

III. B.

Memorandum Department of Planning & Public Works



To: Planning and Public Works Committee

From: Justin Wyse, Project Planner

Date: May 7, 2009

RE: **P.Z. 17-2008 Clarkson Wilson Centre (2 Clarkson Wilson Ctr)**: A request for a change of zoning from “C-8” Planned Commercial District to “PC” Planned Commercial District for a 5.45 acre tract of land located south of Wilson Avenue and east of Clarkson Road (20T240171). The request includes changes to the hours of operation as well as the sign requirements for Clarkson Wilson Centre.

Summary

Gene Holtzman, on behalf of Hutkin Development, submitted a request for a change in zoning from a “C-8” Planned Commercial District to “PC” Planned Commercial District. The Petitioner’s request included updating the permitted uses for the district, as well as changes in the restrictions on the permitted uses, sign requirements, and hours of operation. The request for a change in the hours of operation was to allow for two existing businesses to continue their current hours of operation (in violation of the current ordinance).

At the April 27, 2009 City of Chesterfield Planning Commission meeting, a recommendation for approval of the above referenced matter was approved by a vote of 7-0 with the following amendments:

Section I. Specific Criteria A. Permitted Uses on Page 1 was amended to read:

- 1.n. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, ~~including cabinet makers~~, and film processors. Goods and services associated with these uses may be sold or provided directly to the public on premises.”

Section I. Specific Criteria A. Permitted Uses on Page 2 was amended to read:

3. Hours of Operation.
 - a. The permitted listed above are subject to hours of operation from 7:00 AM to 11:00 PM.
 - b. ~~The existing restaurant located at 42 Clarkson Wilson Centre will be permitted to provide delivery service between the hours of 11:00 P.M. and 1:00 A.M. on weekends only. This exception to the above referenced hours of operation is~~

~~specific to the current tenant at the approval of this ordinance and is not transferable to future tenants.~~

- c. ~~The existing veterinary hospital/clinic/kennel located at 4 Clarkson Wilson Centre will be permitted to commence operation of business at 6:15 one day each week. This exception to the above referenced hours of operation is specific to the current tenant at the approval of this ordinance and is not transferable to future tenants.~~

Additionally, Hutkin Development has submitted a letter requesting reconsideration by the Planning and Public Works Committee of the criteria recommended by Planning Commission. The letter is included in the packet.

Attached please find a copy of the Petitioner's letter regarding the Planning Commission recommendation, Staff's report, the Petitioner's response to the Issues Letter, the Attachment A, and the approved Site Development Plan.

Respectfully submitted,



Justin Wyse, AICP
Project Planner

Respectfully submitted,



Annissa McCaskill-Clay, AICP
Lead Senior Planner

Cc: Michael G. Herring, City Administrator
Rob Heggie, City Attorney
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director

HUTKIN DEVELOPMENT COMPANY

April 30, 2009

City of Chesterfield Planning Department
Attn: Justin Wyse
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: P.Z. 17-2008 Clarkson Wilson Centre

Dear Justin:

We respectfully request further consideration at the Planning & Public Works Committee Meeting of the proposed limited exception to the general hours of operation at Clarkson Wilson Centre in order to accommodate the current operating hours of two tenants in the center, Kennelwood Village and Pizza Hut. Specifically, we request:

1. The existing restaurant located at 42 Clarkson Wilson Centre (Pizza Hut) be permitted to provide delivery service between the hours of 11:00 p.m. and 1:00 a.m. on weekends only. This exception to the above-referenced hours of operation is specific to the current tenant at the approval of this ordinance and is not transferrable to future tenants.
2. The existing veterinary hospital/clinic/kennel located at 4 Clarkson Wilson Centre (Kennelwood Village) be permitted to commence operation of business at 6:15 a.m. one day per week. This exception to the above-referenced hours of operation is specific to the current tenant at the approval of this ordinance and is not transferrable to future tenants.


While we do fully understand the issues raised about the hours of operation, we ask that this matter be given further evaluation based on the following:

- Restricting the existing hours for these two tenants will create a hardship to their businesses in a time when most small businesses are facing enormous economic struggles and challenges.
- In our survey of Chesterfield-based pizza delivery operations comparable to Pizza Hut, including Imo's, Domino's and Papa John's Pizza, we have found that the majority have delivery hours later than 11:00 p.m. on Fridays and Saturdays.
- In our survey of thirteen other neighborhood retail centers in Chesterfield, we have found that eleven have no restrictions on hours of operation and one is restricted to 6:00 a.m. to 1:30 a.m. weekdays and 2:30 a.m. Friday and Saturday. We believe that the limitation at Clarkson-Wilson of 7:00 a.m. - 11:00 p.m. represents a significant competitive and economic disadvantage to the center and these two specific tenants.
- Both Kennelwood Village and Pizza Hut have operated for many years under these hours without incident or complaint that we are aware of.

- In communication with the Presidents of the Boards of Trustees for Clarkson Woods and Clarkson Woods South, we reached an understanding that the exception for these two existing tenants was agreeable to them. We will attempt to obtain written confirmation of this understanding prior to the next meeting. We have been operating with the understanding that the key issue concerning the hours of operation would be the impact on the adjacent neighborhoods, and it seems to us that the understandings reached would satisfy and resolve that issue.

Thank you in advance for any further consideration given this matter. Please do not hesitate to contact me at 314-872-9140 if you have any concerns.

Sincerely,



Gene R. Holtzman
Vice President

Cc: File
Aimee Nassif, Planning & Development Services Director



VIII.C.

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

Planning Commission Report

Subject: Rezoning Issues/Vote Report

Meeting Date: April 27, 2009

From: Justin Wyse, AICP Annissa McCaskill-Clay, AICP
Project Planner Lead Senior Planner

Location: 2 Clarkson Wilson Centre.

Petition: P.Z. 17-2008 Clarkson Wilson Centre (2 Clarkson Wilson Ctr.)

Proposal Summary

Gene Holtzman, on behalf of Hutkin Development, has submitted a request for a change of zoning from “C-8” Planned Commercial District to “PC” Planned Commercial District per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140. The site is located on the east side of Clarkson Road, south of Clarkson Woods Drive.

Department Input

The Attachment A for this request meets all of the development requirements of the City of Chesterfield for a “PC” Planned Commercial District.

Zoning Analysis

The Petitioner is requesting a change of zoning from “C8” Planned Commercial to “PC” Planned Commercial. Their request includes the following changes:

- Removal of the restrictions on the number and size limitations for restaurants and allowing restaurants so long as the center can still provide adequate parking.

- Allowance for two existing businesses to continue their current hours of operations. This would allow one restaurant to continue delivery services on the weekend until 1:00 A.M. and allow one kennel to open at 6:15 A.M. one day a week. This allowance is for the current tenants only, and any future tenants will be required to adhere to the hours of operation restriction between 7:00 A.M. and 11:00 P.M.
- Removal of the specific regulations for signage. Instead, the center would be required to adhere to the sign regulations within the Zoning Ordinance.

Surrounding Land Use and Zoning

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

North: There is a vacant parcel immediately to the north.

South: The property to the South is the Clarkson Woods South subdivision.

East: The property to the east is the Clarkson Woods subdivision.

West: The property to the west is in the City of Clarkson Valley. Also, the mortuary is located to the southwest side of the intersection of Clarkson Road and Wilson Avenue.





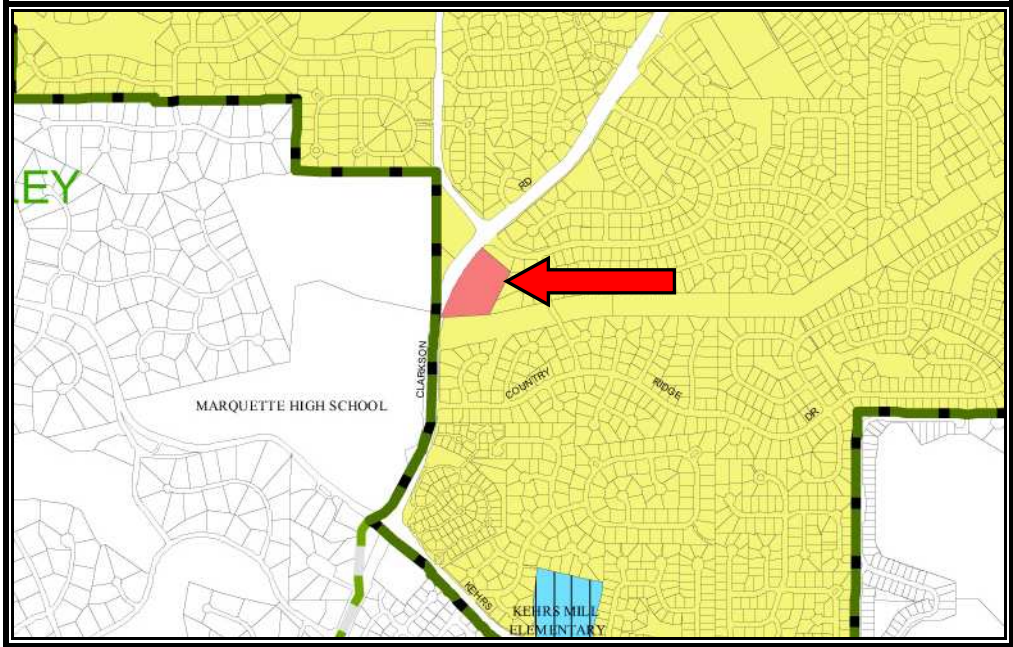
Looking southeast at the subject site from Clarkson Road



Looking northeast at the subject site from Clarkson Road.

Comprehensive Plan Analysis

The subject site is located within Ward 4 of the City of Chesterfield. The Comprehensive Plan calls for this area to be Neighborhood Retail. This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.



Site Area History

The site was originally rezoned to a “C-8” Planned Commercial District by St. Louis County by Ordinance 6,227. The Ordinance was subsequently amended by St. Louis County Ordinances 13,666 and 13,903. On November 7, 1988, the City of Chesterfield approved Ordinance 204, which permitted right in and right out access onto Clarkson Road prior to the Wilson Road relocation and the City of Chesterfield Ordinance 332 approved two (2) sit down restaurants instead of one sit down restaurant as originally allowed under St. Louis County Ordinance 13,666. In March of 1992, the City of Chesterfield approved Ordinance 655, which allowed for bi-directional access at Clarkson Road and incorporated the changes in Ordinance 204 and 332 into one Ordinance. The City of Chesterfield approved Ordinance 1117 in December of 1995 to allow for temporary signs to be located on the site in December of 1995.

On June 30, 2008 Gene Holtzman, on behalf of Hutkin Development, submitted a request for a change of zoning from “C-8” Planned Commercial District to “PC” Planned Commercial District per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140. A public hearing was held on August 11, 2008 before the Planning Commission in response to the application with an issues meeting following at the Commission’s October 13, 2008 session. Subsequent to this meeting, the City Attorney advised Staff that, due to inconsistencies in the request at the time of the public hearing and the issues meeting, **a new public hearing was required**. On December 22, 2008 Gene Holtzman, on behalf of Hutkin Development, submitted all required materials for the new public hearing.

Issues

A second Public Hearing was held on February 9, 2009. At the time several issues were identified. Those issues along with the petitioner’s responses are attached. Staff has reviewed the responses and has no further issues.

Request

Staff has reviewed the change of zoning from “C-8” Planned Commercial District, to “PC” Planned Commercial District and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on the change of zoning request.

Attachments

Planning Commission Vote Report
P.Z. 17-2008 Clarkson Wilson Centre
April 27, 2009

1. Attachment A
2. Petitioners Response to issues
3. Approved Site Development Plan

HUTKIN DEVELOPMENT COMPANY

April 17, 2009

City of Chesterfield Planning Department
Attn: Justin Wyse
690 Chesterfield Parkway West
Chesterfield, MO 63017

RE: P.Z. 17-2008 CLARKSON WILSON CENTRE

Dear Justin:

Please find the following written responses to the issues addressed at the Public Hearing that was held for the project referenced above on February 9, 2009 and listed in your letter dated February 17, 2009. We have been in positive communication with Mrs. Debra Rowan, President of the Board of Trustees for Clarkson Woods and Mrs. Barbara Nauert, President of the Board of Trustees for Clarkson Woods South. The responses below reflect our understanding of what would be agreeable to them. Upon review, please proceed with placing this project on the Planning Commission agenda for an Issues Meeting & vote on April 27, 2009.

ISSUES

1. Address the access from Clarkson Woods Drive to be 'closed' after 11:00 P.M. to reduce the concerns regarding automobile traffic through the residential area.

We do not believe it is functionally, practically or economically feasible to install a gate at the side entrance on Clarkson Woods Drive. Based on our conversations with Debra Rowan and Barbara Nauert, we believe we have arrived at a compromise with resolution to the hours of operation concerns raised.

2. Address the concern regarding the request to extend the hours of operation to allow for restaurant delivery between the hours of 11:00 P.M and 1:00 A.M. on weekends, and identify any proposed measures to mitigate any negative effects on the adjacent neighborhood.

We propose as discussed with Debra Rowan and Barbara Nauert, working with Staff to incorporate language into the new zoning ordinance for the center that allows our existing tenant, Pizza Hut the ability to operate delivery service between the hours of 11:00 P.M. and 1:00 A..M. on weekends only. This exception to the normal 7:00 A.M. to 11:00 P.M. hours of operation for Clarkson Wilson Center would be specific to this tenant and would become null and void if and when this tenant ceases operation in this center.

3. Address the concern regarding the request to extend the hours of operation to allow for one kennel to begin operating at 6:15 A.M. on Tuesday mornings, and identify any proposed measures to mitigate any negative effects on the adjacent neighborhood.

We propose as discussed with Debra Rowan and Barbara Nauert, working with Staff to incorporate language into the new zoning ordinance for the center that allows our existing tenant, Kennelwood Village the ability to operate beginning at 6:15 A.M. one day each week to accommodate customers that require early drop-off times. This exception to the normal 7:00 A.M. to 11:00 P.M. hours of operation for Clarkson Wilson Center would be specific to this tenant and would become null and void if and when this tenant ceases operation in this center.

This tenant's space is located along Clarkson Road, and does not face or back up to residences. Furthermore, the activity at this time of day, although key to their customer service, is minimal. We do not believe allowing them to begin operations at 6:15 A.M. one day a week presents any detrimental impact on the surrounding neighborhood or community.

4. Address the list of requested permitted uses for the development. Specifically address the following uses:

Proposed amendments are shown below in bold typeface.

- b) **Animal hospitals, veterinary clinics, and kennels.**

We already have a tenant in at Clarkson Wilson Center that falls under animal hospital, veterinary clinic, and kennel use category. By including kennel as a use, we are simply seeking to not prohibit these long term uses and users who have never posed a problem of any sort within the center and have never been the focus of a single complaint from the city or the community. At the direction of Staff, the new zoning ordinance for the center will restrict the use of a "kennel" so that overnight boarding services will only be permitted in conjunction with the animal hospital and veterinary clinic use.

- f) **Libraries, reading rooms.**

We have already paired this use category down from its original form which also included auditoriums, churches, clubs, lodges, theaters, or any other facility for public assembly. Our request for libraries and reading rooms is so that we can provide for prospective tenants such as Christian Science Reading Room or similar types of users who we have at other retail centers and have found to be an excellent part of a quality tenant mix with low parking demands and good character.

- ff) **Recreational facilities, indoor gymnasiums.**

We have previously reduced this use category from its original form which also included illuminated outdoor facilities, including swimming pools, golf

courses, golf practice driving ranges, tennis courts, and indoor theaters, including drive-in theaters. Our request to include recreational facilities and indoor gymnasiums is two-fold. First, we already have an existing tenant, Academy of Dance that falls within this use category. Furthermore, there are a number of emerging fitness franchises that we believe are compatible users within neighborhood retail centers such as Clarkson Wilson Center.

We believe the three use categories as defined above do not represent anything detrimental to the center, neighborhood or the surrounding community.

gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.

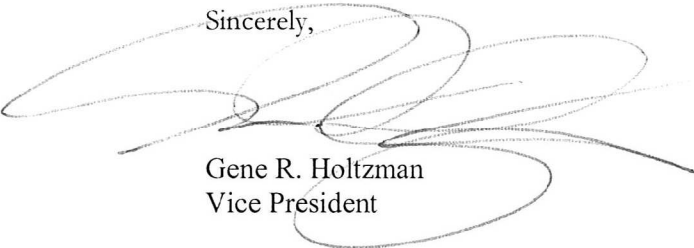
Upon review and discussions with representatives for the trustees of both neighboring subdivisions, we agree to remove this use category in its entirety.

Upon review of notes from our previous conversations with representatives from the neighboring subdivisions, it has come to our attention that use category "nn" is in further need of editing. We request that Staff remove "cabinet makers" from this use description so that the final language reads "Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including film processors. Goods and services associated with these uses may be sold or provided directly to the public on premises.

We will continue to communicate with Debra Rowan and Barbara Nauert, as well as our councilpersons to further understand any concerns related to the uses above and to arrive at any workable comprises that may be appropriate.

Please do not hesitate to contact me at 314-872-9140 if you have any questions.

Sincerely,



Gene R. Holtzman
Vice President

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 hospitals, veterinary clinics, and kennels
 - b. Associated work and storage areas required by a business, firm or service to carry on business operations.
 - c. Libraries and reading rooms.
 - d. Barber shops and beauty parlors
 - e. Dry cleaning drop off and pick-up stations
 - f. Film drop off and pick-up stations
 - g. Financial institutions.
 - h. Medical and dental offices
 - i. Office or office buildings
 - j. Recreational facilities, indoor including gymnasiums.
 - k. Restaurants, fast food.
 - l. Restaurant, sit down.
 - m. Permitted signs
 - n. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, and film processors. Goods and services associated with these uses may be sold or provided directly to the public on premises.
 - o. Stores, shops, markets, service facilities are being offered for sale or hire to the general public on the premises.
2. The above uses in the 'PC' Planned Commercial District shall be restricted as follows:

- a. Restaurants shall not be free standing, fast food restaurants, or ones having drive-up facilities.
 - b. Overnight boarding services shall only be permitted in conjunction with the animal hospital and veterinary clinic use.
3. Hours of Operation.
- a. The permitted uses listed above are subject to hours of operation from 7:00 AM to 11:00 PM.

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

1. Height
- a. The maximum height of the building, exclusive of roof screening or architectural features, shall not exceed one (1) story in height or thirty-five (35) feet, whichever is less.

C. SETBACKS

1. Structure Setbacks.

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

- a. Fifty (50) feet from the existing right-of-way of Clarkson Road;
- b. Thirty-five (35) feet from the eastern boundary of the PC District;
- c. Thirty (30) feet from the southern boundary of the PC District;
- d. Thirty (30) from the northern 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. Ten (10) feet from the existing right-of-way of Clarkson Road;
- b. Fifty (50) feet from the eastern boundary of the PC District;
- c. Ten (10) feet from the southern boundary of the PC District;
- d. Thirty (30) feet from the northern boundary 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. No parking shall be permitted on the Clarkson Woods cross access driveway and the developer shall post the signs accordingly. The parking restriction and requirement for signage shall be indicated on all Site Development Plans and improvement plans. Signage shall be posted within 30 days of the placement of the street pavement and or issuance of any occupancy permits within the development.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield.
2. Heavy landscaping and wooden fencing a minimum six (6) feet in height shall be installed within the parking setback along the east property limit of this development as approved by the Planning Commission on the Site Development Plan.

F. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the Missouri Department of Transportation 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 Planning Commission on the Site Development Plan.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be limited to two (2) driveways, one (1) each on Clarkson Road and Clarkson Woods Drive as directed by the Missouri Department of Transportation and the City of Chesterfield. The aforementioned driveways shall be located as far as possible from the intersection of Clarkson Woods Drive and Clarkson Road.

J. PUBLIC / PRIVATE ROAD IMPROVEMENTS

1. If in the future any change is made to the buildings or the site layout which may require an amendment to the recorded Site Development Plan for the site, provide additional right of way and construct additional pavement and appurtenances for the purposes of adding a right turn deceleration lane along Clarkson Road for the commercial entrance and/or for the side street for safety or operational improvements, as directed by the Missouri Department of Transportation.
2. If in the future any change is made to the buildings or the site layout which may require an amendment to the recorded Site Development Plan for the site, which increases the need for improvements to Wilson Avenue, Ordinance No. 215 may require the developer to make contributions to the Wilson Avenue Trust Fund.

K. PEDESTRIAN CIRCULATION

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Clarkson Road and Clarkson Woods Drive frontage of the subdivision. The sidewalk may be located within State right-of-way, if permitted by the Missouri Department of Transportation, or within a 6 foot wide sidewalk, maintenance and utility easement.

2. At this time the existing sidewalk already in place must be extended across Lot 2 to connect to the existing handicap ramp at the Clarkson Woods cross access drive. A special cash escrow will be required for construction of the proposed sidewalk.

L. TRAFFIC STUDY

1. If in the future any change is made to the buildings or the site layout which may require an amendment to the recorded Site Development Plan for the site, 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, accident data, 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. If in the future any change is made to the buildings or the site layout which may require an amendment to the recorded Site Development Plan for the site, provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Wilson Avenue. If adequate sight distance cannot be provided at the access location, acquisition of right of way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

M. 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.

N. 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 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 (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).

O. OCCUPANCY PERMIT

1. Prior to the issuance of any Municipal Zoning Approvals (MZA's) or reoccupancy permits, a special cash escrow in the amount of \$2,000 for the purposes of extending the existing sidewalk and easement along Clarkson Road along Lot 2 of the Clarkson Centre subdivision to connect to the Clarkson Woods cross access drive shall be submitted to the City of Chesterfield.
2. Prior to the issuance of an occupancy permit, the no parking signs along the access drive off of Clarkson Woods Drive shall be posted as required.

P. GEOTECHNICAL REPORT

If in the future any change is made to the buildings or the site layout which may require an amendment to the recorded Site Development Plan for the site 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.

Q. 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, and significant natural features, such as wooded areas and rock formations, 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 two (2) feet, 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.

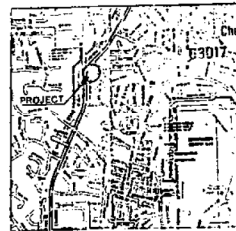
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.

VII. RECORDING

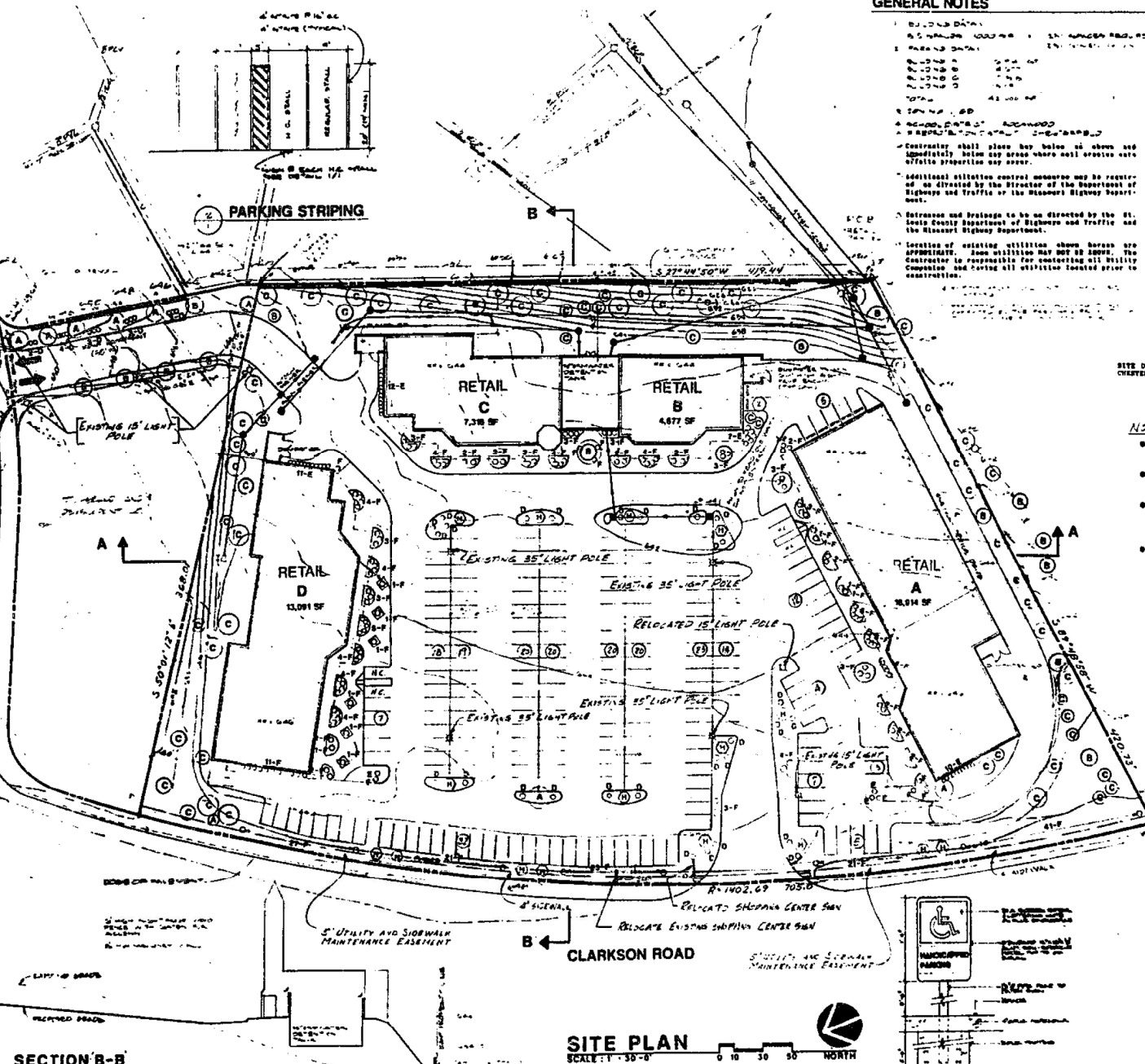
Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VIII. ENFORCEMENT

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



LOCATION MAP



SECTION B-B

SITE PLAN SCALE: 1" = 30'-0"

SECTION A-A

GENERAL NOTES

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
2. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE NOTED.

GENERAL NOTES

IN CONNECTION WITH A CHANGE OF ZONING FOR THE FOLLOWING DESCRIBED PROPERTY FROM "C-1" TO "RESIDENTIAL C-1"

A TRACT OF LAND IN THE NORTH PART OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST, 31st LOUISIANA COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a concrete monument marking the southwest corner of Clarkson Road, Plat 1 as recorded in Plat Book 157, Page 16, of the St. Louis County Records, and also being a point on the northern line of Clarkson Road South, Plat 1 as recorded in Plat Book 164, Pages 24 and 25, of the said St. Louis County Records, thence north 37 degrees 30 minutes 30 seconds west along the northern line of said Clarkson Road South, Plat 1, a distance of 2.08 feet to a point, thence north 89 degrees 48 minutes 30 seconds east along the said northern line of Clarkson Road South, Plat 1, a distance of 229.12 feet to a point, and then along the northern line of said Clarkson Road South, Plat 1, and also being a point on the eastern right-of-way line of Clarkson Road 48 feet wide along the said eastern line of Clarkson Road, along a curve on the right, having a radius of 1,000.00 feet, an arc distance of 193.58 feet to a point, thence along the said eastern line of Clarkson Road along the north line of the existing C-1 zoning as established by Ordinance 8111 dated 1977, St. Louis County, Missouri, south 58 degrees 37 minutes 12 seconds east, a distance of 364.81 feet, to a point on the eastern line of the aforementioned Clarkson Road, Plat 1, thence along the eastern line of Clarkson Road, Plat 1, a distance of 110.00 feet to a point, thence north 27 degrees 45 minutes 30 seconds east, a distance of 419.45 feet back to the point of beginning and containing 724,577 square feet of land.

The developer of the property shown on this plan has and in consideration of being granted a permit to develop said property under the provisions of Section 102.100, R.S.M.S., Chapter 102, of the St. Louis County Ordinance 1977, does hereby agree and declare that said property from the date of recording this plan shall be developed only as shown thereon unless the plan is amended by the Planning Commission or ordered or waived by order or ordinance of the St. Louis County Council.

THIS DEVELOPMENT PLAN-HAS BEEN APPROVED BY THE CITY OF CHESTERFIELD ON JANUARY 11, 1983, BY ORDINANCE 9555.

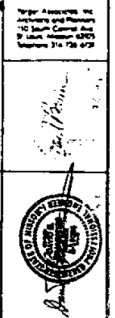
DATE: 1/11/83
 DATE: 1/11/83
 DATE: 1/11/83

- NOTES**
- 1. ALL ISLANDS IN PARKING AREA ARE TO BE MAINTAINED AND LANDSCAPED.
 - 2. THE RECOMMENDED PARKING LOT HAS BEEN LAYOUT TO BE MAINTAINED BY THE USER.
 - 3. LANDSCAPE PLANTING IS TO BE DONE BY THE USER.
 - 4. THE USER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PARKING LOT.

LANDSCAPE KEY

PROPOSED	EXISTING
(A)	(A) FLOWERING DECIDUOUS
(B)	(B) LARGE DECIDUOUS
(C)	(C) CONIFER
(D)	(D) PRITZERS
(E)	(E) WINGED EUCALYPTUS
(F)	(F) JUMPERS
(H)	(H) SUGAR MAPLES OR ROSEHILL WHITE ASH

CBS JOB #77-91
 DATE: 3/19/82
 3/19/82
 1/11/82



CLARKSON-WILSON CENTRE
 RETAIL CENTER ON CLARKSON ROAD CHESTERFIELD, MISSOURI
 CLARKSON CENTRE ASSOCIATES DEVELOPER 63117-1412
 222 N. MERAMEC AVE. CLAYTON, MISSOURI 63105

Date	1-2-83
Revisions	
Sheet No.	1 of 8
P.C.	225-87

573