



# VIII. B

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • [www.chesterfield.mo.us](http://www.chesterfield.mo.us)

## Planning Commission Issues Report

**Subject:** Zoning Map Amendment  
**Meeting Date:** May 23, 2016  
**From:** Jonathan Raiche, Senior Planner  
**Location:** South side of Interstate 64 east of Chesterfield Commons Drive  
**Petition:** **P.Z. 11-2015 Kemp Auto Museum (16861 Chesterfield Airport Road)**

### Summary

Doster, Ullom, & Boyle, LLC on behalf of Johnny Y Properties, LLC has submitted a request for a zoning map amendment for the purpose of adding permitted uses. The current governing ordinance, Ordinance 2397, includes “Restaurants, sit down” as the only permitted use. The petitioner is requesting the addition of the following uses:

- 1) Coffee Shop
- 2) Commercial Service Facility
- 3) Office, General
- 4) Professional and Technical Service Facility
- 5) Restaurant, Take Out
- 6) Restaurant, Fast Food (without drive through and limited to “Fast Casual”)
- 7) Retail Sales Establishment, Neighborhood

Ordinance 2397 was approved under the City’s previous “PC” District regulations. Due to this, the proposed amendment will also update the governing ordinance to include all current requirements for the “PC” District which includes, but is not limited to, a 35% Open Space requirement. A copy of Ordinance 2397 can be found on the City’s website at the following link: <http://www.chesterfield.mo.us/webcontent/ordinances/2007/ord2397.pdf>.

A Public Hearing was held on this item on November 23, 2015. Since that time, the applicant has worked with Staff to address a number of the issues and comments which are discussed in detail in the Issues section of this report. **Although there are still outstanding Staff comments, this item is before the Planning Commission for discussion due to reaching its 6 month time limit between the Public Hearing and the next scheduled meeting as required by City Code.**

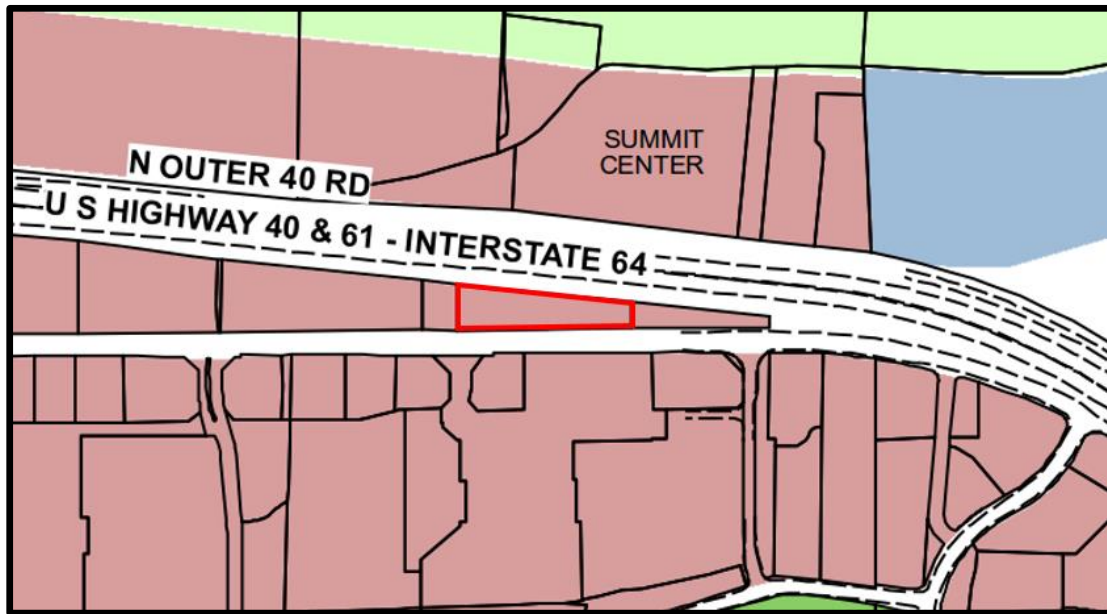
The proposed preliminary plan features a single building that occupies the majority of the northern portion of the site as well as a parking area on the southern portion. The plan also indicates that access will be gained from shared drives located near each end of the development. Landscape buffers are proposed along the northern and southern property lines along Interstate 64 and Chesterfield Airport Road respectively. The proposed landscape buffers will be discussed later in this report.

**Zoning History**

A portion of this subject site was originally zoned “M3” Planned Industrial by St. Louis County Ordinance 7014 in 1974 with the remaining portion being zoned “NU” Non-Urban. City of Chesterfield Ordinance 587 amended County Ordinance 7014 and brought the entire subject site under the “M-3” Planned Industrial Zoning designation in 1991. Ordinance 587 governed the subject site as well as the property immediately to the east. Ordinance 2397, current governing ordinance for the site, was approved in 2007 and amended the 2.7 acres of the subject site to a “PC” Planned Commercial designation to allow for the development of a restaurant.

**Comprehensive Plan Analysis**

The subject site is located within the Mixed Commercial Use land use designation as seen in Figure 1 below. The Comprehensive Plan defines Mixed Commercial Use as an area where “Appropriate uses in this designation would be retail and office”. The requested uses are all consistent with the City’s Land Use Plan.



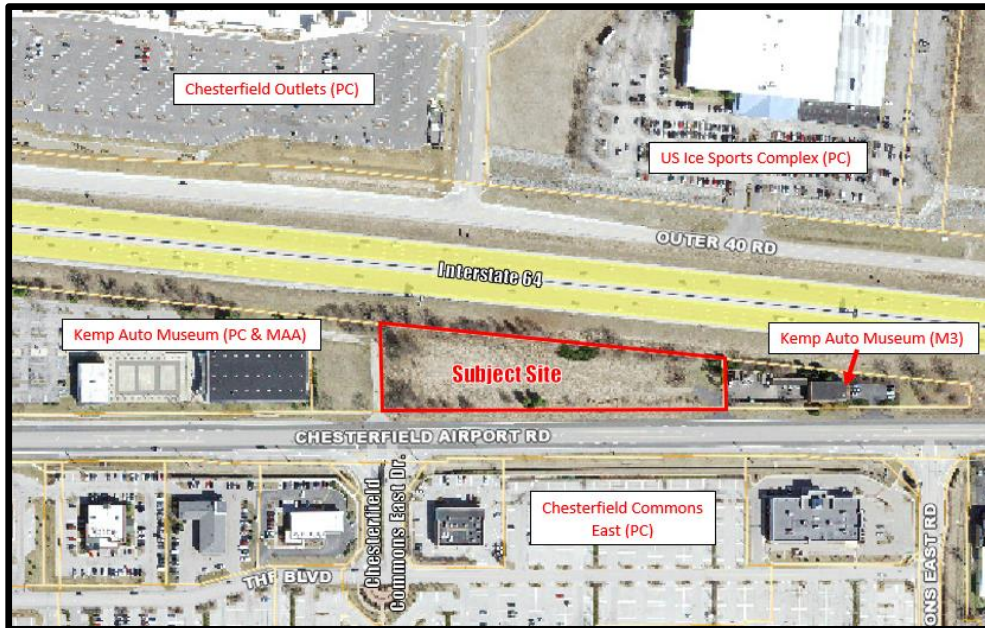
**Figure 1**

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

**Surrounding Land Use and Zoning**

The land use and zoning for the properties surrounding this parcel are shown in Figure 2 below and are as follows:

- North:** The properties to the north across Interstate 64/Highway 40 are the Chesterfield Outlets and US Ice Sports Complex commercial subdivisions zoned “PC” Planned Commercial. Current uses on these properties include retail at the Taubman Prestige Outlets and the Hardee’s Ice Complex.
- South:** The properties to the south across Chesterfield Airport Road include a mixture of retail and restaurant uses located in the Chesterfield Commons East subdivision zoned “PC” Planned Commercial.
- East:** The property to the east is the former Sachs maintenance building which is also located in the Kemp Auto Museum commercial subdivision and is zoned “M3” Planned Industrial.
- West:** The properties to the west are also located in the Kemp Auto Museum commercial subdivision. These include the Kemp Auto Museum, zoned “PC” Planned Commercial with a MAA Overlay, and the Pacific Dental building, zoned “PC” Planned Commercial.



**Figure 2**

**Issues**

At the November 23, 2015 public hearing, two issues were identified by the Planning Commission. Additionally, Staff identified several items related to the Preliminary Plan that were included with the issues from the Public Hearing and sent to the petitioner. The petitioner has included a formal response to each of these items which is attached to this report for review.

All issues that were identified at the Public Hearing have been addressed by the petitioner and are discussed below. Although these items have been addressed, this item is not scheduled for a vote of the Planning Commission due to various comments on the Preliminary Plan from Staff that are still being addressed by the petitioner.

### ***1. Landscape Buffer Modification***

As dictated by City Code, the development has been approved administratively for a reduction in the on-site 30' wide landscape buffer requirement along the northern property line of this development. As required by Staff, a condition of this approval is that an additional 25' wide landscape buffer is provided in the MoDOT right of way to the north of the subject site. This condition of the approval will result in a 45' wide landscape buffer between Interstate 64 and development on the site which is 15' wider than the typical 30' wide landscape buffer. The applicant has received written permission from MoDOT to conduct this work. The landscape buffer proposed along Chesterfield Airport Road will meet the 30' width requirement and was not included in the reduction request.

### ***2. Cross Access***

A requirement for cross access between the subject site and adjacent properties has been included in the Draft Attachment A. The petitioner has also acknowledged this requirement in their written response to the Issues Letter, attached to this report, and has stated that these easements will be provided as separate recorded instruments prior to the development of the project. These will be required by Staff to be shown on the Site Development Plan and will need to be fully executed and recorded prior to approval of Improvement Plans for the development.

### ***3. Hours of Operation***

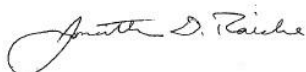
Staff has included language in the attached Draft Attachment A which limits the Hours of Operation for retail uses to the hours of 6 a.m. to 11 p.m. This drafted language is consistent with the surrounding developments and the applicant has acknowledged this restriction in their attached written response.

## **Request**

While the applicant has addressed the vast majority of the issues and comments, there are still comments from Staff that are being addressed. The project is being brought before the Planning Commission for discussion of Issues due to this item reaching its 6 month time limit between the Public Hearing and the next scheduled meeting as previously mentioned. This meeting is for the discussion of issues concerning the rezoning to a new "PC" Planned Commercial District, but no vote is requested for this item at this time.

Attached to this report is a Draft Attachment A reflecting the request from the petitioner and Staff's recommendations. The intent of this Issues Meeting is to receive feedback and direction on the Draft Attachment A, analysis of the zoning request, and to examine if any further issues need to be resolved prior to requesting a recommendation from the Planning Commission.

Respectfully submitted,

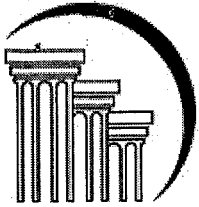


Jonathan D. Raiche, AICP  
Senior Planner

Attachments

1. Petitioner Issues Response Letter
2. Draft Attachment A
3. Preliminary Plan
4. Tree Stand Delineation

cc: Aimee Nassif, Planning and Development Services Director



**DOSTER ULLOM  
& BOYLE, LLC**  
ATTORNEYS AT LAW

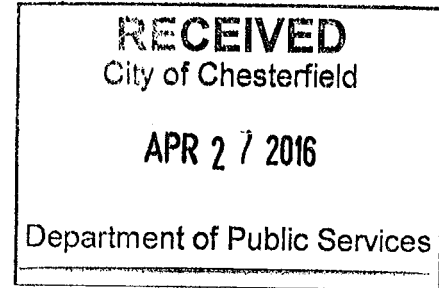
St. Louis  
16090 Swingley Ridge Road  
Suite 620  
Chesterfield, MO 63017  
(636) 532-0042  
(636) 532.1082 Fax

Michael J. Doster  
mdoster@dubllc.com

April 26, 2016

**Sent via E-mail and Hand Delivered**

Jonathan Raiche, AICP  
Senior Planner  
City of Chesterfield  
690 Chesterfield Pkwy W  
Chesterfield MO 63017-0760



**RE: PZ 11-2015 KEMP AUTO MUSEUM (16861 CHESTERFIELD AIRPORT RD)**

Dear Mr. Raiche:

The following are responses (in bold) to the issues/comments in your letter of December 4, 2015:

1. Cross access to both adjacent sites shall remain as a requirement for this parcel. Provide information indicating how the applicant proposes to meet this requirement.

**Petitioner accepts this requirement and will provide appropriate recordable instruments prior to development of this parcel.**

2. Hours of operation should be restricted for the site to ensure consistency with surrounding developments. Staff recommends that the hours of operation for retail uses shall be limited to 6 a.m. to 11 p.m. Retail uses may be expanded for Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven (7) business days in advance of said holiday.

**Petitioner accepts staff's recommendation.**

**Preliminary Plan**

1. The Preliminary Plan shows only measured survey information, but the written legal description is based on recorded information. Please include the recorded survey information on the drawing and denote each as "Measured" or "Recorded" as mentioned in Notes 4 and 5.

**A revised Preliminary Plan is submitted with this correspondence.**

2. Improvements to the western off-site entrance drive are in progress in conjunction with the development to the west (16689 Chesterfield Airport Road). The existing western

entrance will be widened and will be partially located on this property. Access easements were granted and recorded between 16689 and 16861 Chesterfield Airport Road in Book 21506 Page 2445. Please review the access easements and see the attached Improvement Plan sheet for 16889 Chesterfield Airport Road and update this Preliminary Plan accordingly.

**A revised Preliminary Plan is submitted with this correspondence.**

3. Align the proposed western internal drive connection to be directly across from the internal parking lot entrance on 16689 Chesterfield Airport Road.

**A revised Preliminary Plan is submitted with this correspondence.**

4. Review the width of the eastern entrance drive from Chesterfield Airport Road. The minimum entrance drive width is 24 feet. Revise as necessary.

**A revised Preliminary Plan is submitted with this correspondence.**

5. Include a 5' sidewalk along Chesterfield Airport Road.

**A revised Preliminary Plan is submitted with this correspondence.**

6. Indicate the proposed area for water quality stormwater features.

**A revised Preliminary Plan is submitted with this correspondence.**

7. Preliminary sanitation and drainage facilities are required on the plan. Revise the plan to include both existing and proposed sanitary and storm sewers.

**A revised Preliminary Plan is submitted with this correspondence.**

8. Include a note on the plan that slopes shall not exceed 3 horizontal to 1 vertical.

**A revised Preliminary Plan is submitted with this correspondence.**

9. Two section profiles are required on the Preliminary Plan. Staff recommends that the sections be provided at each end of the building.

**A revised Preliminary Plan is submitted with this correspondence.**

10. Include the names of the property owners for the subject site and for adjacent parcels.

**A revised Preliminary Plan is submitted with this correspondence.**

11. Expand the existing improvements shown on the plan to include the internal drive access on the property to the west.

**A revised Preliminary Plan is submitted with this correspondence.**

12. Provide the maximum requested building height in feet. It is currently provided as two stories; however, actual height of stories can vary. Once the actual maximum requested height is noted, also adjust the sections to indicate the building's requested maximum height.

**The maximum building height requested is 35 feet above finished grade exclusive of mechanicals.**

13. Open Space required for a Planned Commercial District is 35%. Revise note 22 to reflect this and confirm that 35% Open Space is being met on the plan. If this cannot be met, a separate Request for Modification of Standards shall be submitted. This request will require a separate 2/3 vote of the Planning Commission.

**A revised Preliminary Plan is submitted with this correspondence.**

14. List the Floor Area Ratio on the plan. The maximum Floor Area Ratio for the site is 0.55.

**A revised Preliminary Plan is submitted with this correspondence.**

15. Remove the references to the landscape buffer from the setbacks in General Note 3. While the structure setbacks cannot be less than the required landscape buffer, they are separate requirements.

**A revised Preliminary Plan is submitted with this correspondence.**

16. Structure setbacks should be consistent with the building envelope shown. The current structure setbacks are not as restrictive as the building envelope indicates.

**Petitioner requests that current structure setbacks be maintained. The building envelope shown is conceptual only and may change.**

17. Be advised, your plan indicates a landscape buffer along the east and west property lines; however, there is no city requirement for this.

**A revised Preliminary Plan is submitted with this correspondence.**

18. Label all easements shown on the plan. Specifically there appear to be multiple easements along the southern property line that are not labeled.

**All easements on the revised Preliminary Plan have been labeled as shown on the survey.**

19. Remove the required parking numbers from the Preliminary Plan. This is dependent on the tenants proposed and will be dictated during the Site Development Plan process. All future tenants will be required to meet the minimum parking required by city code.

**A revised Preliminary Plan is submitted with this correspondence.**

*Landscape Modification Request*

The following are advisory/warning comments related to this project:

1. Be advised, according to FIRM 29189C0165K it appears a special flood hazard area is located along and possibly on the northern portion of the property. Due to the proximity of the special flood hazard area it appears this site is located within the supplemental protection area as defined in Section 31-05 Flood Damage Prevention. In general the supplemental protection area is the area within 200-feet of a special flood hazard area.



**Petitioner acknowledges this comment but cannot respond definitively because detailed civil engineering has not been completed.**

2. Be advised the list of requested uses includes Retail Sales Establishment, Neighborhood which will restrict tenants to a maximum store size of 4,000 square feet. Staff is supportive of this restriction.

**Petitioner acknowledges this comment.**

3. All agency comments received thus far have been included in the letter for your reference.

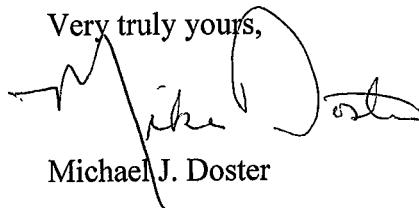
**Petitioner acknowledges this comment.**

Permitted Uses

1. The uses allowed in this "PC" Planned Commercial District shall be:
  - a. Coffee Shop
  - b. Commercial Service Facility
  - c. Office, General
  - d. Professional and Technical Service Facility
  - e. Restaurant, Take Out
  - f. Restaurant, Fast Food
  - g. Retail Sales Establishment, Neighborhood
2. The above use "Restaurant, Fast Food" shall be restricted as follows:
  - a. No drive-thru component is permitted.
  - b. Must be an establishment more narrowly defined as a Fast-Casual type of Fast Food restaurant which:
    - a) Utilizes non-disposable dishware and flatware for all dine-in orders; and
    - b) The majority of the menu items are custom prepared to order versus pre-prepared and "racked".

**Petitioner accepts the Permitted Uses as listed.**

Very truly yours,



Michael J. Doster

## 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. Coffee Shop
  - b. Commercial Service Facility
  - c. Office, General
  - d. Professional and Technical Service Facility
  - e. Restaurant, Sit Down
  - f. Restaurant, Take Out
  - g. Restaurant, Fast Food
  - h. Retail Sales Establishment, Neighborhood
2. The above use “Restaurant, Fast Food” shall be restricted as follows:
  - a. No drive-thru component is permitted.
  - b. Must be an establishment more narrowly defined as a Fast-Casual type of Fast Food restaurant which:
    - a) Utilizes non-disposable dishware and flatware for all dine-in orders; and
    - b) The majority of the menu items are custom prepared to order versus pre-prepared and “racked”.
3. Hours of Operation.
  - a. Use “h” listed above is considered a retail use and retail sales, with respect to that use, will be subject to hours of operation from 6:00 AM to 11:00 PM. Hours of operation for said uses may be expanded for Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven (7) business days in advance of said holiday.
  - b. All deliveries and trash pick-ups shall be limited to the hours from 7:00 AM to 11:00 PM.

## **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 thirty-five (35) 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. Forty-five (45) feet from the right-of-way of Chesterfield Airport Road on the southern boundary of the “PC” District.
- b. Twenty-five (25) feet from the eastern boundary of the “PC” District.
- c. Thirty-five (35) feet from the western boundary of the “PC” District.
- d. Twenty (20) feet 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. Thirty (30) feet from the right-of-way of Chesterfield Airport Road on the southern boundary of the “PC” District.
- b. Twenty-five (25) feet from the eastern boundary of the “PC” District.
- c. Eighteen (18) feet from the western boundary of the “PC” District.
- d. Twenty (20) 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 construction related parking shall be permitted within right of way, on any existing roadways, or adjacent properties. All construction related parking shall be confined to the development.
3. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
4. Parking lots shall not be used as streets.

#### **E. LANDSCAPE AND TREE REQUIREMENTS**

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Landscape buffers shall be as shown on the Preliminary Plan.
3. Additional planting will be required on Interstate 64 right of way as directed by the Department of Public Services and subject to the approval of the Missouri Department of Transportation.

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

## **I. ACCESS/ACCESS MANAGEMENT**

1. Access to this development from Chesterfield Airport Road shall be via one (1) shared commercial entrance with the property to the west and widened as directed on this property and shall provide required sight distance and constructed to Saint Louis County standards as directed by the Saint Louis County Department of Transportation.
2. Access to this development from Chesterfield Airport Road shall be via one (1) shared commercial entrance with the property to the east as directed by the Saint Louis County Department of Transportation.
3. The proposed connection to the shared commercial entrance on the west side of the site shall be directly across from the parking lot entrance on the property to the west.
4. Access to the development shall be as shown on the Preliminary Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
5. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield and the St. Louis County Department of Transportation.
6. Provide cross access easements and temporary slope construction licenses or other appropriate legal instruments or agreements guaranteeing permanent access between this site and adjacent properties as directed by the City of Chesterfield and St. Louis County Department of Transportation.

## **J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Provide a five (5) foot wide sidewalk, in compliance with ADA standards, along Chesterfield Airport Road. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects or maintain existing connectivity. The sidewalk shall be privately maintained and may be located within right-of-way controlled by another agency, if permitted by that agency or on private property.
2. Internal sidewalks shall be provided and shall connect to the sidewalk along Chesterfield Airport Road.
3. Improve Chesterfield Airport Road to one half of the ultimate section including all storm drainage facilities as directed by the St. Louis County Department of Transportation

4. Construct a two-hundred (200) foot right turn deceleration lane with eight (8) foot shoulders on Chesterfield Airport Road as directed by St. Louis County Department of Transportation.
5. Traffic signal modifications shall be as directed by the St. Louis County Department of Transportation.
6. Obtain approvals from the City of Chesterfield and the St. Louis County Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, signage, and roadway improvements.
7. Additional right-of-way and road improvements shall be provided, as required by the St. Louis County Department of Transportation and the City of Chesterfield.
8. Any work within MoDOT right of way will require a MoDOT permit.
9. All proposed work in MoDOT right of way must comply with MoDOT standards, specifications, conform to MoDOT's Access Management Guidelines with detailed construction plans being received and approved by MoDOT.
10. Due to the close proximity to Interstate 64, sound mitigation is the responsibility of the owner/developer. MoDOT will not provide any noise mitigation measures for this development.
11. The developer is advised that utility companies will require compensation for relocation of their facilities within 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.
12. Prior to Special Use Permit issuance by the St. Louis County Department of Transportation, a special cash escrow or a special cash escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Transportation to guarantee completion of the required roadway improvements.
13. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right-of-way.
14. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.

## **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 Missouri Department of Transportation.

## **L. POWER OF REVIEW**

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

## **M. STORM WATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Storm water quality management shall be provided as required by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).
5. Storm water features shall be in compliance with the Chesterfield Valley Storm Water Master Plan.

6. 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).

#### **N. SANITARY SEWER**

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
2. Connection to public sanitary sewers is required, which would require that sanitary sewers be extended to the sites to be developed. The developer of this property will be required to provide any off-site easements necessary to connect the properties to be developed to existing public sewers.
3. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts to the existing system(s).
4. This project is located within the Caulks Creek Surcharge area. This surcharge will be collected prior to development plan approval by Metropolitan St. Louis Sewer District.

#### **O. GEOTECHNICAL REPORT**

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

#### **R. MISCELLANEOUS**

1. All utilities will be installed underground.
2. If any development in, or alteration of, the floodplain or supplemental protection area is proposed, the developer may be required to submit a Floodplain Study and/or a Floodplain Development Permit/Application to the City of Chesterfield for approval. The Floodplain Study must be approved by the City of Chesterfield prior to the approval of the Site Development Plan, as directed.



The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development. Elevation Certificates will be required for any structures within the Special Flood Hazard Area or the Supplemental Protection Area. Consult Article 5 of the Unified Development Code for specific requirements.

3. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
4. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

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

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

### **III. COMMENCEMENT OF CONSTRUCTION**

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

### **IV. GENERAL CRITERIA**

#### **A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.

15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

## V. TRUST FUND CONTRIBUTION

### Traffic Generation Assessment Rates

The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2016, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.

### A. ROADS

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

<u>Type of Development</u>	<u>Required Contribution</u>
General Retail	\$1,990.41/parking space
Restaurant, Sit Down	\$1,990.41/parking space
Loading Space	\$3,257.06/parking space

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

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

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

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

## **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 \$800.53 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 Transportation. The deposit shall be made before Saint Louis County approval of the Site Development Plan unless otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, Saint Louis County.

### **C. STORM WATER**

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,539.89 per acre for the total area as approved on the Site Development Plan.

The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to Treasurer, Saint Louis County.

### **D. SANITARY SEWER**

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

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

### **VI. RECORDING**

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

### **VII. ENFORCEMENT**

- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D.** Waiver of Notice of Violation per the City of Chesterfield Code.

- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

DRAFT

**GENERAL NOTES**

- TOTAL SITE ACREAGE: +/-2.65 ACRES
- EXISTING ZONING: PC  
PROPOSED ZONING: PC
- SETBACKS:  
BUILDING: FRONT: 45' BUILDING SETBACK  
REAR: 20' BUILDING SETBACK  
SIDE (EAST): 25' BUILDING SETBACK  
SIDE (WEST): 35' BUILDING SETBACK
- THE SITE LAND USE SHALL BE COMMERCIAL.
- THE SITE IS SERVICED BY:  
WATER: MISSOURI AMERICAN WATER  
SEWER: METROPOLITAN ST. LOUIS SEWER DISTRICT  
TELEPHONE: AT&T DISTRIBUTION/CHARTER COMMUNICATIONS/MCI  
ELECTRIC: AMEREN MISSOURI ELECTRIC  
GAS: LACEDU GAS COMPANY
- THIS SITE FALLS WITHIN THE "UNSHADED ZONE X" AREAS OF 500 YEAR FLOOD, AREAS PF 100 YEAR FLOOD WITH AVERAGE DEPTHS LESS THAN 1' OR WITH DRAINAGE AREAS LESS THAN 1 SQ. MILE; AREAS PROTECTED BY LEVEES FROM 100 YEAR FLOOD, PER FIRM FOR ST. LOUIS MISSOURI, MAP NUMBER 29189C0165K. EFFECTIVE DATE OF FEBRUARY 4, 2015.
- EFFORTS WILL BE MADE TO DIRECT DRAINAGE TO EXISTING DISCHARGE POINTS.
- ALL UTILITIES ARE TO BE LOCATED UNDERGROUND.
- THE PROPOSED BUILDING HEIGHT SHALL NOT EXCEED 30'.
- THE SITE SHALL CONFORM TO THE CITY OF CHESTERFIELD STANDARDS.
- UNDERGROUND STRUCTURES, FACILITIES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, DEEDS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT KNOWN.
- ALL ROADWAY DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- NO INVESTIGATION HAS BEEN PERFORMED BY ARNOLD CONSULTING ENGINEERING SERVICES REGARDING HAZARDOUS WASTE, UNDERGROUND CONDITIONS OR UTILITIES AFFECTING THE TRACT SHOWN HEREON.
- THE DRAWING DOES NOT CONSTITUTE A BOUNDARY SURVEY.
- ALL PAVEMENT STRIPPING SHALL BE 4" WIDE, PAINTED YELLOW.
- LOCATION, REPLACEMENT AND CONNECTION OF THE UTILITIES SHALL BE COORDINATED WITH THE UTILITY COMPANIES.
- TRASH ENCLOSURE IS TO BE MASONRY TO MATCH THE BUILDING AND SCREENED ACCORDING TO CITY REQUIREMENTS.
- ALL MECHANICAL, HVAC AND UTILITY EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW ACCORDING TO CITY ORDINANCE.
- ALL LANDSCAPING MATERIAL AND DESIGN WILL FOLLOW CHESTERFIELD CITY CODES, INCLUDING TYPES OF PLANTS AND SPACING.
- ALL DISTRIBUTED AREAS INTENDED FOR GRASS SHALL BE SODDED.
- MAXIMUM BUILDING HEIGHT SHALL BE 35 FEET.
- OPEN SPACE SHALL BE A MINIMUM OF 35% OF EACH LOT FOR THE DEVELOPMENT.
- FLOOR AREA RATIO SHALL NOT EXCEED 0.55.
- SLOPES SHALL NOT EXCEED 3 HORIZONTAL TO 1 VERTICAL (3:1).

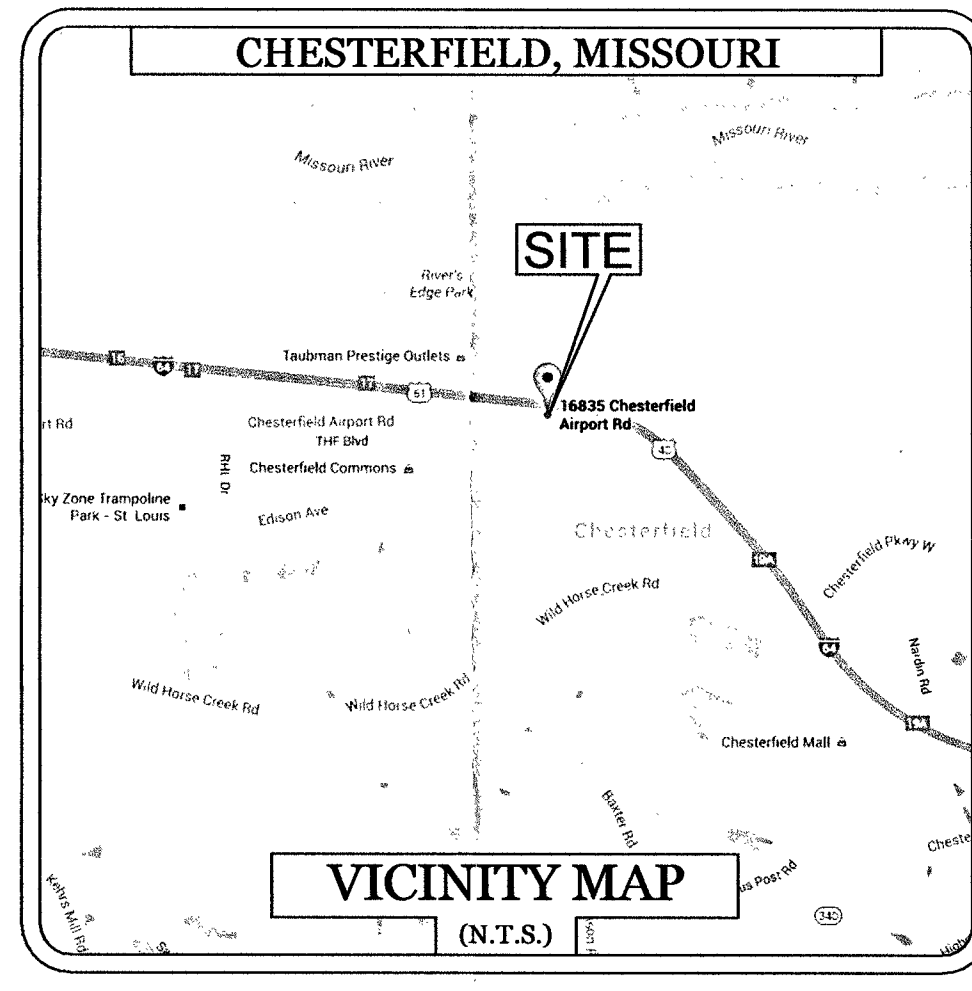
**PROPOSED EXHIBIT INFORMATION:**

LOT: +/- 115,316 S.F. / +/-2.65 ACRES  
PROPOSED BUILDING: +/- 24,400 S.F.  
F.A.R. = 0.21

**PROPERTY DESCRIPTION:**

A TRACT OF LAND BEING ADJUSTED LOT C308 OF BOUNDARY ADJUSTMENT PLAT AS RECORDED IN PLAT BOOK 355 PAGE 647, IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH P.M., CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIPE AT THE NORTHWEST CORNER OF SAID ADJUSTED LOT C803; THENCE ALONG THE NORTH LINE OF SAID LOT, S84°06'54"E, 766.43 FEET TO THE NORTHEAST CORNER OF SAID ADJUSTED LOS C803; THENCE ALONG THE EAST LINE OF SAID LOT, S00°24'54"E, 109.36 FEET TO THE SOUTHWEST CORNER OF SAID ADJUSTED LOT C803; THENCE ALONG THE SOUTH LINE OF SAID LOT, S89°35'06"W, 761.68 FEET TO THE SOUTHWEST CORNER OF SAID ADJUSTED LOT C803; THENCE ALONG THE WEST LINE OF SAID LOT, N00°25'29"W, 193.45 FEET TO THE POINT OF BEGINNING, CONTAINING 2.65 ACRES. SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, CONDITIONS, ETC. OF RECORD.



**NOTES:**

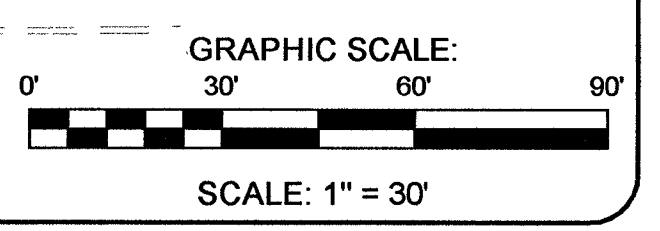
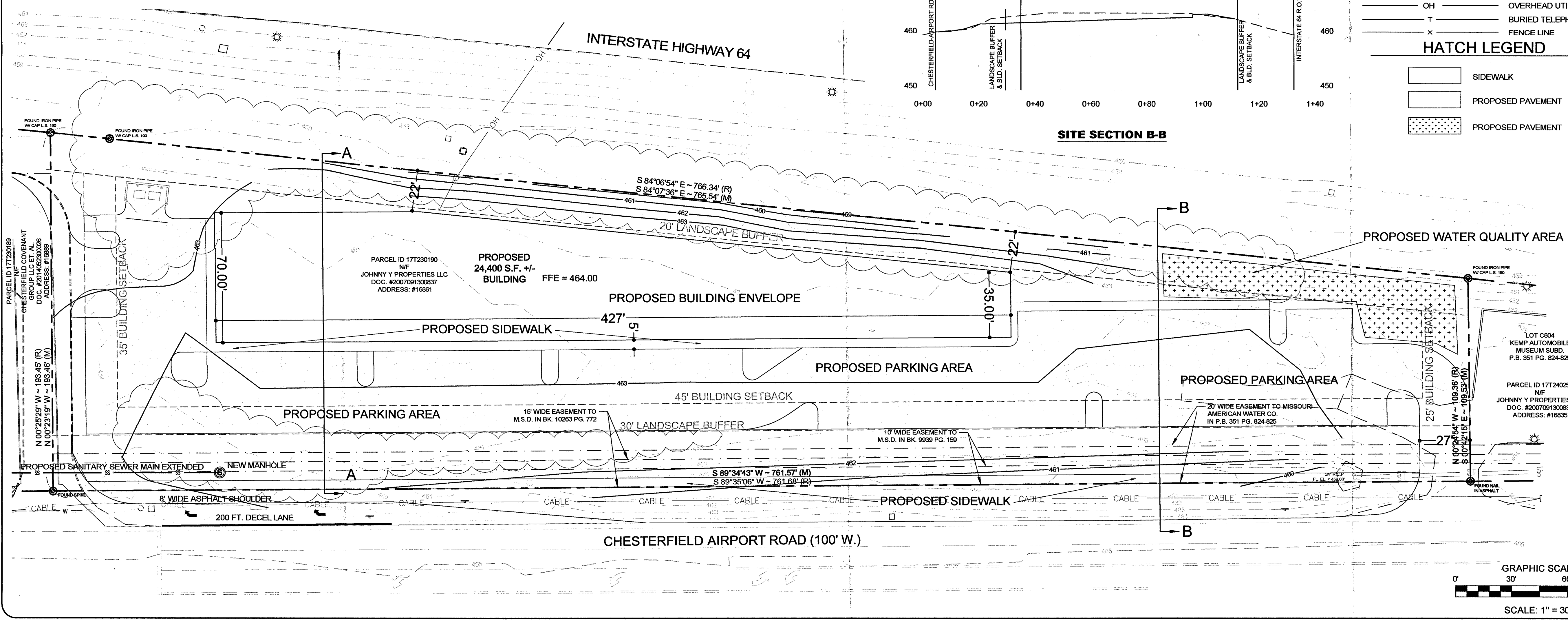
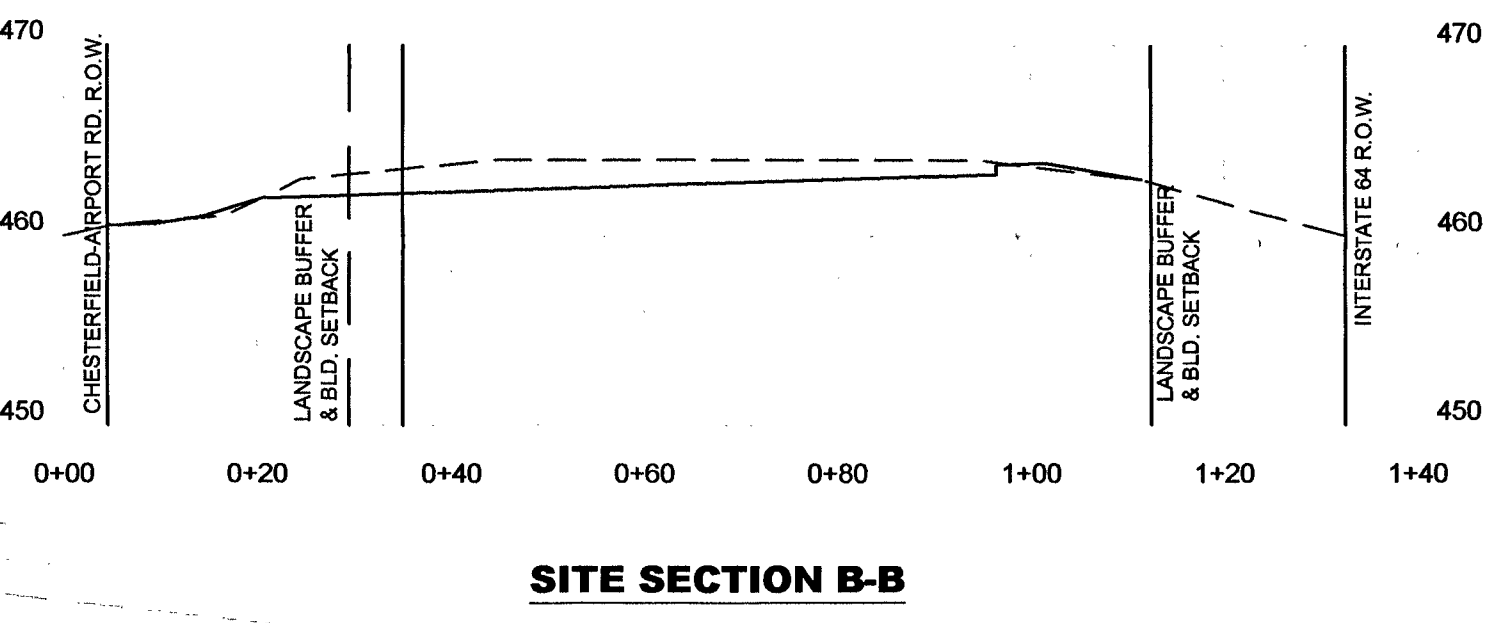
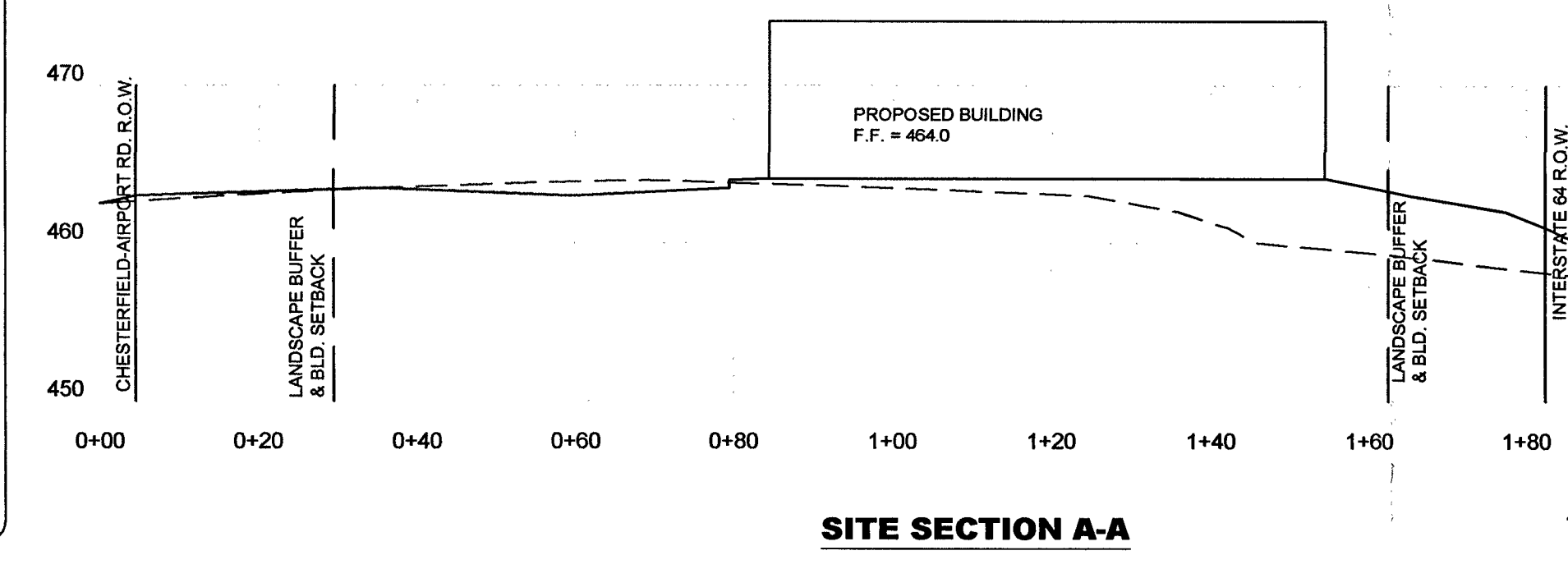
- BEARINGS REFERENCED TO GRID NORTH OF THE MISSOURI COORDINATE SYSTEM 1983, EAST ZONE AND ELEVATIONS REFERENCED TO NAVD 1988 PER GPS OBSERVATIONS UTILIZING THE MODOT VRS RTK NETWORK.
- THIS SURVEY WAS EXECUTED WITHOUT A TITLE COMMITMENT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, CONDITIONS, ETC. OF RECORD.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE LAND SURVEYOR.
- (R) - DENOTES RECORDED DEED AND PLAT INFORMATION.
- (M) - DENOTES MEASURED SURVEY INFORMATION GATHERED BY 21 DESIGN GROUP.
- THIS SURVEY MEETS THE ACCURACY STANDARDS FOR "URBAN" PROPERTY AS DEFINED BY THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.
- UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATION MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN.

**LEGEND**

- BENCHMARK
- 
- IRON PIN SET
- CONCRETE R/W MONUMENT
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEAN OUT
- ANCHOR
- UTILITY POLE
- SIGNAL POLE
- ELECTRIC BOX
- ELECTRIC METER
- GAS VALVE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- GAS METER
- TELEPHONE PEDESTAL
- STORM SEWER MANHOLE
- DROP BOX INLET
- CURB BOX INLET
- PIPE BOLLARD
- GUTTER OUTLET
- ROAD SIGN
- TREE
- MAILBOX
- LAMP POLE
- FINISHED FLOOR ELEVATION
- PROPERTY LINE
- SETBACK LINE
- EASEMENTS
- LOT LINE TO BE ABANDONED
- CENTERLINE
- UNDERGROUND ELECTRIC
- GAS LINE
- OVERHEAD UTILITIES
- BURIED TELEPHONE
- FENCE LINE

**HATCH LEGEND**

- SIDEWALK
- PROPOSED PAVEMENT
- PROPOSED PAVEMENT

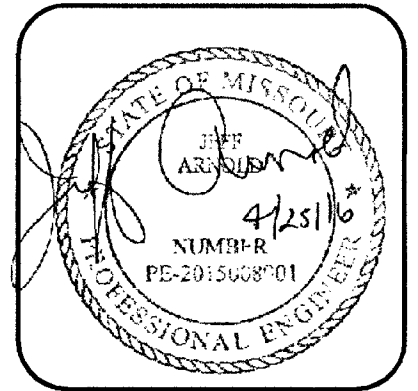


**REVISIONS**


**16861 CHESTERFIELD AIRPORT ROAD CHESTERFIELD, MO**

**ACES**  
ARNOLD CONSULTING ENGINEERING SERVICES, INC.  
P.O. BOX 1338  
BOWLING GREEN, KY 42101  
PHONE (270) 780-9445

**JOB NUMBER:**  
DATE: 4/25/2016  
SCALE: 1" = 30'  
DRAWN: B. ZACKERY  
CHECKED: J. ARNOLD  
FILE PATH:



**PP**  
PRELIMINARY PLAN

