

Memorandum Department of Planning & Public Works



To: Planning and Public Works Committee

From: Shawn Seymour, Senior Planner

Date: 04/22/2010

RE: P.Z. 02-2010 Spirit Trade Center Lot 30 (JMD Investments, LLC):

A request for a change of zoning from a "M3" Planned Industrial District to a "PC" Planned Commercial District for a 1.22 acre tract of land located on the south side of Edison Avenue, east of the Edison Avenue and Spirit Drive

intersection (17V320178).

Summary

JMD Investments, LLC have submitted an application for a change of zoning for a 1.22 acre tract of land located east of the Edison Avenue and Spirit Drive intersection. A Public Hearing was held on March 8, 2010 and at that time the Planning Commission and City Staff did not have any outstanding issues.

The requested change of zoning will permit a low intensity retail land use at the above referenced site to complement the existing office/warehouse land use. No new or additional site improvements are being proposed.

At the April 12, 2010 meeting of the Planning Commission this petition for a change of zoning was further reviewed. With no issues being raised at the public hearing and no outstanding issues being found at the April 12 2010 meeting, the Planning Commission voted to recommend approval by a count of 7-0 for the change of zoning request.

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

Respectfully submitted,

Shawn P. Seymour, AICP Senior Planner

CC: Michael G. Herring, City Administrator

Rob Heggie, City Attorney

Michael O. Geisel, Director of Planning & Public Works Aimee Nassif, Director of Planning & Development Services





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Planning Commission Vote Report

Subject: Change of Zoning Vote Report

Meeting Date: April 12, 2010

From: Shawn Seymour, AICP Annissa McCaskill – Clay, AICP

Project Planner Lead Senior Planner

Location: South side of Edison Ave., east of the Edison Ave. and Spirit

Dr. intersection (17V320178).

Petition: P.Z. 02-2010 Spirit Trade Center, Lot 30 (JMD Investments,

LLC.)

Proposal Summary

JMD Investments, LLC is requesting a change of zoning from an "M3" Planned Industrial District to a "PC" Planned Commercial District for a 1.22 acre tract of land located on the south side of Edison Avenue and east of the Edison Avenue and Spirit Drive intersection.

The Petitioner is seeking the change of zoning in order to locate a low-intensity retail and service based business. The current "M3" Planned Industrial Zoning District is suited for office and office warehouse land uses and does not accommodate this proposed activity.

The requested change of zoning would permit a low-intensity retail and service based business to locate within the existing structure. This potential land use would be utilized in conjunction with the warehouse land use currently permitted at this development.

Site Area History

Lot 30 of the Spirit Trade Center Development was zoned "M3" Planned Industrial District by St. Louis County in 1988. In 1992, the City of Chesterfield amended the entire "M3" Planned Industrial District to revise the Right-of-Way dedication requirement.

A Site Development Section Plan for this property was approved by the City of Chesterfield in 2004. The existing structure was built in 2005.

Zoning Analysis

As stated above the existing property is currently zoned "M3" Planned Industrial District and is developed and being utilized as an office warehouse. If approved, the zoning change would permit land uses like those already in place in not only the Spirit Trade Center development, but also in the general surrounding area of the Chesterfield Valley. The land uses being requested are:

- 1. Office, General
- 2. Retail Establishments, Community
- 3. Warehouse, General

Surrounding Land Use and Zoning

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

North: The properties to the north are office warehouse buildings and are zoned "M3" Planned Industrial District. These properties are separated from the subject properties by Edison Avenue.

South: The adjacent property to the south is Spirit of St. Louis Airport and is zoned "M3" Planned Industrial District.

East: The adjacent properties to the east are also office warehouse buildings and are zoned "M3" Planed Industrial District.

West: The adjacent properties located to the west are also part of Spirit of St. Louis Airport and are zoned "M3" Planned Industrial District.





View looking southeast from the site.



View looking northwest from the site.



View looking at the site.



View Looking across Edison Ave.

Comprehensive Plan Analysis

The Comprehensive Plan Land Use Map depicts this property as Service Business Park and permits the following land uses; warehouse and distribution, low-intensity industrial, and low to mid-density office.



Issues

A Public Hearing was held on March 8, 2010. Staff has no outstanding issues regarding this requested change of zoning.

Request

Staff has reviewed the requested change of zoning by JMD Investments, LLC and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on P.Z. 02-2010 Spirit Trade Center, Lot 30 (JMD Investments, LLC.).

Attachments

- 1. Attachment A
- 2. Preliminary Plan

- 4 -

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. Office, General.
 - b. Retail Establishments, Community.
 - c. Warehouse, General.
- 2. Hours of Operation.
 - a. Hours of operation for this "PC" Planned Commercial District shall not be restricted.

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

- 1. Building Requirements
 - a. A minimum of thirty-five (35) percent 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. Thirty (30) feet from the right-of-way of Edison Avenue on the northeastern boundary of the "PC" Planned Commercial District.
- b. Ten (10) feet from the southeastern boundary of the "PC" Planned Commercial District.
- c. Fifteen (15) feet from the southwestern boundary of the "PC" Planned Commercial District.

d. Ten (10) feet from the northwestern boundary of the "PC" Planned Commercial District.

2. Parking Setbacks

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

- a. Fifteen (15) feet from the right-of-way of Edison Avenue on the northeastern boundary of the "PI" Planned Industrial District.
- b. Five (5) feet from the southeastern boundary of the "PC" Planned Commercial District.
- c. Ten (10) feet from the southwestern boundary of the "PC" Planned Commercial District.
- d. Five (5) feet from the northwestern boundary of the "PC" Planned Commercial District.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. 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. 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.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

- 1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
- 2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
- 3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the City of Chesterfield on the Site Development Plan.
- 4. Mechanical equipment will be adequately screened by roofing or other material as approved by the City of Chesterfield.

I. ACCESS/ACCESS MANAGEMENT

- 1. Access to this development from Edison Avenue shall be restricted to one (1) commercial entrance.
- 2. Access management principals to be applied to this development can be found in Chapter 26 of the City Code.

J. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield. 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.

K. POWER OF REVIEW

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

L. STORMWATER

- 1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
- 2. Detention/retention and 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).

M. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning and Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

N. MISCELLANEOUS

1. All utilities will be installed underground.

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

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

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

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- 3. Density calculations.

- 4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
- 5. Provide open space 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, the Metropolitan St. Louis Sewer District, Monarch Levee District, and Spirit of St. Louis Airport.
- 22. Compliance with Sky Exposure Plane.
- 23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

A. The developer shall 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:

If types of development proposed differ from those listed, rates shall be provided by the Saint 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 Saint Louis County Department of Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

1. 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 should be retained in the appropriate trust fund.

 Traffic generation assessment contributions shall be deposited with Saint 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.

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$704.26 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.

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 \$2,234.49 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.

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.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2011, 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.

In addition, we request the following general conditions be met:

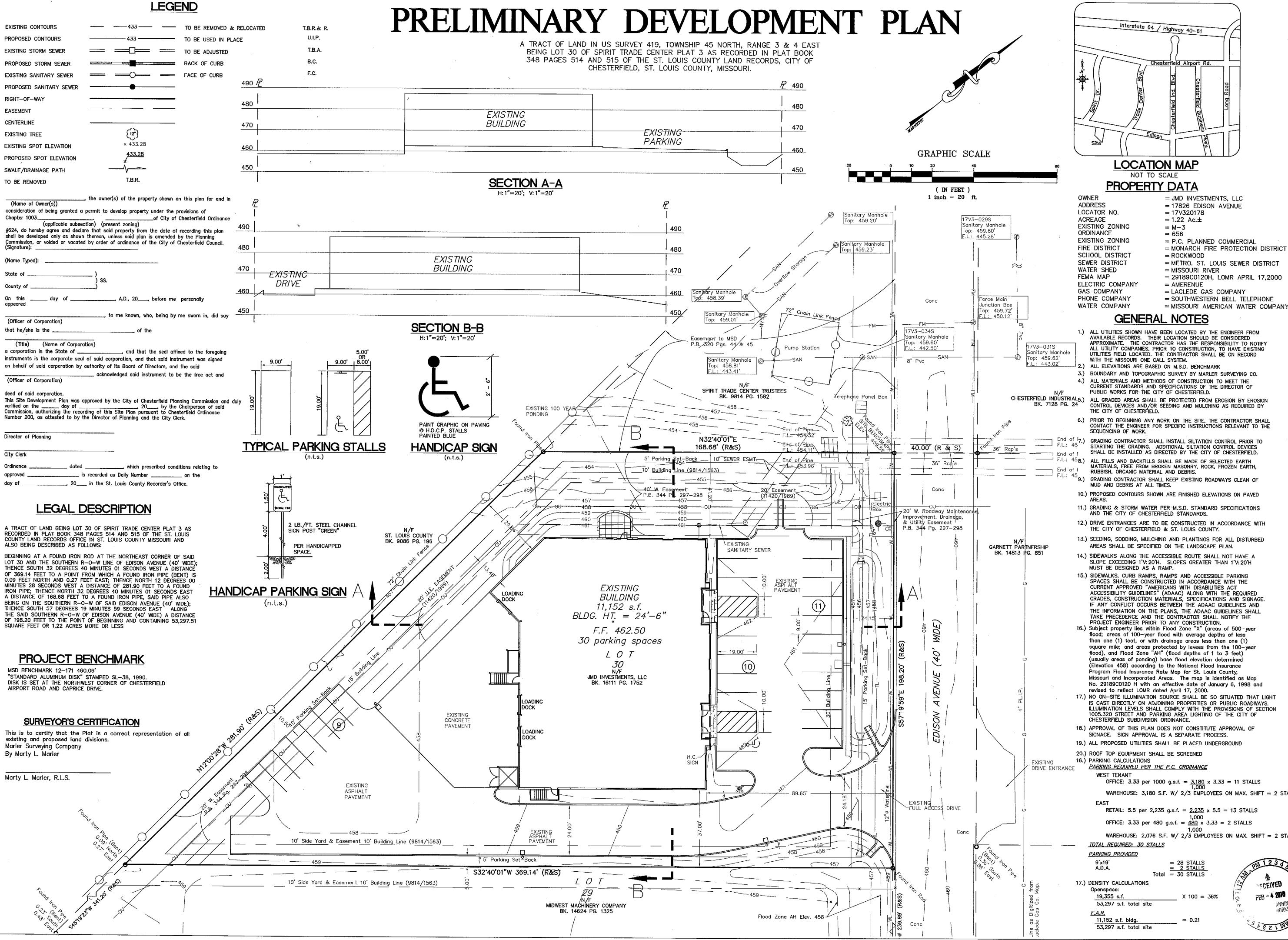
 Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

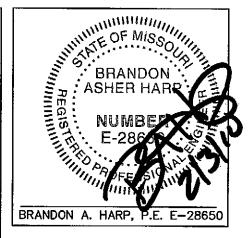
VI. RECORDING

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

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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Proj. # 0993

PRELIMINARY

DEVELOPMENT

PLAN

No. Description

To Client

Date

02-04-10

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= SOUTHWESTERN BELL TELEPHONE = MISSOURI AMERICAN WATER COMPANY

APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING

ACCESSIBILITY GUIDELINES" (ADAAC) ALONG WITH THE REQUIRED GRADES, CONSTRUCTION MATERIALS, SPECIFICATIONS AND SIGNAGE. IF ANY CONFLICT OCCURS BETWEEN THE ADAAC GUIDELINES AND THE INFORMATION ON THE PLANS, THE ADAAC GUIDELINES SHALL

Missouri and Incorporated Areas. The map is identified as Map No. 29189C0120 H with an effective date of January 6, 1998 and

IS CAST DIRECTLY ON ADJOINING PROPERTIES OR PUBLIC ROADWAYS. ILLUMINATION LEVELS SHALL COMPLY WITH THE PROVISIONS OF SECTION

WAREHOUSE: 3,180 S.F. W/ 2/3 EMPLOYEES ON MAX. SHIFT = 2 STALLS

WAREHOUSE: 2,076 S.F. W/ 2/3 EMPLOYEES ON MAX. SHIFT = 2 STALLS

OF 1