

Memorandum

Planning & Development Services Division



To: Planning and Public Works Committee

From: Justin Wyse, Senior Planner

Date: February 18, 2016

RE: **P.Z. 13-2015 Chesterfield Valley Square (Burgundy Arrow, LLC):** A request for a zoning map amendment from a “PI” Planned Industrial District to a “PC” Planned Commercial District for a 6.07 acre tract of land located south of Chesterfield Airport Road west of Public Works Dr. (17U230320).

Summary

Burgundy Arrow, LLC, has submitted a request for a zoning map amendment from a “PI” Planned Industrial District to a “PC” Planned Commercial District for a 6.07 acre tract currently developed as a multi-tenant center. The request for the zoning change came after a business license for a hair salon was denied as the industrial district regulations do not permit the use.

A Public Hearing for this request was held at the January 11, 2016, City of Chesterfield Planning Commission meeting. Issues pertaining to use restrictions (auto sales and kennels restricted to indoor use only), open space, and hours of operation were raised. These items were discussed and additional information provided at the vote meeting held on February 8, 2016. This information is also included in the attached Vote Report and is reflected in the Attachment A. After this discussion, the Planning Commission recommended approval of a modification to the open space requirement to allow 33% in lieu of the 35% requirement by a vote of 8-0. The Commission recommended approval of the zoning map amendment with the modification by a vote of 8-0.

Attached to this report, please find a copy of Staff’s Planning Commission report and Preliminary Plan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin Wyse'.

Justin Wyse, AICP
Senior Planner

Attachments: Planning Commission Report
Preliminary Plan

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 offices for educational or religious institutions
 - b. Animal grooming service
 - c. Art gallery
 - d. Art studio
 - e. Auditorium
 - f. Automobile dealership, indoor only
 - g. Automotive retail supply
 - h. Bakery
 - i. Banquet facility
 - j. Bar
 - k. Barber or beauty shop
 - l. Brewpub
 - m. Broadcasting studio
 - n. Check cashing facility
 - o. Club
 - p. Coffee shop
 - q. Coffee shop, drive-thru
 - r. College/university
 - s. Commercial service facility
 - t. Community center
 - u. Day care center
 - v. Device for energy generation
 - w. Drug store and pharmacy

- x. Dry cleaning establishment
- y. Film drop-off and pick up stations
- z. Film processing plant
- aa. Financial Institution, no drive-thru
- bb. Grocery – Supercenter (over 25k)
- cc. Grocery-community (5-20k)
- dd. Grocery-neighborhood (less than 5000sf)
- ee. Gymnasium
- ff. Kennel, boarding – indoor only
- gg. Kindergarten or nursery school
- hh. Laundromat
- ii. Library
- jj. Museum
- kk. Newspaper stand
- ll. Office-dental
- mm. Office-general
- nn. Office-medical
- oo. Oil change facility
- pp. Postal stations
- qq. Professional and technical service facility
- rr. Public building facilities owned or leased by the City of Chesterfield
- ss. Public facilities over 60 ft. in height
- tt. Public safety facility
- uu. Reading room
- vv. Recreation facility
- ww. Research laboratory & facility
- xx. Restaurant-fast food
- yy. Restaurant-sit down
- zz. Restaurant-take out
- aaa. Retail sales establishment-community
- bbb. Retail sales establishment-neighborhood

- ccc. Retail sales establishment-regional
 - ddd. Specialized private school
 - eee. Tackle and bait shop
 - fff. Tattoo parlor/body piercing studio
 - ggg. Telecommunications structure
 - hhh. Telecommunications tower or facility
 - iii. Union halls and hiring halls
 - jjj. Veterinary clinic
 - kkk. Vocational school
2. The above uses in the PC Planned Commercial District shall be restricted as follows:
- a. All deliveries and trash pick-up shall be provided between the hours of 7:00 a.m. and 7:00 p.m.
 - b. No commercial vehicles shall remain on the premises with idling engines between the hours of 7:00 p.m. and 7:00 a.m.
3. Hours of Operation.
- a. Hours of operation for retail sales, excluding restaurants, will be as follows:
 - Normal Hours
 - 6 a.m. to 11 p.m., Sunday – Thursday
 - 6 a.m. to 12 midnight, Friday and Saturday
 - Seasonal Hours
 - (From day after Thanksgiving through December 23)
 - 6 a.m. to 12 midnight, Sunday – Thursday
 - 6 a.m. to 1 a.m., Friday and Saturday
 - b. The permitted hours of operation for retail establishments on 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.
4. The telecommunications tower use shall be restricted to the southwest corner of the property.

5. 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 of two buildings are permitted on the site and shall not exceed a total of 55,791 square feet.
- b. No building shall exceed 40,845 square feet.

2. Height

- a. The maximum height of the building, exclusive of roof screening, shall not exceed two (2) stories or thirty (30) feet, whichever is less.

3. Building Requirements

- a. A minimum of 33% openspace is required for each lot within this development.

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. Ninety-five (95) feet from the right-of-way of Chesterfield Airport Rd. on the northern boundary of the Planned Commercial (PC) District.
- b. Sixty-five (65) feet from the right-of-way of Public Works Dr. on the eastern boundary of the PC District.
- c. Thirty-two (32) feet from the western boundary of the PC District.
- d. Fifty (50) feet from the southern boundary of the PC 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. Thirty-five (35) feet from the right-of-way of Chesterfield Airport Rd. on the northern boundary of the Planned Commercial (PC) District.
- b. Twenty-five (25) feet from the right-of-way of Public Works Dr. on the eastern boundary of the PC District.

- c. Ten (10) feet from the western boundary of the PC District.
 - d. Thirty (30) feet from the southern boundary of the PC District.
3. Communications Tower
- e. The tower shall be setback from the south and west property lines 20 feet.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Parking lots shall not be used as streets.
3. 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.

E. LANDSCAPE AND TREE REQUIREMENTS

The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield 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 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, for sight distance considerations prior to installation or construction.
3. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.

G. LIGHT REQUIREMENTS

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

2. Provide for the installation, maintenance, operation, and all expenses related thereto for the street lighting along all public streets associated with this development, including Chesterfield Airport Road in perpetuity, as directed by the City of Chesterfield's Department of Public Services.

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.
3. All loading docks are to be screened by sound attenuating material.
4. No retail, storage or displays are permitted outside of the main building unless one side is attached to said building. Screening for the remaining three (3) sides shall be approved by the Planning Commission as part of the Site Development Plan.
5. Screening for outdoor storage shall be approved by the Planning Commission on the Site Development Plan and shall have the same sight-proof materials as approved on the Site Development Plan as Chesterfield Crossing and Valley Crossing.
6. Decorative wall sconces are prohibited on the sides of the building.

I. ACCESS/ACCESS MANAGEMENT

1. No direct access shall be permitted onto Chesterfield Airport Rd.
2. Access to the development shall be as shown on the attached plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
3. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site 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.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. 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 6 foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
2. Internal sidewalks/pedestrian paths shall be provided and shall connect to the sidewalk along Chesterfield Airport Road.
3. Additional right-of-way and road improvements shall be provided, as required by St. Louis County Department of Transportation and the City of Chesterfield.
4. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the agency in control of the right of way off of which the entrance is constructed. No gate installation will be permitted on public right of way.
5. If a gate is installed on a street in a development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or St. Louis County. 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 sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Public Works Dr. and Chesterfield. 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 St. Louis County.

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 twenty-four (24) 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 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 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(s).
3. Storm water quality management shall be provided as required by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
4. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).
5. Storm water features shall be in compliance with the Chesterfield Valley Storm Water Master Plan.
6. The maintenance of the required storm water/ditch system shall be the responsibility of the property owner(s).
7. The developer shall be responsible for construction of any 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. Utility easements that cross over a Chesterfield Valley Master Storm Water Plan easements shall be subordinate to the Chesterfield Valley Storm Water easements.
11. 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.
12. The current FEMA Flood Insurance Rate Maps (FIRMs) should be utilized for application of the City's floodplain development requirements.
13. 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 (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.

N. SANITARY SEWER

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

O. 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 Public Services. 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.

R. 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 Code shall be required where applicable.

3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
4. 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 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 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. ROADS

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>	<u>Required Contribution</u>
General Retail	\$2,223.29/parking space
Loading Space	\$3,638.14/parking space

(Parking spaces as required by the City of Chesterfield Code.)

If types of development proposed 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.

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.

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.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2017 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.

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 \$894.19 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 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 unless otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, Saint Louis County.

C. STORM WATER

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 Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,837.06 per acre for the total area as approved on the Site Development Plan.

The storm water contributions to the Trust Fund shall be deposited with the 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. Funds shall be payable to Treasurer, Saint Louis County.

D. SANITARY SEWER

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

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

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

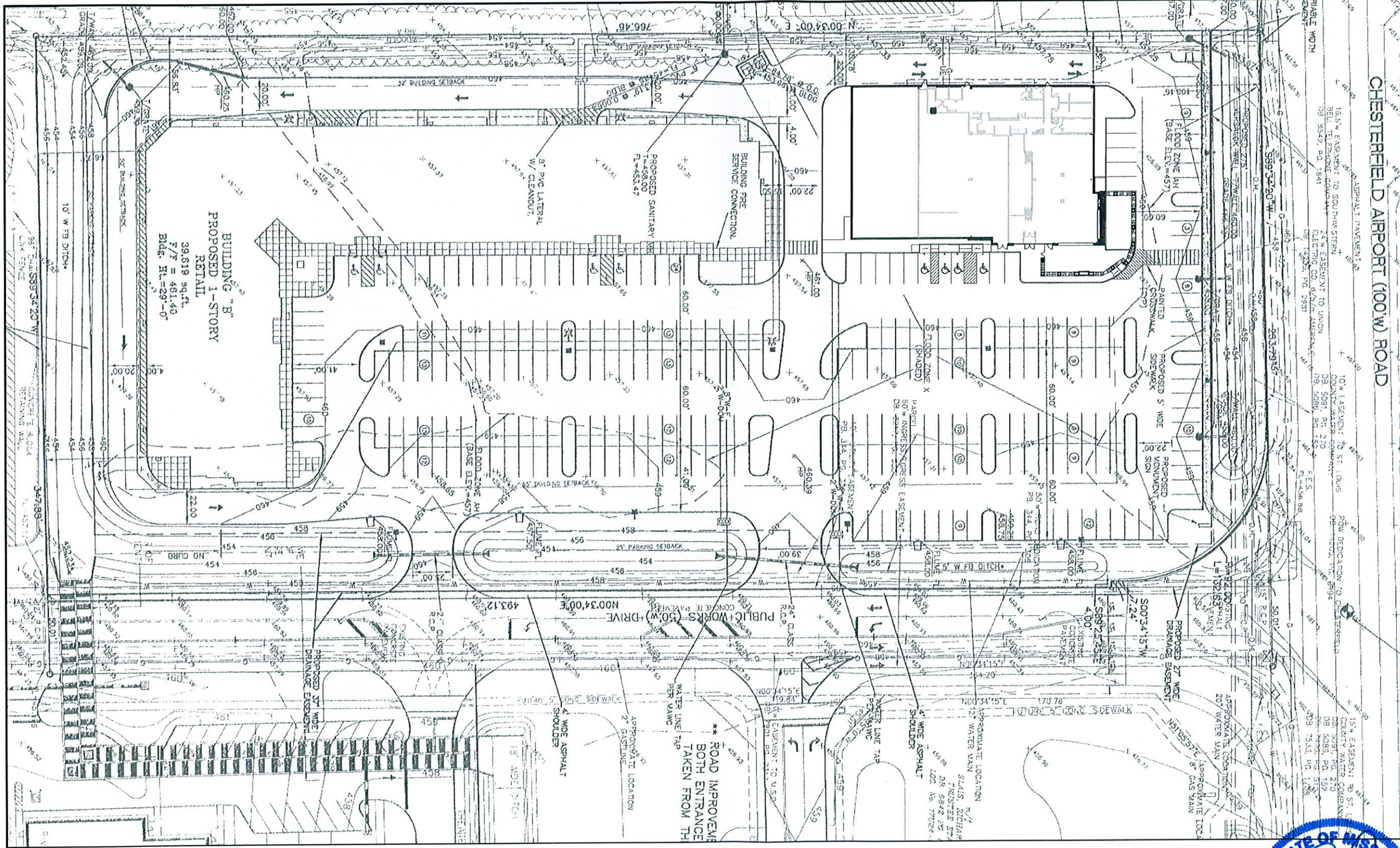
VI. RECORDING

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

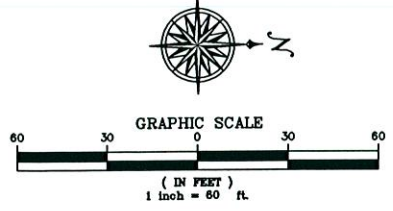
- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation 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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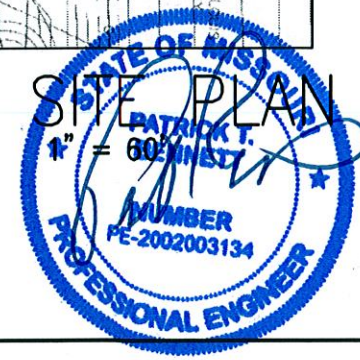


CHESTERFIELD AIRPORT (100W) ROAD

CITY OF CHESTERFIELD
 PLANNED DISTRICT ORDINANCE
 ATTACHMENT B



OVERALL SITE PLAN
 SCALE:



Job#: MOM-17623 Scale: 1" = 60' Date: 11-13-15 Drawn By: MAB Checked By: PTB		CORE STATES 50 Creewood Executive Center, Suite 500 Chesterfield, MO 63024 Phone: (314) 644-4320 Fax: (314) 643-4323	Description Rev. # Date
Burgundy Arrow, LLC 7211 Delmar Blvd. St. Louis, MO 63130 101 Chesterfield Valley Dr Chesterfield, MO 63005 Overall Site Plan			
C-1 2 OF 2			

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Planning Commission Vote Report

Subject: Change of Zoning Vote Report

Meeting Date: February 8th, 2016

From: Justin Wyse, Senior Planner

Location: South side of Chesterfield Airport Rd., west of Public Works Dr.

Petition: P.Z. 13-2015 Chesterfield Valley Square (Burgundy Arrow, LLC)

Proposal Summary

Burgundy Arrow LLC has submitted a request for a zoning map amendment to change the zoning designation from a “PI” Planned Industrial District to a “PC” Planned Commercial District. The change will permit commercial uses, which matches the commercial nature of the development. The site is currently fully developed and no physical changes to the site are proposed. A total of sixty-three (63) uses are requested from the larger list of potential uses made available to properties under the “PC” Planned Commercial zoning designation.

Site History

The subject site was first rezoned by the City of Chesterfield from an “M-3” Planned Industrial District to a “PI” Planned Industrial District via Ordinance 1745 in 2001. This ordinance was subsequently repealed and replaced by Ordinance 2059 in 2004 to reduce the required setbacks and decrease the maximum permitted overall square footage.

A Site Development Plan was approved by the Planning Commission in May of 2004 with the current development subsequently being built in 2006. The development is also currently regulated by a Sign Package approved in 2005 which is not being proposed to change at this time.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel shown in the aerial image in Figure 1 on the next page is as follows:

North: The properties to the north across Chesterfield Airport Road are located in the Chesterfield Commons Seven and River Crossing developments and contain various retail, office, and restaurant uses. These properties are currently zoned “PC” Planned Commercial.

South: The property to the south is the City of Chesterfield Maintenance Facility which is currently zoned “PI” Planned Industrial.

East: The properties to the east across Public Works Drive are located in the Chesterfield Commons Four development and contain various retail, office, and restaurant uses as well as a movie theater. These properties are currently zoned “PI” Planned Industrial.

West: The property to the west is in the Valley Center development and contains office uses. This property is currently zoned “C-8” Planned Commercial.



Figure 1: Aerial and Zoning Map

Comprehensive Plan Analysis

The subject site is located within the Mixed Use (Retail/Office/Warehouse) land use designation which is described in the Comprehensive Plan as containing retail, low density office and limited office/warehouse facilities. The proposed “PC” Planned Commercial designation as well as the uses submitted by the applicant are consistent with the Mixed Use (Retail/Office/Warehouse) land use designation. Due to the fact that the site is fully developed with no physical changes being proposed at this time, the various development related policies found in the Comprehensive Plan do not apply to this request.

Chapter 3 of the Comprehensive Plan contains Plan Policies for development located within the mixed use areas of the Chesterfield Valley. Additionally, this chapter includes Plan Policies on other development related criteria including transportation, utilities, parks and open space, and commercial design related items. The existing ordinance includes several regulations to ensure compliance with these policies of the plan. These regulations are included in the proposed Attachment ‘A’ accompanying this request to ensure future compliance with the plan. Requirements include regulations for outdoor storage, access, screening and more.

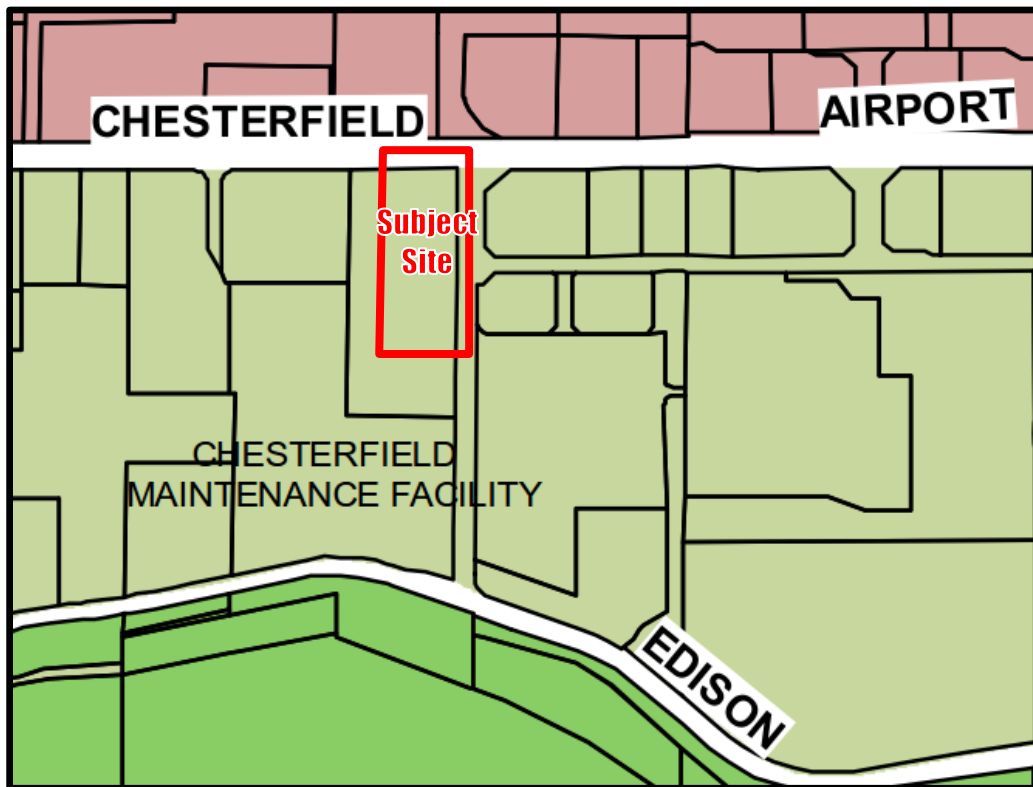


Figure 2: Land Use Map

- MIXED COMMERCIAL USE
- MIXED USE (RETAIL / OFFICE / WAREHOUSE)
- PARK / RECREATION

Staff Analysis and Issues

Several items were raised by Staff and the Planning Commission during the Public Hearing on the request for the change in zoning to a “PC” Planned Commercial District.

Hours of Operation

The proposal includes a change to a more retail focused zoning designation with permitted uses consistent with retail developments elsewhere within the Chesterfield Valley. As such, restrictions on the hours of operation for retail uses are necessary to ensure compatible regulations between retail developments. The proposed Attachment ‘A’ includes restrictions on retail operations. The proposed restrictions are consistent with the restrictions in the Chesterfield Commons West (primarily zoned “PC” Planned Commercial District) development located immediately east of the subject site. These restrictions are also consistent with other restrictions on retail hours of operation within the Chesterfield Valley.

The proposed language includes accommodation of retail sales on Thanksgiving and the day after (Black Friday). This is consistent with the allowances of other retail establishments within the Chesterfield Valley approved through City of Chesterfield Ordinance 2725 approved in 2012 for the same time period. A Special Use Permit is required for all businesses wishing to utilize the extended hours. As discussed at the Public Hearing, the restriction specifically excludes restaurants within the development.

The proposed regulations are:

Hours of Operation.

1. Hours of operation for retail sales, excluding restaurants, will be as follows:

Normal Hours

6 a.m. to 11 p.m., Sunday – Thursday

6 a.m. to 12 midnight, Friday and Saturday

Seasonal Hours

(From day after Thanksgiving through December 23)

6 a.m. to 12 midnight, Sunday – Thursday

6 a.m. to 1 a.m., Friday and Saturday

2. The permitted hours of operation for retail establishments 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.

The development also includes restrictions on the hours for deliveries and trash pick-up for the site. These restrictions remain in the proposed Attachment 'A' to ensure the site continues to operate as it currently does.

Restrictions include:

1. All deliveries and trash pick-up shall be provided between the hours of 7:00 a.m. and 7:00 p.m.
2. No commercial vehicles shall remain on the premises with idling engines between the hours of 7:00 p.m. and 7:00 a.m.

Use Restrictions

Staff recommended that two of the proposed uses for the proposed "PC" Planned Commercial District be restricted to indoor use only. These uses included *kennel*, *boarding* and *automobile dealership*. Restriction of these two uses would be consistent with the existing regulations for the development (automobile dealership) and would also be consistent with adjacent developments (kennel, boarding). The Attachment 'A' presented with this report includes these restrictions.

Open Space

The "PC" District regulations require a minimum of 35% open space for the development. Ordinance 2059, which currently governs the site, requires a minimum of 29% greenspace for the development and the site currently complies with this requirement. Existing development of the site includes 33% open space. Several developments in the area provide less than the 35% open space currently required. This is due to the change from green space to open space within the City's regulations and / or due to approval of lower percentages. Several nearby developments and their open space requirements are shown below.

- River Crossings – 28% open space
- Chesterfield Commons Seven – 30% open space
- Chesterfield Commons Four – 30% open space
- Chesterfield Commons Six – 30% green space

The proposal is consistent with the existing regulations as well as the surrounding area. Staff is supportive of the modification to the open space requirement. Additional language requiring the site to comply with the standard 35% requirement upon redevelopment is not necessary as redevelopment of the site would require an amendment to the Preliminary Plan through the ordinance amendment process as the Preliminary Plan is more detailed than required by ordinance.

Request

Staff has reviewed the request for a change in zoning from “PI” Planned Industrial District to “PC” Planned Commercial District for Chesterfield Valley Square (Burgundy Arrow) and has found that all of the requests are compliant with the City of Chesterfield Code. Staff has prepared an Attachment A reflecting this request for consideration by the Planning Commission. Staff requests action on P.Z. 13-2015 Chesterfield Valley Square (Burgundy Arrow).

Additionally, the proposal includes 33% open space. This modification of this standard from the 35% included in the “PC” District regulations requires a 2/3 vote by Planning Commission.

Respectfully submitted,



Justin Wyse
Senior Planner

Attachments

1. Attachment “A”
2. Preliminary Plan

cc: Aimee Nassif, Planning and Development Services Director