



Memorandum Planning & Development Services Division

To: Planning and Public Works Committee

From: Kevin Neill, Project Planner

Date: March 1, 2013

RE: **P.Z. 13-2012 U Gas, Inc. (17551 & 17555 Chesterfield Airport Road)**: A request for an amendment to City of Chesterfield Ordinance 2379 for modifications to permitted uses and development standards for a 2.31 acre tract of land located on Chesterfield Airport Road, approximately 100 feet east of Long Road (17U140263, 17U140203).

Summary

The Clayton Engineering Company, Inc., on behalf of U Gas, Inc., is requesting an amendment to the "PC" Planned Commercial District in order to add additional permitted uses and to modify setbacks for the 2.31 acre site. The Petitioner intends to develop a filling station and convenience store with pump stations, a car wash, and a fast food restaurant with a drive thru window, all of which would be operated by the Petitioner except for the fast food restaurant.

A Public Hearing was held on November 26, 2012. Discussion focused on the number of drive thru uses requested by the Petitioner and the proposed development's potential impact on Chesterfield Airport Road and the nearby intersection of Chesterfield Airport Road and Long Road. To address the drive thru issue, Staff developed a restriction in the Attachment A on the number of drive thru uses permitted on the site at any given time. With regard to traffic, Staff and St. Louis County Department of Highways and Traffic have incorporated specific roadway improvements in the Attachment A and will also require a traffic study at the time of Site Plan Review. This traffic study may require additional roadway improvements prior to the issuance of occupancy permits for the site.

On February 25, 2013, Planning Commission recommended approval of the above-referenced matter by a vote of 9-0.

Attached please find a copy of Staff's report, the Attachment A and the Preliminary Plan.

Respectfully submitted,

Kevin Neill, AICP
Project Planner

Cc: Aimee Nassif, Planning and Development Services Director



VIII. A.

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Planning Commission Vote Report

Subject: Zoning Amendment Vote Report

Meeting Date: February 25, 2013

From: Kevin Neill, AICP, Project Planner

Location: North side of Chesterfield Airport Road, roughly 100 feet east of Long Road (17U140263, 17U140203).

Petition: **P.Z. 13-2012 U Gas (17551 & 17555 Chesterfield Airport Road)**

Proposal Summary

The Clayton Engineering Company, Inc., on behalf of U Gas, Inc., is requesting an amendment to the “PC” Planned Commercial District in order to add additional permitted uses and to modify the setbacks for a 2.31 acre tract of land located on the north side of Chesterfield Airport Road, approximately 100 feet east of Long Road. The Petitioner intends to develop a filling station and convenience store with pump stations, a car wash, and a fast food restaurant with a drive thru window, all of which would be operated by the Petitioner except the fast food restaurant.

Department Input

The Attachment A for this request meets all of the development requirements of the City of Chesterfield “PC” Planned Commercial District. The “PC” Planned Commercial District is one of the City’s planned districts, and as such requires a preliminary plan to be submitted and approved with the planned district ordinance by City Council.

Site Area History

In the 1950s, the site was developed with multiple buildings and lumber sheds for the operation of a hardware store and lumber yard. In the 1960s, prior to the incorporation of the City of Chesterfield, the site was zoned to the “NU” Non-Urban District by St. Louis County. In 2007, the site was rezoned to “PC” Planned Commercial District in order to develop a self-storage facility with a retail component. A Site Development

Plan was approved for the development in 2007, but the development was never completed. The original structures remained until 2012, when the owner began demolition of the three (3) structures in order to return the site to a developable state.

Zoning Analysis

The subject site is currently zoned "PC" Planned Commercial District. The permitted uses on the site are fast food restaurant; sit down restaurant; and stores, shops, markets, service facilities, in which goods or services of any kind, including the sale of motor vehicles, are being offered for sale or hire to the general public on the premises. The uses are further restricted to exclude drive thru services and storage of hazardous, explosive, or flammable materials.

The request for an ordinance amendment will modify these uses and permit a filling station and convenience store with pumping stations, as well as a fast food restaurant with drive thru and other requested uses. These uses are consistent with those permitted in other planned commercial developments nearby, including the "C8" Planned Commercial District immediately south of the subject site. It is important to note that the "stores, shops, markets, service facilities..." use is no longer a permitted use in the "PC" Planned Commercial District and has been removed from the list of permitted uses in the Attachment A.

Surrounding Land Use and Zoning

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

North: The undeveloped property to the north is zoned "NU" Non-Urban District and "M3" Planned Industrial District. Three (3) acres of this site are reserved for a stormwater reservoir.

South: The property at the southeast corner of Chesterfield Airport Road and Long Road is zoned "C8" Planned Commercial District. Current uses are a BP gas station and a McDonald's fast food restaurant with drive thru. To the east of this property is the Vermeer Sales and Service site, zoned "PI" Planned Industrial District.

East: To the east of the subject site is the Highway Forty Park Development, which consists of retail and vehicle service and repair uses. This development is zoned "PC" Planned Commercial District.

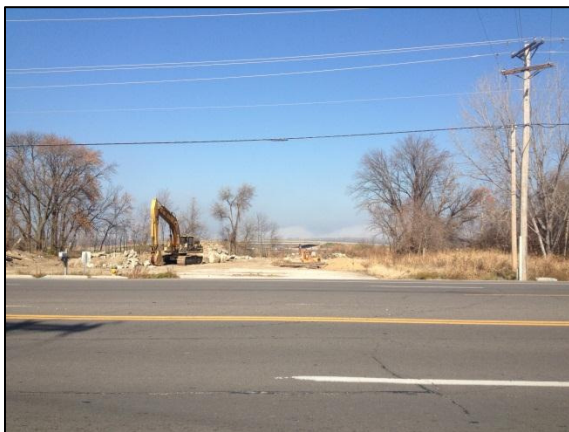
West: The property immediately west of the subject site is a half-acre parcel of undeveloped land zoned "NU" Non-Urban District. Further to the west, at the northeast corner of Chesterfield Airport Road and Long Road, is the Long Road Crossing Development. This development, zoned "PC" Planned Commercial District, currently includes a Walgreen's pharmacy, a retail building, and an automobile dealership.



View looking northwest at the southeastern portion of the site.



View looking west at the site's frontage along Chesterfield Airport Road.



View looking north at subject site across Chesterfield Airport Road.



View from subject site looking south across Chesterfield Airport Road.

Issues

A Public Hearing was held on November 26, 2012, and there were three (3) speakers on this matter in addition to the Petitioner. At that time several issues were raised. Below is a summary of the issues identified by Staff, Planning Commission, and the public that were not addressed at the Public Hearing. In addition, Staff's issues letter and the Petitioner's response are attached to this report for reference. Following the Public Hearing, Staff also received one (1) public comment letter. The letter is attached to this report as well.

Uses

The Petitioner is requesting additional uses that, while not part of the proposed development, will provide future development options if needed. One such use requested by the Petitioner, a check cashing facility, may have negative impacts on surrounding land uses if developed as a principal use on the site. Given that this use is not included as part of the Petitioner's development proposal, Staff recommends changing the "check cashing facility" use to an ancillary use rather than a permitted use. This change would prohibit the ancillary use from utilizing a separate entrance into the building, and as such limit the ancillary uses' visibility from and impact on surrounding properties and land uses. The Attachment A includes this modification as recommended by Staff.

Drive Thru Uses

There are five (5) uses being requested by the Petitioner that have a drive thru component: car wash; coffee shop, drive thru; dry cleaning establishment, drive thru; financial institution, drive thru; and restaurant, with drive thru window. Concern was raised that multiple drive thru uses on-site may negatively impact internal vehicular circulation. To address this issue, language has been included in the Attachment A to limit the drive thru uses on the site to one (1) drive thru car wash and one (1) additional drive thru use. In response to the issues letter, the Petitioner expressed their openness to such a restriction, stating that it is their intention that only one (1) car wash and one (1) additional drive thru use would be operating on the site at any given time.

Traffic and Access Management

There was a concern at the Public Hearing that the development of this site for the proposed uses would result in traffic issues at both the access point to the site, as well as the nearby intersection of Chesterfield Airport Road and Long Road. St. Louis County Department of Highways and Traffic and the City of Chesterfield have included requirements in the draft Attachment A to mitigate potential issues and ensure the safety and operational efficiency of the adjacent roadway and nearby intersection.

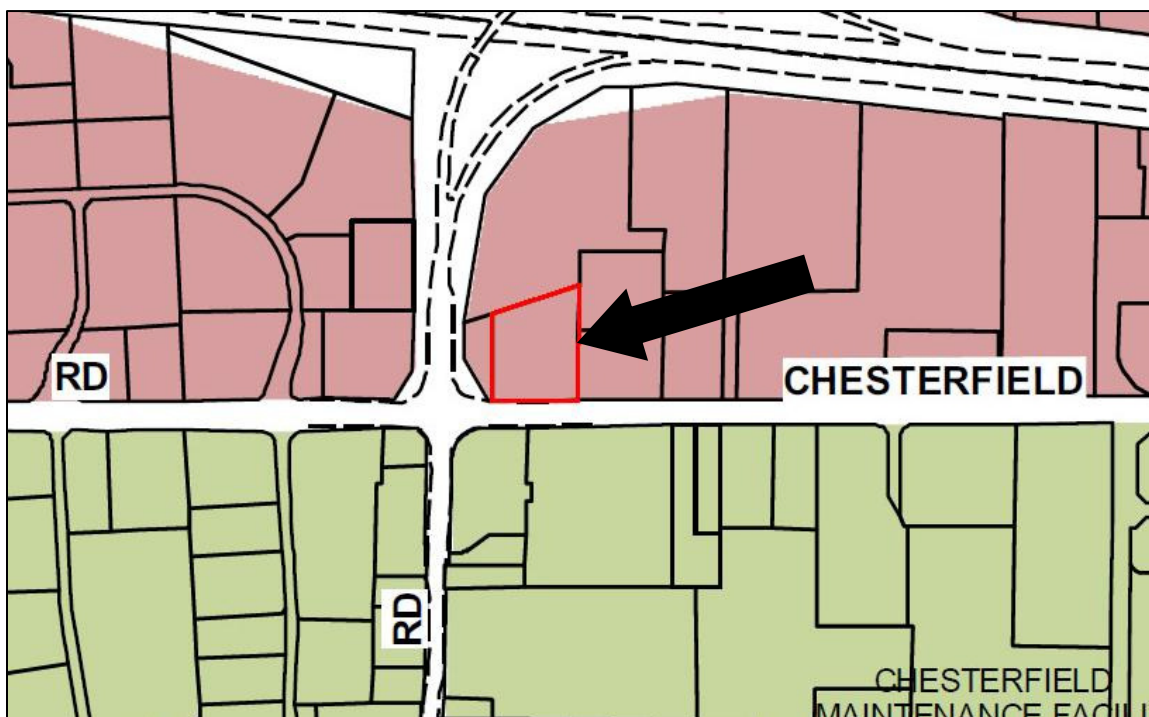
Access requirements will limit the development to a single entrance located as close to the east property line as practical. Said entrance will provide required sight distance and will be constructed as directed by St. Louis County Department of Highways and Traffic and the City of Chesterfield. The property owner will also be required to provide

cross access easements to adjacent properties to the east and west, as directed by the City of Chesterfield.

The developer will be required to provide public roadway improvements as directed by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. These improvements include a right turn deceleration lane for westbound traffic entering the subject site, as well as a five foot wide sidewalk along the Chesterfield Airport Road frontage of the site. In addition, the City of Chesterfield will require the developer to submit a traffic study at the time of Site Plan Review, which may mandate additional improvements.

Comprehensive Plan Analysis

The City of Chesterfield Comprehensive Plan Land Use Map delineates this subject site within the Mixed Commercial Use designation, which encourages retail, low-density office, and warehouse facilities. The proposed ordinance amendment and requested uses are consistent with the Comprehensive Plan.



Request

Staff has reviewed the request for an ordinance amendment to the “PC” Planned Commercial District for 17551 & 17555 Chesterfield Airport Road. The Attachment A adheres to all applicable requirements of the City of Chesterfield. Staff is requesting action on P.Z. 13-2012 U Gas (17551 & 17555 Chesterfield Airport Road).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin Neill".

Kevin Neill, AICP
Project Planner

Attachments

1. Draft Attachment A
2. Issues letter to the Petitioner dated November 30, 2012
3. Issues response letter from the Petitioner dated January 11, 2013
4. Public Comment Letter received on November 29, 2012
5. Preliminary Plan
6. Tree Stand Delineation

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. Animal grooming service
 - b. Bakery
 - c. Barber or beauty shop
 - d. Car wash
 - e. Coffee shop, drive thru
 - f. Commercial service facility
 - g. Dry cleaning establishment, drive thru
 - h. Filling station and convenience store with gas pump station
 - i. Financial institution, drive thru
 - j. Grocery, neighborhood
 - k. Office, dental
 - l. Office, general
 - m. Office, medical
 - n. Professional and technical service facility
 - o. Restaurant, fast food
 - p. Restaurant, outdoor customer dining area
 - q. Restaurant, with drive thru window

- r. Retail sales establishment, community
 - s. Retail sales establishment, neighborhood
2. The above uses in the "PC" District shall be restricted as follows:
 - a. The number of drive thru facilities permitted in the "PC" Planned Commercial District at any given time shall be limited to one (1) car wash and one (1) additional drive thru use.
 3. Hours of Operation.
 - a. Hours of operation for this "PC" District shall not be restricted.
 4. Ancillary uses for the above referenced permitted uses shall include check cashing facility.

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

1. Height
 - a. The maximum height of the building, exclusive of roof screening, shall not exceed forty-two (42) feet.
2. Building Requirements
 - a. A minimum of thirty-five percent (35%) openspace is required for this development.
 - b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. Structure Setbacks

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

 - a. Sixty (60) feet from the right-of-way of Chesterfield Airport Road on the southern boundary of the "PC" District.
 - b. Twenty (20) feet from the northern boundary of the "PC" District.
 - c. Twenty (20) feet from the eastern boundary of the "PC" District.
 - d. Seventy-five (75) feet from the western 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 (30) feet from the right-of-way of Chesterfield Airport Road on the southern boundary of the "PC" District.
- b. Ten (10) feet from the northern boundary of the "PC" District.
- c. Zero (0) feet from the eastern and western boundaries of the "PC" District.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

The developer 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. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage 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.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Chesterfield Airport Road shall be via one (1) commercial entrance. The entrance shall be as close to the east property line as practical, shall provide required sight distance, and shall be constructed to Saint Louis County standards as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
2. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Obtain approvals from the City of Chesterfield, the St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation for areas of new dedication, and roadway improvements.
2. Provide additional right-of-way and construct any improvements to Chesterfield Airport Road, as required by the St. Louis County Department of Highways and Traffic, and the City of Chesterfield.
3. 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 Highways and Traffic.

4. Provide a twelve (12) foot wide right turn deceleration lane on Chesterfield Airport Road with four (4) foot shoulders with required tapers and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.
5. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site.
6. In the event that a modification of the existing median island on Chesterfield Airport Road is required to be extended, the developer shall be responsible for all costs associated with the extension of the median and related improvements required to facilitate the median extension as directed by the City of Chesterfield, St. Louis County, and/or Missouri Department of Transportation.
7. 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 Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. 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 sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Chesterfield Airport Road. 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 St. Louis County Department of Highways and Traffic.

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 AND SANITARY SEWER

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. All storm water runoff from the site shall drain to the proposed reservoir located immediately north of the site.
4. If any lot is proposed to be located in an existing or proposed Special Flood Hazard Area, the lot shall be clearly labeled as being located in the floodplain on the Site Development Plan and improvement plans. If any development in, or alteration of, the floodplain is proposed, the developer shall obtain a Floodplain Development Permit from the City of Chesterfield. The developer must demonstrate that the proposed work will have no adverse impact on other properties in Chesterfield Valley. 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 issuance of an occupancy permit and final release of any escrow for improvements in the development.
5. The lowest Reference Level (floor) of any structure, as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation

- and a minimum of one (1) foot above the 100-year high water elevation as produced by the Chesterfield Valley Master Storm Water Plan model. The minimum elevation for the Reference Level for each lot shall be indicated on the Site Development Plan and improvement plans, and an Elevation Certificate, on the form developed by FEMA for that purpose, shall be submitted immediately after construction of each structure. Occupancy permits shall not be issued for structures for which an Elevation Certificate has not been submitted.
6. Provide development plans and reports for formal MSD review and approval. Provide public sewer service for the site, including sanitary force main, gravity lines and/or regional pump stations, in accordance with the MSD requirements.
 7. The downstream low pressure sewer system shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing sewer system.
 8. Stormwater should be controlled as required by the Chesterfield Valley Master Facility Plan.
 9. Stormwater quality management practices will be required, if land disturbance is greater than one (1) acre. For the purpose of establishing performance criteria, this project will be considered redevelopment. All stormwater practices shall meet MSD requirements.
 10. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2750.00 per acre.

N. GEOTECHNICAL REPORT

Provide a geotechnical report, prepared by a professional engineer licensed in the State of Missouri, as directed by the Department of Public Services prior to site disturbance including surcharge, clearing, grading, site utilities and infrastructure or building construction. The geotechnical report shall identify the suitability of soil and geologic conditions for proposed improvements and shall include methods to address any ponds, septic fields, sinkholes, wetlands, compressible soils, steep slopes, or liquefaction risk. A statement of report compliance signed and sealed by the engineer preparing the geotechnical report, shall be included on all Site Development Plans, grading plans, and improvement plans, as directed by the Department of Public Services.

R. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.
3. Utility companies will require compensation for relocation of their facilities with public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.
4. Provide utility easements to service adjacent properties as directed by the City of Chesterfield.

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

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

III. COMMENCEMENT OF CONSTRUCTION

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the Planning Commission may extend the period to commence construction for not more than one (1) additional year.

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, Metropolitan St. Louis Sewer District, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan St. Louis 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, Metropolitan St. Louis Sewer District, Spirit of St. Louis Airport, the Missouri Department of Transportation, and the St. Louis County Department of Highways and Traffic.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan St. Louis 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, Metropolitan St. Louis Sewer District, St. Louis Department of Highways and Traffic, and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan St. Louis Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). Traffic generation

assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

A. ROADS

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>
Convenience Store	\$12,238.42
General Retail	\$1,835.75
Loading Space	\$3,003.97

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

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

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 St. Louis County Department of Highways and Traffic. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

Any portion of the roadway improvement contribution that remains, following completion of road improvements required by the development, shall be retained in the appropriate Trust Fund. Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

As this development is located within a trust fund area, 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.

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 \$738.53 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 Highways and Traffic. The deposit shall be made before St. Louis County approval of the Site Development Plan unless otherwise directed by the Saint Louis County Department of Highways and Traffic. Funds shall be payable to the 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 \$2,342.53 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 Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the 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 St. 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.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2013 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 Highways and Traffic.

VI. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to Special Use Permit issuance by the Saint Louis County Department of Highways and Traffic, 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 Highways and Traffic to guarantee completion of the required roadway improvements.

VII. 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.

VIII. 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.



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

November 30, 2012

Mr. Steve Quigley
The Clayton Engineering Company, Inc.
11920 Westline Industrial Drive
St. Louis, MO 63146

RE: PZ 13-2012 U Gas, Inc. (17551 & 17555 Chesterfield Airport Road)

Mr. Quigley:

A Public Hearing was held for the project referenced above on November 26, 2012. At that time, several issues were discussed as they relate to your request for an ordinance amendment. Those issues, as well as those raised by Staff, are listed below.

1. Remove the following items from the Preliminary Plan:
 - a. Trash enclosure;
 - b. Gas pumps and canopy;
 - c. Parking curbs;
 - d. Building/use labels.
2. Add the following items to the Preliminary Plan:
 - a. Key plan;
 - b. Cross access to adjacent parcels to the east and west.
3. The building height as requested in the project narrative is listed as two (2) stories or 40 feet. The current building height requirement in Ordinance 2379 is 42 feet. Please clarify that the petitioner is requesting more restrictive building height requirements than currently required by Ordinance 2379.
4. The maximum building footprint requested by the petitioner in the project narrative is 15 percent of the development site. The current maximum building footprint as required by Ordinance 2379 is 32 percent. Please clarify that the petitioner is requesting more restrictive building footprint requirements than currently required by Ordinance 2379.
5. Concern was raised regarding the negative impacts of multiple drive thru uses on the site at any given time. Be advised that the site specific ordinance will limit the number of drive thru uses at any given time.

6. Submit a Tree Stand Delineation as required in the Tree Preservation and Landscape Requirements of the City of Chesterfield Code. These requirements can be accessed online via the following link:
<http://www.chesterfield.mo.us/webcontent/plnpwk/docs/treemanual.pdf>

The following conditions related to site specific issues shall be applied to the petition:

Floor Area, Height, Building and Parking Structure Requirements

1. A minimum of 35 percent open space is required for this development.

Access

2. Access to Chesterfield Airport Road shall be limited to one (1) drive entrance. The entrance shall be as close to the east property line as practical and adequate sight distance shall be provided, as directed by the City of Chesterfield and the St. Louis County Department of Highways and Traffic.
3. Access to this development from Chesterfield Airport Road shall be via one (1) bi-directional commercial entrance located to provide required sight distance and constructed to Saint Louis County standards as directed by the City of Chesterfield and the Saint Louis County Department of Highways and Traffic.
4. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.
5. In the event that a modification of the existing median island on Chesterfield Airport Road is required to be extended, the developer shall be responsible for all costs associated with the extension of the median and related improvements required to facilitate the median extension as directed by the City of Chesterfield, St. Louis County, and / or Missouri Department of Transportation.

Road Improvements

6. Provide a 12 foot wide right turn deceleration lane on Chesterfield Airport Road with seven (7) foot shoulders with required tapers, including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic and City of Chesterfield.
7. 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 Highways and Traffic.

Traffic Study

8. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. 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 as 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.

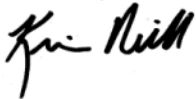
The petitioner should also be advised of the following advisory comments which may impact the project during the later stages of the development process.

- Be advised that, if the development of the site progresses as proposed, with a filling station and convenience store with pump stations, a car wash, and a fast food restaurant with drive- thru, a traffic study will be required during Site Development Plan review.
- Off-site grading is shown on the Preliminary Plan. Easements/agreements will need to be provided for this work.
- While Staff has requested that the trash enclosure be removed from the Preliminary Plan, it should be noted that the location of the trash enclosure is within the 30 foot side yard setback you are requesting with the petition.

A written response to issues # 1 - #6 listed at the beginning of this letter is required. These issues will be addressed in the Attachment 'A' presented to the Planning Commission for their consideration. This project will not be placed on the Planning Commission agenda for a vote meeting until after all items are addressed in writing and three (3) copies of both a revised Preliminary Plan and a Tree Stand Delineation are submitted. I will be available to meet at your convenience to discuss any of the issues, conditions or comments provided in this letter.

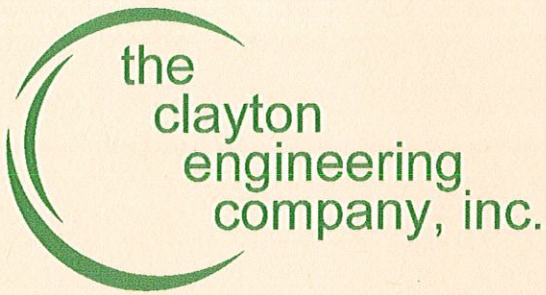
Please do not hesitate to contact me at 636-537-4741 if you have any questions.

Sincerely,



Kevin Neill, AICP
Project Planner

Cc: Bill Biermann
Craig Taylor
Aimee Nassif, Planning & Development Services Director
Kim Streicher, Civil Engineer
Project File



RECEIVED
City of Chesterfield

JAN 14 2013

Department of Public Services

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January 11, 2013

Mr. Kevin Neill
Project Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

DAVID A. COLVIN
President

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Vice President

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MUNICIPAL ENGINEERING
HIGHWAY ENGINEERING
SANITARY ENGINEERING
WATER RESOURCES

Subject: PZ 13-2012 U Gas, Inc. (17551 & 17555 Chesterfield Airport Road)

Dear Mr. Neill:

Please accept this letter as the written response to issues 1 through 6 listed in your letter dated November 30, 2012.

1. The trash enclosure, gas pumps, canopy, parking curbs and building labels have been removed from the Preliminary Plan.
2. The key map and cross access easement to the east and west have been added to the Preliminary Plan.
3. We request the 42' building height be retained.
4. We request the current maximum building footprint of 32% be retained.
5. It is the intent of the petitioner that only one drive thru use and the car wash would be operating on the site at any given time. A stipulation in the ordinance to that effect is acceptable to the petitioner.
6. The Tree Stand Delineation has been submitted for your review.

If you have any questions or need additional clarification please let me know.

Sincerely,

Steven W. Quigley
Vice President of Operations
The Clayton Engineering Company, Inc.



106 E. Washington
Cuba, MO 65453
573.885.2277
Fax 573.885.4760
www.wallisco.com

November 27, 2012

City of Chesterfield
Attn: Kevin Neill
690 Chesterfield Parkway West
Chesterfield, MO 63017

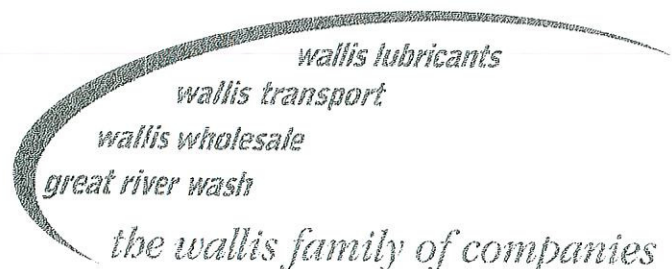


RE: P.Z. 13-2012

Dear Mr. Neill;

After listening to your presentation and questions and comments from the Planning Commission last night regarding the U-Gas project, I went over to the site to look at the proposed access. As you are aware, the BP/McDonalds has a curb cut on Airport Road that functions as a right in right out only due the presence of the median. I do not know if the median existed prior to the approval of the BP or if it was a requirement when it was approved, but never the less, it serves to prevent left turns into the site as well as left turns out. The U-gas parcel is offset some from the intersection but is proposing an unrestricted curb cut that would appear to allow full access to the site from Airport Road. While not a traffic engineer, I see three potential concerns with this;

1. There is a center turn lane that would provide a left turn into the site from Airport Road but the distance from the median to the proposed cut is approximately 100'. This distance would seem to require rapid deceleration from the left eastbound lane to get into the center turn lane to negotiate the left turn. More than one vehicle in the center turn lane queuing to make the left into the site would be problematic. Also problematic would be vehicles attempting to merge onto Airport from Long, and move over two lanes to access the proposed entrance.
2. Traffic exiting the site to eastbound Airport will be even more difficult. While the center turn lane provides some protection, it is often the case that when the signal at the intersection is green to eastbound Airport, the stacking in the left turn lane to Long Road overflows past the median and into the center turn lane. As the traffic increases in the Valley as projected by the two development plans for the outlet malls, this situation will only get worse.
3. Another concern with this movement is the offset existing curb cut on the south side of Airport Road. While not a high traffic use, the offset does present a conflict to left turning movements. The combination of the conflicting left turns, and the conflict that always exists with a center turn lane (left in and left outs) this close to the intersection will likely result in an increase in accidents.



P.Z. 13-2012

P 2

In order to address these concerns, I would think the City should restrict the proposed access to a right in right out only with a center "pork chop" to prevent left turns. The applicant will likely retain CBB and propose that the median be extended similar to how it exists on Long Road in front of the BP as an alternative. There is of course a significant difference in the left turn movements from westbound Airport as compared to northbound Long.

Thank you for your consideration of this matter.

Sincerely,



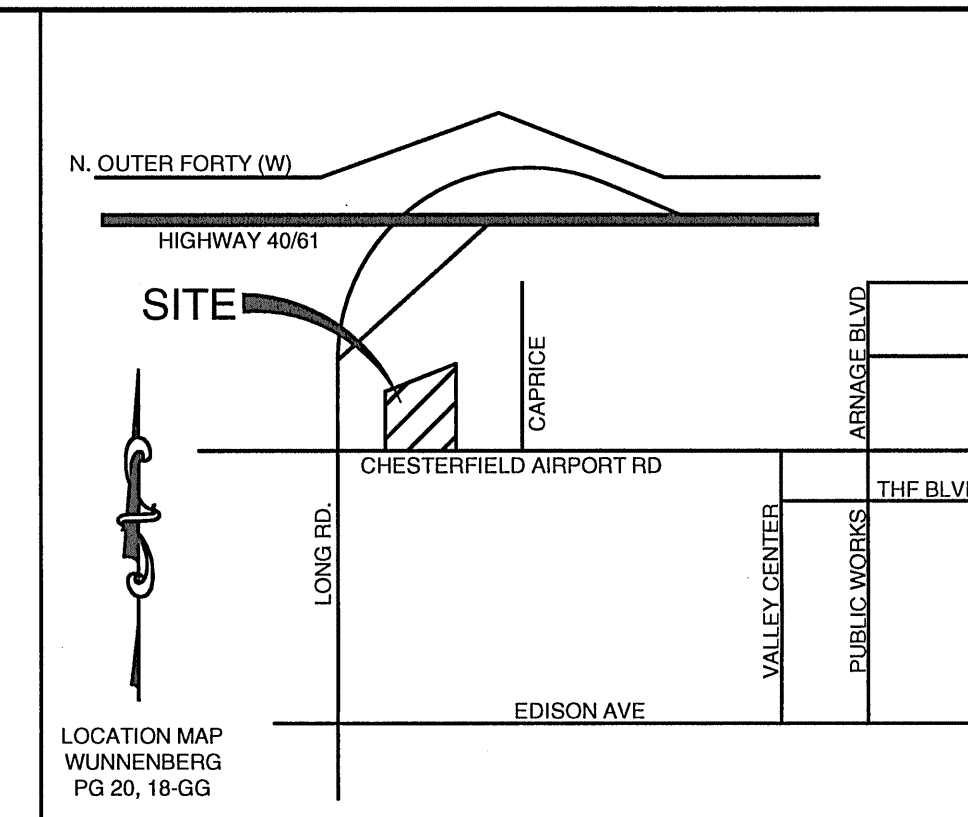
Mark Jordan

VP Facilities

Wallis Companies

U-GAS CHESTERFIELD PRELIMINARY DEVELOPMENT PLAN

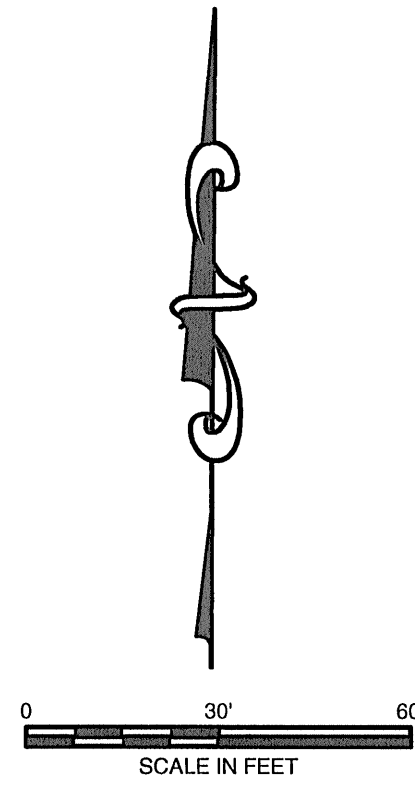
A TRACT OF LAND BEING
PART OF LOT 5 OF "FRAZIER ESTATES"
IN U.S. SURVEY 126, TOWNSHIP 45 NORTH, RANGE 4 EAST
IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



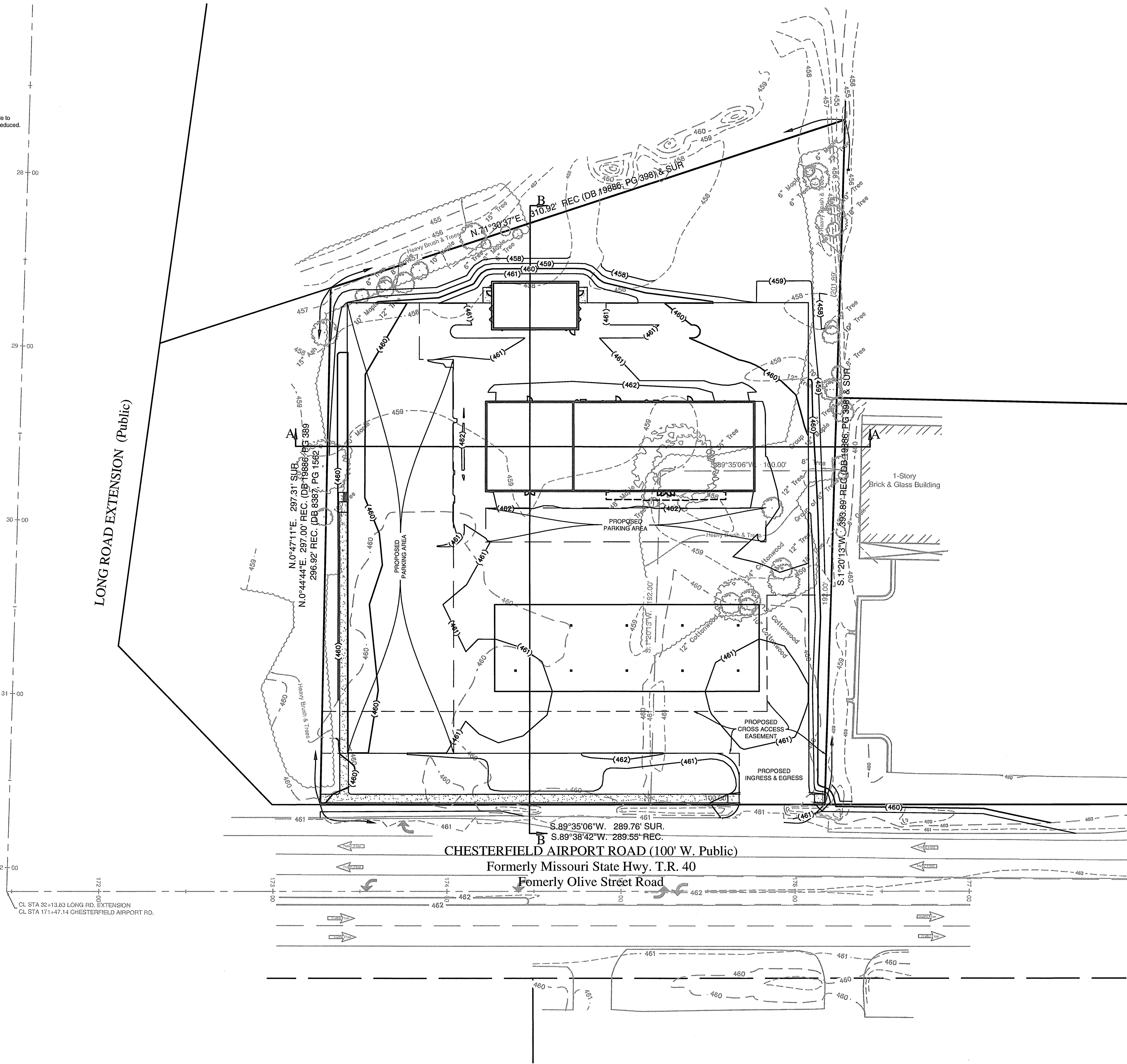
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Mo. Cert. of Authority: Prof. Engineering #000267 & Prof. Surveying #000714



scale 1"=30'
Note: Caution should be taken in comparing the written scale to the graphic scale to ascertain if this plan has been enlarged or reduced.



- SITE INFORMATION:**
1. Site address is: 17555 Chesterfield Airport Road, Chesterfield, Missouri 63005.
 2. Geometric design of driveway access, roadway improvements, and proposed cross access easement will be as directed by the City of Chesterfield, Saint Louis County Highways and Traffic, and MoDOT, and shall conform to City of Chesterfield Municipal Code Chapter 26 Article III.
 3. Preliminary Plan for provision of sanitation facilities includes a private low pressure grinder pump located near and discharging across Chesterfield Airport Road into the existing public pressurized sanitary sewer system.
 4. Preliminary Plan for provision of storm facilities includes water quality best management practices (BMPs) as required by MSD to treat the onsite storm water before a surface discharge offsite at the northeast corner of the property.

NO.	DATE	REVISIONS
1	01/08/13	EJS REVISED PER CITY COMMENTS
2	01/07/13	EJS REVISED PER CITY COMMENTS
3	02/07/13	EJS REVISED PER CITY COMMENTS

Prepared for: U-GAS, INC.
895 Bolger Court
Fenton, Missouri 63026
636-343-9770

PROJECT: PRELIMINARY DEVELOPMENT PLAN
U-GAS C-STORE & CARWASH

17555 Chesterfield Airport Road

Checked by: EJS
Date: October 22, 2012

Project Number: 12057

Sheet Number: 1 of 2

The signed and sealed original of this drawing is on file at the offices of The Clayton Engineering Company, Inc. The signed and sealed original is the official document and shall take precedence over any digital version.

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mo1call.com
MISSOURI ONE-CALL SYSTEM INC.

Underground facilities, structures & utilities have been plotted from available surveys, records & information, and therefore, do not necessarily reflect the actual existence, nonexistence, size, type, number of, or location of these facilities, structures, & utilities.

The Contractor shall be responsible for verifying the actual location of all underground facilities, structures, & utilities, either shown or not shown on these plans. The underground facilities, structures, & utilities shall be located in the field prior to any grading, excavation or construction of improvements. These provisions shall in no way absolve any party from complying with the Underground Facility Safety and Damage Prevention Act, Chapter 319, RSMO.

Professional Engineer
ERIK J. STALEY
NUMBER
PE-2006000132
2/7/13

Designed: EJS, SWQ
Drawn: HRL
Checked: EJS
Date: October 22, 2012
Project Number: 12057
Sheet Number: 1 of 2

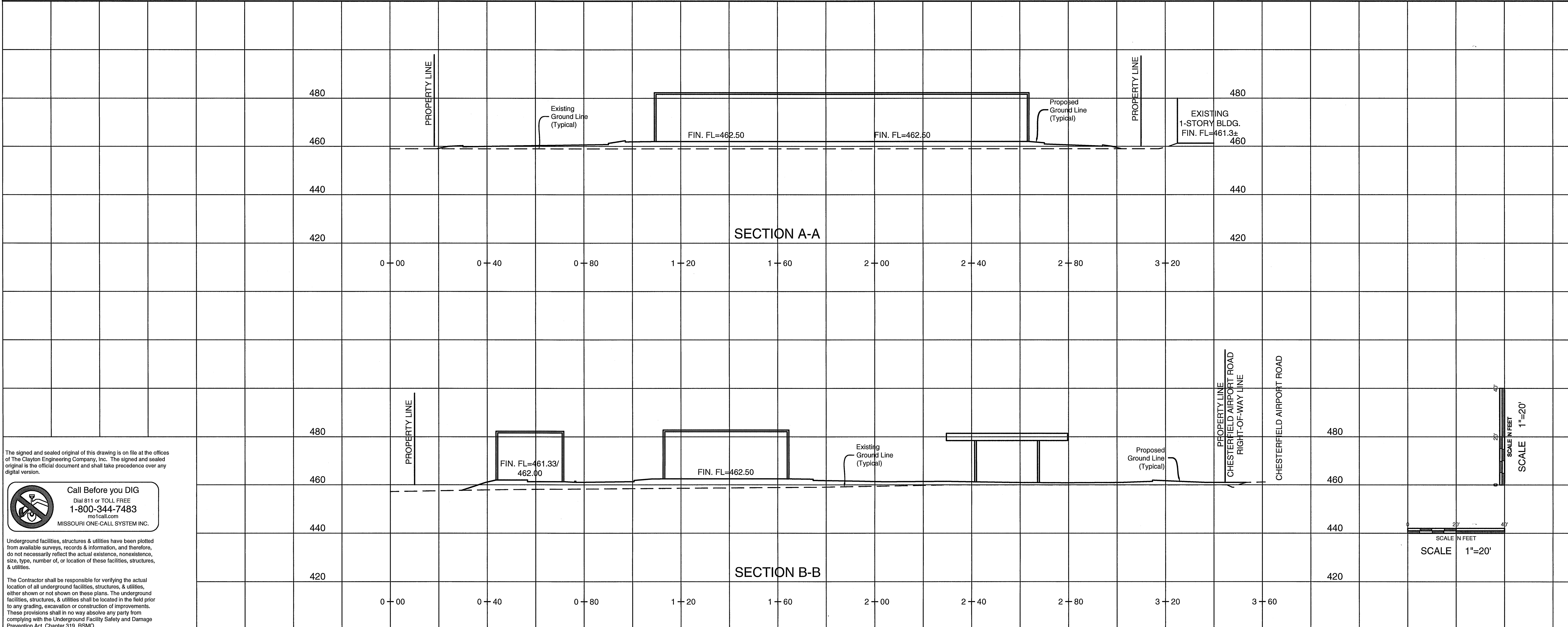
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Mo. Cert. of Authority: Prof. Engineering #002074

REVISIONS	
NO.	DESCRIPTION
1	01/09/13 EJS REVISION PER CITY COMMENTS
2	01/31/13 EJS REVISION PER CITY COMMENTS
3	02/07/13 EJS REVISION PER CITY COMMENTS

F.S. _____ F.B. _____
P.LOTTED: 2/7/2013 3:15 PM EJS

U-GAS, INC.
895 Bolger Court
Fenton, Missouri 63026
636-343-9770

PRELIMINARY DEVELOPMENT PLAN CROSS SECTIONS
U-GAS C-STORE & CARWASH

17555 Chesterfield Airport Road
Chesterfield, MO 63025

Prepared for: Erik J. Staley, Professional Engineer
PE-2006000132

Designed: EJS, SWQ
Drawn: HRL
Checked: EJS
Date: October 22, 2012
Project Number: 12057
Sheet Number: 2 of 2

