1. Structure Setbacks

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

- a. Seventy-five (75) feet from the right-of-way along Chesterfield Airport Road on the southern boundary of this district.
- b. Thirty (30) feet from the right-of way along Olive Street Road on the northern boundary of this district.
- c. Ten (10) feet from the eastern boundary of this district.
- d. Ten (10) feet from the western boundary of this district.
- e. Thirty (30) feet from the centerline of the north-south connector road within this development.
- f. Thirty (30) feet from the centerline of the western cross access road.
- g. Ten (10) feet from all other internal boundary lines within this 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. Seventy-five (75) feet from the right-of-way along Chesterfield Airport Road on the southern boundary of this district.
- b. Thirty (30) feet from the right-of-way along Olive Street Road on northern boundary of this district.
- c. Ten (10) feet from the eastern boundary of this district.
- d. Ten (10) feet from the western boundary of this district.
- e. Zero (0) feet from all other internal boundary lines within this district.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development shall be as required in the City of Chesterfield Code.
- 2. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.
- 3. No parking shall be permitted on any street within this development.
- 4. Parking lots shall not be used as streets.
- 5. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

E. LANDSCAPE AND TREE REQUIREMENTS

1. All development within this subdivision shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Unified Development Code.

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 be 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.

G. LIGHT REQUIREMENTS

- 1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
- 2. Street lights shall be provided along Chesterfield Airport Road and Olive Street Road as directed by City of Chesterfield and Saint Louis County.
- 3. Street lights shall be required along the north-south connector road within this development.

H. ARCHITECTURAL

- 1. The development 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. Access to this development from Chesterfield Airport Road shall be limited to one (1) commercial entrance, located as directed by City of Chesterfield and Saint Louis County Department of Transportation. The entrance shall be built to Saint Louis County Standards, as directed by the Saint Louis County Department of Transportation and shall be located to provide adequate sight distance, as directed by the Saint Louis County Department of Transportation. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.

- 2. Access to this development from Olive Street Road shall be limited to one (1) commercial entrance, located as directed by City of Chesterfield and Saint Louis County Department of Transportation and City of Chesterfield. The entrance shall be built to Saint Louis County Standards, as directed by the Saint Louis County Department of Transportation and shall be located to provide adequate sight distance, as directed by the Saint Louis County Department of Transportation. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.
- 3. Access locations described in 1. and 2. above shall be subject to the results of a required traffic study in sub-section K. below.
- 4. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other offsite improvements may be required to provide the required sight distance as required by the City of Chesterfield and the agency in control of the right of way off which the access is proposed.
- 5. Provide cross access easements to adjacent developments as directed by City of Chesterfield and Saint Louis County Department of Transportation.
- 6. Provide a cross access easement between this site and the adjacent property at 18335 Chesterfield Airport Road, as directed by City of Chesterfield and Saint Louis County Departments of Planning and Transportation.
- 7. All proposed improvements shall be coordinated with the St. Louis County Roadway Project No. AR-170, as directed by the St. Louis County Department of Transportation.

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 City of Chesterfield, St. Louis County Department of Highways and Traffic, and Missouri Department of Transportation. 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. Olive Street Road shall be extended throughout the property as directed by City of Chesterfield and Saint Louis County Department of Transportation. The typical section of the roadway to be constructed or escrowed, as directed by City of Chesterfield and Saint Louis County Department of Transportation and the City of Chesterfield, shall closely follow the Saint Louis County Standard Drawing C203.68. The rightof-way dedication and any easements required for future traffic control installation shall reflect the potential for a five (5) lane roadway expansion per Saint Louis County Standard Drawing C203.66.
- 4. Provide a five (5) foot wide sidewalk, conforming to ADA standards, throughout the property, along Chesterfield Airport Road and Olive Street Road. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within right-of-way controlled by another agency, if permitted by that agency or on private property within a six (6) foot wide public sidewalk access easement.
- 5. Provide sidewalk, conforming to ADA standards, along internal roadways. The internal sidewalk shall also provide accessible pedestrian paths to proposed buildings.
- 6. Parking and drive aisles internal to this development as shown on the Preliminary Plan shall be private.
- 7. Provide street connections to the adjoining properties as directed by City of Chesterfield and Saint Louis County Department of Transportation. Stub street signage, in conformance with Article 04-09 of the Unified Development Code of the City of Chesterfield, shall be posted within 30 days of the street pavement being placed.

- 8. Obtain approvals from the City of Chesterfield and Saint Louis County Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
- 9. Additional right-of-way and road improvements shall be provided, as required by City of Chesterfield and Saint Louis County Department of Transportation.
- 10. Construct ten (10) foot full depth shoulder along the frontage on Chesterfield Airport Road, as directed by the Saint Louis County Department of Transportation. Dedicate right-of-way on Chesterfield Airport Road to incorporate the shoulder pavement, as directed by the Saint Louis County Department of Transportation.
- 11. Construct a two-hundred (200) foot right turn deceleration lane with four (4) foot, full depth shoulders at the commercial entrance on Chesterfield Airport Road, as directed by the Saint Louis County Department of Transportation.
- 12. Road improvements and right-of-way dedication shall be completed prior to issuance of occupancy permits. If development phasing is anticipated, the developer shall complete road improvements, right-ofway dedication, and access requirements for each phase of development as directed by Saint Louis County Department of Transportation and City of Chesterfield. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- 13. Prior to Special Use Permit issuance by the Saint Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the Saint Louis County Department of Transportation to guarantee completion of the required roadway improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

- 2. Provide a study evaluation of safety and operations of the proposed development, specifically including access points from Chesterfield Airport Road and Olive Street Road. In the event that the study shows unsafe or poor operating conditions, modifications to access, including the removal of such proposed access location(s), shall be implemented.
- 3. Provide a sight distance evaluation report, as required by City of Chesterfield and Saint Louis County Department of Transportation for the proposed entrance onto Chesterfield Airport Road as well as the proposed entrance onto the proposed Olive Street Road extension. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than seventy-two (72) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

- 1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or 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 and the Metropolitan St. Louis Sewer District. The storm water

management facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty percent (60%) of the 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 all Site Development Plans.

- 3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
- 4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
- 5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.
- 6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
- 7. The developer shall be responsible for construction of required storm water improvements per the Chesterfield Valley Master Storm Water Plan, as applicable, and shall coordinate with the owners of the properties affected by construction of the required improvements. In the event that the ultimate required improvements cannot be constructed concurrently with this development, the developer shall provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed.
- 8. The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements per the Chesterfield Valley Master Storm Water Plan. Functional equivalence is said to be achieved when, as determined by the Public Works Director, the alternate proposal

provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Public Works Director determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

- 9. The developer shall provide all necessary Chesterfield Valley Storm Water Easements to accommodate future construction of the Chesterfield Valley Master Storm Water Plan improvements, and depict any and all Chesterfield Valley Master Storm Water Plan improvements on the Site Development Plan(s) and Improvement Plans. Maintenance of the required storm water improvements shall be the responsibility of the property owner unless otherwise noted.
- 10. All Chesterfield Valley Master Storm Water Plan improvements, as applicable, shall be operational prior to the paving of any driveways or parking areas unless otherwise approved.
- 11. Jurisdictional wetlands have been identified on this site. There are 0.21 acres of wetlands delineated on this site, which required a total of 0.45 acres of mitigation credit. Prior to approval of a grading permit or improvement plans, or issuance of a building permit, the developer needs to pay \$7,750.00 to the City of Chesterfield as the site's proportionate share of the cost of establishment of the mitigation area.
- 12. Formal MSD review, approval, and permits will be required.
- 13. This project is within the Caulks Creek Service Area and is subject to the Caulks Creek Surcharge.

- 14. Post-construction BMPs will be required for disturbed areas greater than or equal to one acre. Stormwater Management Facilities and site design strategies shall be applied such that the extents of the project's disturbed areas are treated.
- 15. Water quality BMPs shall be located on the lot served by the BMP or in common ground to be maintained by lots tributary to the BMP.
- 16. BMPs shall reasonably mimic pre-development runoff conditions by reducing runoff volume calculated predevelopment levels, to the maximum extent practicable.
- 17. Any volume-reducing BMPs located in the public right-of-way will need to be maintained by the developer, St. Louis County, the City of Chesterfield, or other third party.
- 18. Maintenance agreements will be required for all BMPs.

N. SANITARY SEWER

- 1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
- 2. Sanitary flow estimates must be provided. These shall include the estimated average daily flow and peak flow rates. These estimates are needed to determine the sanitary requirements for the site. Sanitary improvements, including pump station upgrades, may be required based on the flow rates provided.
- 3. Public sewers must be extended to serve each lot.
- 4. No direct connections will be allowed to the force main along Chesterfield Airport Road. Sanitary flows from this development need to discharge into the gravity system upstream of Valley Village (p-820) Pump Station.
- 5. Easements may be required to allow for future public sewer extensions to adjacent tracts.

O. GEOTECHNICAL REPORT

1. Prior to Site Development Plan approval, the developer shall provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of

Chesterfield. 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.

P. MISCELLANEOUS

- 1. All utilities shall be installed underground.
- 2. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and the maintenance of the United States Public Land Survey Corners, as necessary.
- 3. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
- 4. Public Art installations shall be required in the locations depicted on the Preliminary Site Plan attached hereto as "Attachment B".
- 5. The historic barn structure located within this development shall remain, and may be repurposed for any of the permitted uses listed herein.
- 6. An opportunity for recycling shall be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
- 7. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Study and Floodplain Development Permit/Application to the City of Chesterfield and the City of Wildwood for approval. The Floodplain Study must be approved by the City of Chesterfield prior to the approval of the Site Development Plan, as

directed. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development. Elevation Certificates will be required for any structures within the Special Flood Hazard Area or the Supplemental Protection Area. All new roads within and adjacent to this site shall be constructed at least one (1) foot above the base flood elevation of the Special Flood Hazard Area. Improvements to existing roadways shall be required as necessary to provide at least one access route to each lot that is at least one (1) foot above the base flood elevation. Consult Article 5 of the Unified Development Code for specific requirements.

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, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

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 City Council may extend the period to commence construction for two (2) additional years.

IV.GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN

- 1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
- 2. Include a Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
- 3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
- 4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
- 5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

B. 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 a 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, Metropolitan St. Louis Sewer District (MSD) 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.

C. 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 openspace 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, lot dimensions, lot area, and zoning of adjacent parcels where different than site.

- 11. Floodplain boundaries.
- 12. 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.
- 13. 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.
- 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, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Highways and Traffic, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
- 20. Compliance with Sky Exposure Plane.
- 21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

A. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<u>Type of Development</u>	Required Contribution
General Retail:	\$2,319.85/parking space
General Office:	\$773.24/parking space
High Turnover Sit Down Restaurant:	\$2,319.85/parking space
Fast Food Restaurant:	\$4,639.87/parking space

If types of development differ from those listed, rates shall be provided by the Saint Louis County Department of Transportation.

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Transportation and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- **B.** As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development shall be retained in the appropriate trust fund.
- **C.** Road Improvement Traffic Generation Assessment contributions shall be deposited with Saint Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to the issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

D. The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2020, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.

E. WATER MAIN

- 1. The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$933.02 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.
- 2. The primary water line contribution shall be deposited with the Saint Louis County Department of Transportation. The deposit shall be made before Saint Louis County approval of the Site Development Plan or Concept Plan unless otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, Saint Louis County.

F. STORM WATER

1. The storm water contribution is based on 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 storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Sewer District. The amount of the storm water contribution will be computed based on \$2,960.28 per acre for the total area as approved on the Site Development Plan.

G. SANITARY SEWER

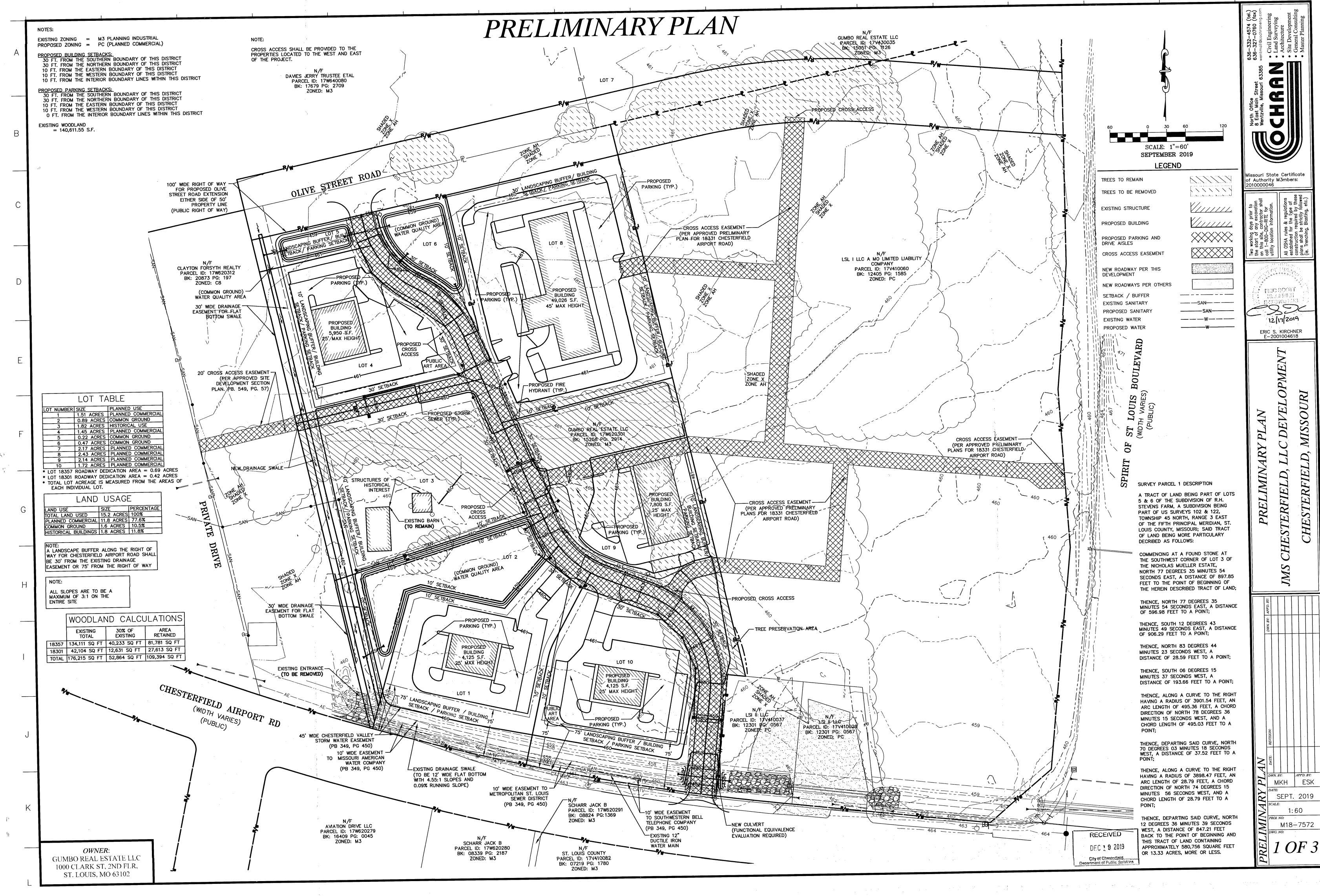
- 1. The sanitary sewer contribution is collected as the Caulks Creek impact fee.
- 2. The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan Saint Louis Sewer District as required by the District.

VI. RECORDING

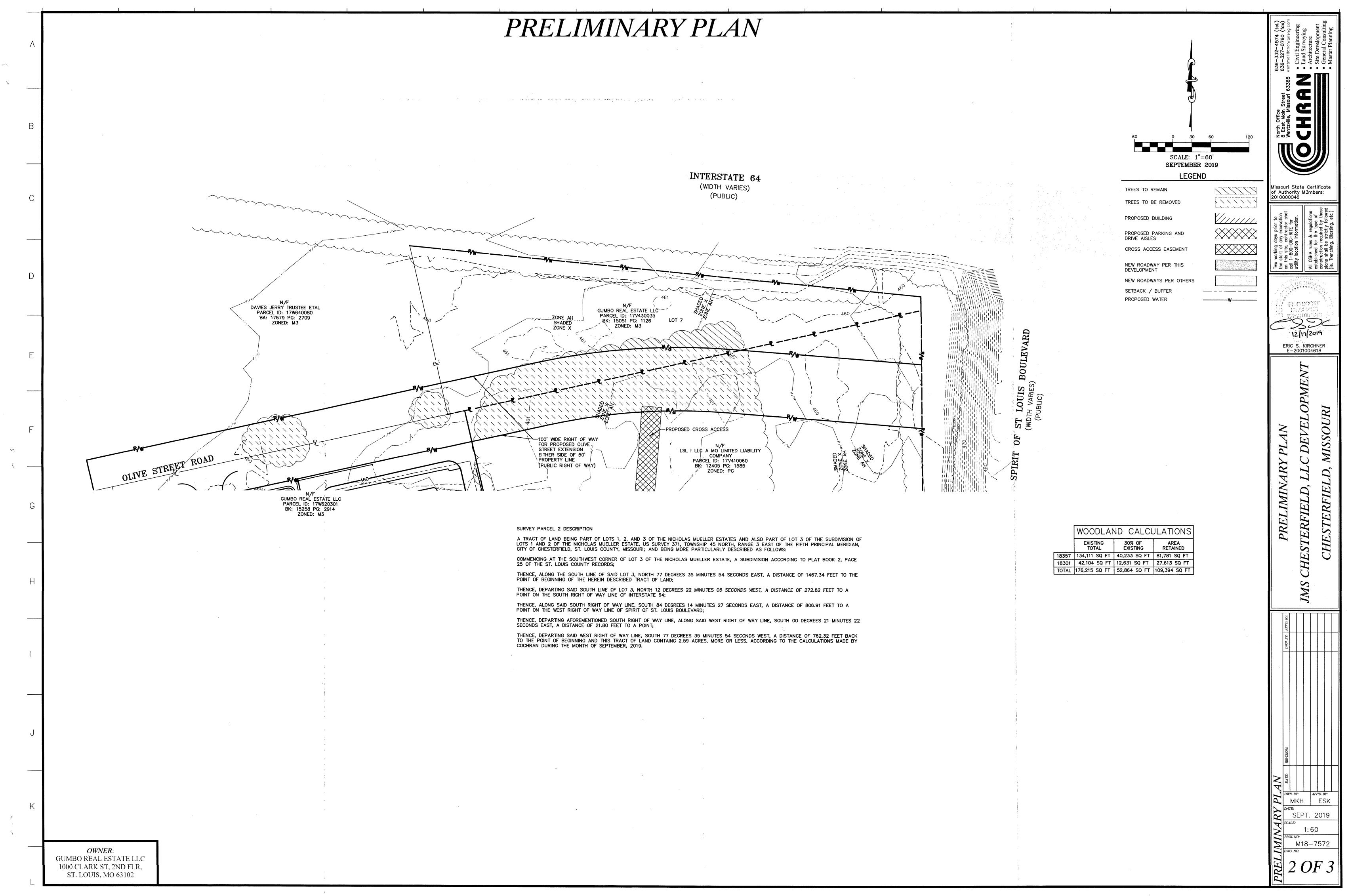
Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VII.ENFORCEMENT

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



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