

Memorandum Planning & Development Services Division

To:

Planning and Public Works Committee

From:

Justin Wyse, Senior Planner

Date:

May 9, 2013

RE:

P.Z. 05-2013 Monarch Center (JLA Development, LLC): A request for an ordinance amendment to a "PC" Planned Commercial District to add a 0.85 parcel of land currently zoned "M-3" Planned Industrial District to an existing "PC" Planned Commercial District and to modify development standards of the "PC" Planned Commercial District totaling a 10.94 acre area of land located north of Edison

Avenue and east of Long Rd. (17U120188 and 17U120100).



Doster Ullom, LLC, on behalf of JLA Development, LLC, has submitted a request for an ordinance amendment to add a 0.85 acre parcel of land zoned "M-3" Planned Industrial District to an existing "PC" Planned Commercial District resulting in a new "PC" Planned Commercial District totaling 10.94 acres. The requested amendment also seeks to amend various building and parking setbacks as well as various modifications to account for the addition of land.

A Public Hearing was held on March 25, 2013. Discussion focused on how the proposal differed from the original approval granted via City of Chesterfield Ordinance 2334 approved in 2007. After a motion to approve the request, three amendments where proposed.

The first amendment included that use ww. (parking area, including garages for automobiles) shall not permit any outdoor sales of motor vehicles or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72)-twenty-four (24) hours. The amendment passed by a vote of 6-2.

The second amendment added two uses (Dare care center, adult and Education facility, specialized private school). Staff advised the Commission during the meeting that these uses were determined to be included in the current ordinance and were inadvertently omitted during the process of converting the uses in City of Chesterfield Ordinance 2334 to the updated list of uses approved by the City of Chesterfield in 2009. The amendment passed by a vote of 8-0.

The final amendment removed the additional setback for Building E (building located on far east side of property) from Edison Avenue (120 feet) and would allow Building E to be governed by the 65 foot setback from Edison Avenue, similar to the other buildings within the development. The amendment passed by a vote of 6-2.



On April 22, 2013, Planning Commission recommended approval of the above-referenced matter, with the amendments noted above by a vote of 5-3.

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

Respectfully submitted,

Justin Wyse, AICP Senior Planner

cc: Aimee Nassif, Planning and Development Services Director

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 District shall be:
 - a. Administrative office for education or religious facility
 - b. Animal grooming service
 - c. Art gallery
 - d. Art studio
 - e. Auditorium
 - f. Automatic vending facility
 - g. Automobile sales, new
 - h. Automobile sales, used
 - Automotive retail supply
 - j. Bakery
 - k. Bar
 - Barber or beauty shop
 - m. Bowling center
 - n. Brewpub
 - Broadcasting studio
 - p. Cafeteria for employees and guests only
 - q. Car wash
 - r. Check cashing facility
 - s. Church and other place of worship
 - t. Club
 - u. Coffee shop
 - v. Coffee shop, drive-thru
 - w. Community center
 - x. Day care center, adult

- y. Day care center, child
- z. Drug store and pharmacy
- aa. Drug store and pharmacy, drive-thru
- bb. Dry cleaning establishment
- cc. Dry cleaning establishment, drive-thru
- dd. Education facility College / university
- ee. Education facility Kindergarten or nursery school
- ff. Education facility Specialized private school
- gg. Education facility Vocational school
- hh. Farmer's market
- ii. Filling station and convenience store with pump stations
- jj. Film drop-off and pick-up station
- kk. Film processing plant
- II. Financial institution
- mm. Financial institution, drive-thru
- nn. Grocery, community
- oo. Grocery, neighborhood
- pp. Grocery, supercenter
- qq. Gymnasium
- rr. Kennel, boarding
- ss. Library
- tt. Lodge
- uu. Office, dental
- vv. Office, general
- ww. Office, medical
- xx. Oil change facility
- yy. Parking area, including garages, for automobiles
- zz. Professional and technical service facility
- aaa. Reading room
- bbb. Research facility
- ccc. Restaurant, fast food
- ddd. Restaurant, outdoor customer dining area
- eee. Restaurant, sit down

fff. Restaurant, take out

ggg. Restaurant, with drive-thru window

hhh. Retail sales establishment, community

iii. Retail sales establishment, neighborhood

jjj. Retail sales establishment, regional

kkk. Retail sales, outdoor

Ill. Tackle and bait shop (outdoor storage and display are prohibited)

mmm. Theater, indoor

nnn. Vehicle repair and services facility

ooo. Veterinary clinic

ppp. Laboratory - professional, scientific

- The above uses in the PC District shall be restricted as follows:
 - a. Not more than one filling station, provided that no automobile, truck or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours, shall be permitted.
 - b. Not more than one car wash shall be permitted.
 - c. No more than one (1) vehicle service center for automobiles shall be permitted.
 - d. Automobile sales, whether new or used, shall only be permitted indoors.
 - e. Use www. shall not permit any outdoor sales of motor vehicles or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of twenty-four (24) hours.
 - f. Use cc. shall not include outdoor areas for driving or heavy equipment training.
- 3. Hours of Operation.
 - a. Hours of operation for this "PC" District shall not be restricted.

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

- 1. Floor Area
 - a. Total building floor area shall not exceed 71,500 square feet of which 7,000 square feet shall be allocated to the property on which Building F is located (as shown on the Preliminary Plan).

2. Height

a. The maximum height of the building, exclusive of roof screening, shall not exceed forty (40) feet.

3. Building Requirements

- a. A minimum of thirty-five percent (35%) openspace shall be required for this development due to good planning and urban design as a result of the following specific design components:
 - (i) the decreased floor area ratio over the minimum standard,
 - (ii) the enlarged landscape islands between each row of parking,
 - (iii) the installation of the public art feature in one of the landscaped islands,
 - (iv) the inclusion of an outdoor seating and plaza area,
 - (v) the inclusion of pedestrian walkways from the bus stop on Long Road to each building in the development.

C. SETBACKS

- Structure Setbacks (for Buildings A through E). No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles, fences, or one (1) ATM will be located within the following setbacks:
 - a. Seventy-five (75) feet from the eastern boundary of the "PC" District.
 - b. Seventy (70) feet from the northern boundary of the "PC" District.
 - c. One hundred forty-five (145) feet from the western boundary of the "PC" District.
 - (i) For the canopy associated with Building A: fifty (50) feet from the western boundary of the "PC" District.
 - d. Sixty-five (65) feet from the right-of-way of Edison Avenue.
- 2. Structure Setbacks (for Building F). 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. Ten (10) feet from the northern, southern, and eastern property lines;
 - b. Zero (0) feet from the western property line.

- (i) In the event that Building F is demolished and redeveloped, future redevelopment shall provide a thirty (30) foot setback from the western "PC" District boundary.
- 3. Parking Setbacks (for Buildings A through E). No parking stall, loading space, internal driveway, or roadway, except points of ingress / egress and shared access ways, will be located within the following setbacks:
 - a. Twenty (20) feet from the eastern boundary of the "PC" District.
 - b. Twenty-two (22) feet from the northern boundary of the "PC" District.
 - c. Thirty (30) feet from the western boundary of the "PC" District.
 - d. Fourteen (14) feet from the southern boundary of the "PC" District.
 - e. Trash enclosures for this development shall adhere to the requirements of the Monarch Fire Protection District and adhere to the parking setbacks established by this Attachment A.
- 4. Parking Setbacks (for Building F). No parking stall, loading space, internal driveway, or roadway, except points of ingress / egress and shared access ways, will be located within the following setbacks:
 - a. Ten (10) feet from the eastern property line.
 - b. Five (5) feet from the northern boundary of the "PC" District.
 - c. Fifteen (15) feet from the western boundary of the "PC" District.
 - (i) In the event that Building F is demolished and redeveloped, future redevelopment shall provide a thirty (30) foot parking setback from the western "PC" District boundary.
 - d. Zero (0) feet from the southern property line.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- Parking lots shall not be used as streets.
- No construction related parking shall be permitted within the Edison Avenue or Long Road right-of-way.

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

- Sign package submittal materials shall be required for this development. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.
- 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 (or MoDOT), 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

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

I. ACCESS/ACCESS MANAGEMENT

- Access to Edison Avenue shall be limited to three (3) entrances. The west entrance shall be aligned with the existing full access entrance on the opposite side of Edison Avenue. The remaining entrances shall not be closer than two hundred fifty (250) feet to each other. All entrance measurements shall be made from centerline to centerline.
- 2. Access to Long Road will be as directed by the Missouri Department of Transportation and the City of Chesterfield.
- 3. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the Missouri Department of Transportation, St. Louis County Department of Highways & Traffic and the City of Chesterfield.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

 A five (5) foot sidewalk shall be installed along the Long Road frontage. The sidewalk shall be located within an appropriate easement as directed by the City of Chesterfield. Said sidewalk and easement shall allow for public access across the site and the sidewalk shall be maintained by the property owner. All pedestrian facilities shall adhere to the current ADA standards specifically regarding the site arrival points. Internal sidewalks shall connect to frontage pedestrian access.

- Construct additional lanes, pavement widening, and provide necessary rightof-way to provide for turning or deceleration lanes for Edison Avenue in the vicinity of the permitted street access locations, as determined to be necessary by the City of Chesterfield to ensure the continued free flow of traffic along Edison Avenue.
- 3. Any work within MoDOT's right-of-way will require a MoDOT permit.
- 4. 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.

K. TRAFFIC STUDY

- 1. Provide a traffic study as directed by the City of Chesterfield and/or Missouri Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements 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 entrances. 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

- The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
- 2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
- 3. The Chesterfield Valley Master Storm Water Plan indicates a thirty (30) foot wide flat bottom ditch with three (3) foot horizontal to one (1) foot vertical side slopes shall be constructed along the northern and eastern property lines of this site. The developer shall be responsible for construction of the required storm water improvements and coordination with the owners of the properties affected by construction of the required improvements as directed by the City of Chesterfield. In the event that the ultimate required improvements cannot be constructed concurrently with this development, the developer shall provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed.

The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required Functional equivalence is said to be achieved when, as improvements. determined by the City of Chesterfield, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the City of Chesterfield determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The City of Chesterfield will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding

functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

- 4. Provide a Chesterfield Valley Storm Water Easement along the north, east, and south property lines. Depict the channels on the Site Development Plan and improvement plans. Maintenance of the required channels shall be the responsibility of the property owner.
- 5. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to paving of any driveways or parking areas.
- 6. A formal plan submittal is required for any improvements that occur subsequent to the change in zoning.
- 7. MSD has agreed to allow the development to connect to the existing public sanitary sewer forcemain that runs along the southern property boundary. However, as has been communicated to the owner's civil engineer, MSD also desires reducing the number of connections to the existing forcemain and minimize constructing MSD maintained low pressure sewer. While MSD supports connecting the property at 150 Long Road to public sewer, the lateral and sewer alignment shown will require modification and/or boundary adjustment will be needed.
- 8. Stormwater quality management will be required for all development, including improvements smaller than one acre of land disturbance that are part of a common plan of development (such as the proposed expansion at 150 Long Road). The whole project will be considered new development for the purpose of evaluating compliance with the City of Chesterfield's and MSD's Phase II Stormwater Permit, and will be required to provide controls that mimic pre-construction runoff condition (including runoff volume reduction).

N. SANITARY SEWER

 Provide public sewer service for this site, including sanitary force main, gravity lines and/or regional pump stations, in accordance with the Metropolitan St. Louis Sewer District Conceptual Sewer Master Plan for Chesterfield Valley.

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.

P. MISCELLANEOUS

- All utilities will be installed underground.
- An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.
- 3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- 4. One (1) piece of public art work shall be provided and installed by the Developer in this development.
- Sleeves for future telecommunication services are required to be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

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 CONCEPT PLAN

- Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
- Include a Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
- 3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
- Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
- 5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

B. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- Density calculations.
- 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.
- 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.
- 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.
- Address trees and landscaping in accordance with the City of Chesterfield Code.
- Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
- Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

- 21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
- 22. Compliance with Sky Exposure Plane.
- 23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

C. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plan shall adhere to the above criteria and to the following:

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

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

V. TRUST FUND CONTRIBUTION

The developer shall be required to contribute to the Chesterfield Valley Trust Fund as follows:

Roads

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the Saint Louis County Department of Highways and Traffic. The amount of the developer's contribution to this fund shall be computed based on the following:

Type of Development
Commercial
Office
Industrial

Required Contribution
\$2.39/sq. ft. of building space
\$1.66/sq. ft. of building space
\$5,758.98/acre

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

Credits for roadway improvements required will be awarded as directed by the Saint Louis County Highways and Traffic. Any portion of the roadway improvement contribution that remains, following completion of road improvements required by the development shall be retained in the trust fund.

The roadway improvement contribution shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of building permits. Funds shall be payable to the 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 \$756.04 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 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, St. 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 \$2,398.75 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 building permits. Funds shall be payable to the Treasurer, St. 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 the required contribution/improvements, if not approved for construction by January 1, 2014, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.

VI. RECORDING

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

VII. ENFORCEMENT

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





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Planning Commission Vote Report

Subject:

Ordinance Amendment

Meeting Date:

April 22, 2013

From:

Justin Wyse, AICP

Senior Planner

Location:

On the north side of Edison Avenue immediately east of its intersection

with Long Road (17U120188 and 17U120100).

Petition:

P.Z. 05-2013 Monarch Center (JLA Development, LLC)

Proposal Summary

Doster Ullom, LLC, on behalf of JLA Development, LLC, has submitted a request for an ordinance amendment to add a 0.85 acre parcel of land zoned "M-3" Planned Industrial District to an existing "PC" Planned Commercial District resulting in a new "PC" Planned Commercial District totaling 10.94 acres. The requested amendment also seeks to amend setbacks along the western portion of the district as well as various modifications to account for the addition of land.

Monarch Center is currently governed under City of Chesterfield Ordinance 2334 which is available online at:

http://www.chesterfield.mo.us/webcontent/ordinances/2007/ord2334.pdf.

In addition to the changes requested by the Petitioner, Staff has updated the development requirements in the Attachment A to reflect the current format and terminology currently used by the Planning and Development Services Division.

Site Area History

158 Long Road

St. Louis County zoned the site "NU" Non-Urban District in 1965 prior to the incorporation of the City of Chesterfield. In 2007, the site was zoned from the "NU" Non-Urban District to a "PC" Planned Commercial District. Ordinance 2334, which established the "PC" District includes a requirement that a site development (concept / section) plan be submitted within 18 months

and includes a provision for extension of the time limit with approval from the Planning Commission. To date, two separate extensions have been approved. Currently, the development is required to submit the required plan(s) by October 8, 2014.

150 Long Road

St. Louis County zoned the site "NU" Non-Urban District in 1965 prior to the incorporation of the City of Chesterfield. The site was zoned "M-3" Planned Industrial District by St. Louis County via St. Louis County Ordinance 10,355 in 1981 to allow for an office and warehouse use to be located within the existing home on the site. St. Louis County Ordinance 10,355 was amended in 1982 by St. Louis County Ordinance 10,765 to allow multiple tenants within the structure.

Zoning Analysis

The proposal includes adding the existing "M-3" Planned Industrial District to the existing "PC" Planned Commercial District and modifying several of the development requirements for the site. Specifically, the following changes have been requested:

- Revision of the legal description of the "PC" District resulting in a new district 10.94 acres in size.
- Increase in the previously approved density to accommodate the existing structure at 150 Long Road (currently Wildhorse Dental) as well as the potential for an addition onto this site. The current ordinance for Monarch Center allows for 64,025 square feet of development. The draft Attachment A for the Commission's consideration proposes entitlements for 71,500 square feet. The proposal directly allocates 7,000 square feet of this to Building F (Wildhorse Dental) as shown on the Preliminary Plan. This would allow for 64,500 square feet of development on the remainder of the development (an increase of 475 square feet).
- Modification to parking setbacks to acknowledge the inclusion of the additional parcel
 as well as promote cross access within the development and to adjacent parcels.
 Specifically, the ordinance previously required setbacks off the now internal property
 line. These setbacks have been modified to allow and encourage the shared use of the
 existing curb cut on Long Road.
- Adjustment to the structure setbacks to allow for a gas station canopy to be set back fifty (50) feet from Long Road (previously required a setback of eighty (80) feet from Long Road).
- Adjustment to the structure setback from Edison Avenue for Building E to allow for Building E to comply with the same setback from the southern district boundary as the rest of the buildings within the development. The existing ordinance requires this building to be set back 120 feet from Edison Avenue while the remainder of the buildings have a setback of sixty-five (65) feet from Edison Avenue. Under the proposed

language, all buildings would be required to have a sixty-five (65) foot setback from Edison Avenue.

 Allowance of one ATM to be located within the structure setbacks and substantially in compliance with the Preliminary Plan.

In addition, in accordance with Division policy regarding the changes, Staff has worked with the applicant to update the Attachment A to comply with the current form utilized by the Division. In terms of the number of permitted use, the proposal includes many more permitted uses than the previous ordinance. Staff has gone through an extensive process with the Petitioner to translate the prior uses permitted under City of Chesterfield Ordinance 2334 to reflect the changes to the "PC" Planned Commercial District enabling legislation approved by the City of Chesterfield in 2009. As you may remember, the uses previously identified in the enabling legislation were reviewed by the City. Subsequent to this review, a new and generally expanded list of uses was approved as part of City of Chesterfield Ordinance 2527. As a result of this expansion of uses within the enabling legislation, the translation of the prior uses to the new use terms results in a larger list of permitted uses.

Finally, the existing ordinance contains a requirement that regulates the floor area ratio of the development. Staff has removed this requirement as the density of the development will be more precisely dictated by the inclusion of the floor area allowance; thus, the inclusion of the floor area ratio becomes a redundant requirement.

Surrounding Land Use and Zoning

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

North: The large property to the north is zoned ""Pl" Planned Industrial District. There

is also a small parcel zoned "C-8" Planned Commercial District on the northwest

side of the site.

South: The adjacent properties to the south are currently vacant and zoned "PC"

Planned Commercial District.

East: The adjacent properties to the east are zoned "PI" Planned Industrial District

and are a part of St. Louis Family Church.

West: The properties located to the west are retail and a fire house that are zoned

"PC" Planned Commercial District.





View of Existing Dental Office Building



View Looking Across Southern Frontage



View Looking North Across Subject Site



View of Development West of Subject Site

Comprehensive Plan Analysis

The City of Chesterfield Comprehensive Plan Land Use Map delineates this development as Mixed Use (retail / office / warehouse), which permits retail, low-density and mid-density office, and office / warehouse facilities.



Issues

A Public Hearing was held on March 25, 2013. One issued was raised requesting the Petitioner to conceptually indicate the Petitioner's plan for inclusion of the previously required enhancements to enlarged landscape islands, public art, outdoor seating / plaza areas, and pedestrian walkways. The Petitioner responded that it is the intent of the developer(s) to comply with the previous requirements (which are included in the current Attachment A) and the Petitioner's response is attached for the Commission's information.

Request

Staff has reviewed the requested ordinance text amendment by Doster Ullom, LLC, as it pertains to the development at the northeast corner of Long Road and Edison Avenue. Staff requests action on P.Z. 05-2013 Monarch Center (JLA Development, LLC).

cc: Planning and Development Services Director

Attachment: Attachment A

Petitioner's Response to Issues Letter

Preliminary Plan



St. Louis
16090 Swingley Ridge Road
Suite 620
Chesterfield, MO 63017
(636) 532-0042
(636) 532-1082 Fax

William B. Remis bremis@dosterullom.com

April 10, 2013

Sent via E-mail & U.S. Mail

Justin Wyse Senior Planner City of Chesterfield 690 Chesterfield Parkway West Chesterfield, MO 63017

RE: P.Z. 05-2013 Monarch Center (JLA Development, LLC)

Dear Mr. Wyse:

This letter is in response to your letter of March 29, 2013. In response to your first point, the enhancements you reference will be addressed during site plan review, and it is the intent of the Applicant to comply with the intent of the existing ordinance. The following is in response to the remaining points:

Floor Area

1. This is acceptable.

Setbacks

- 1. This is acceptable except 1.d.i. should be deleted so that the Edison Road setback is consistent.
 - 2-4. These are acceptable.

Parking and Loading Requirements

1. This is acceptable.

Access/Access Management

1. An Agreement between the Kirchoffs and the City grants the Kirchoffs three (3) full access entrances on Edison Road, and the locations as shown comply with that Agreement.

Justin Wyse, Senior Planner April 10, 2013 Page 2

- 2. This is acceptable.
- 3. This is acceptable.

Public/Private Road Improvements, Including Pedestrian Circulation

Pedestrian Circulation

1. This is acceptable.

Public Road Improvements

2. The Agreement between the Kirchoffs and the City sets the number, nature and location of the entrances on Edison Road and did not dictate improvements. However, a traffic study will be submitted during the site plan review that addresses the scope discussed with staff.

Storm Water

I and 2. These are acceptable.

3. This should be changed to read "Chesterfield Valley Master Storm Water Plan improvements shall be completed as directed by the City."

Sanitary Sewer

1. This is acceptable.

The remaining requirements noted in your letter are acknowledged. Enclosed is a list of the proposed uses which we believe to be substantially similar to the already permitted uses.

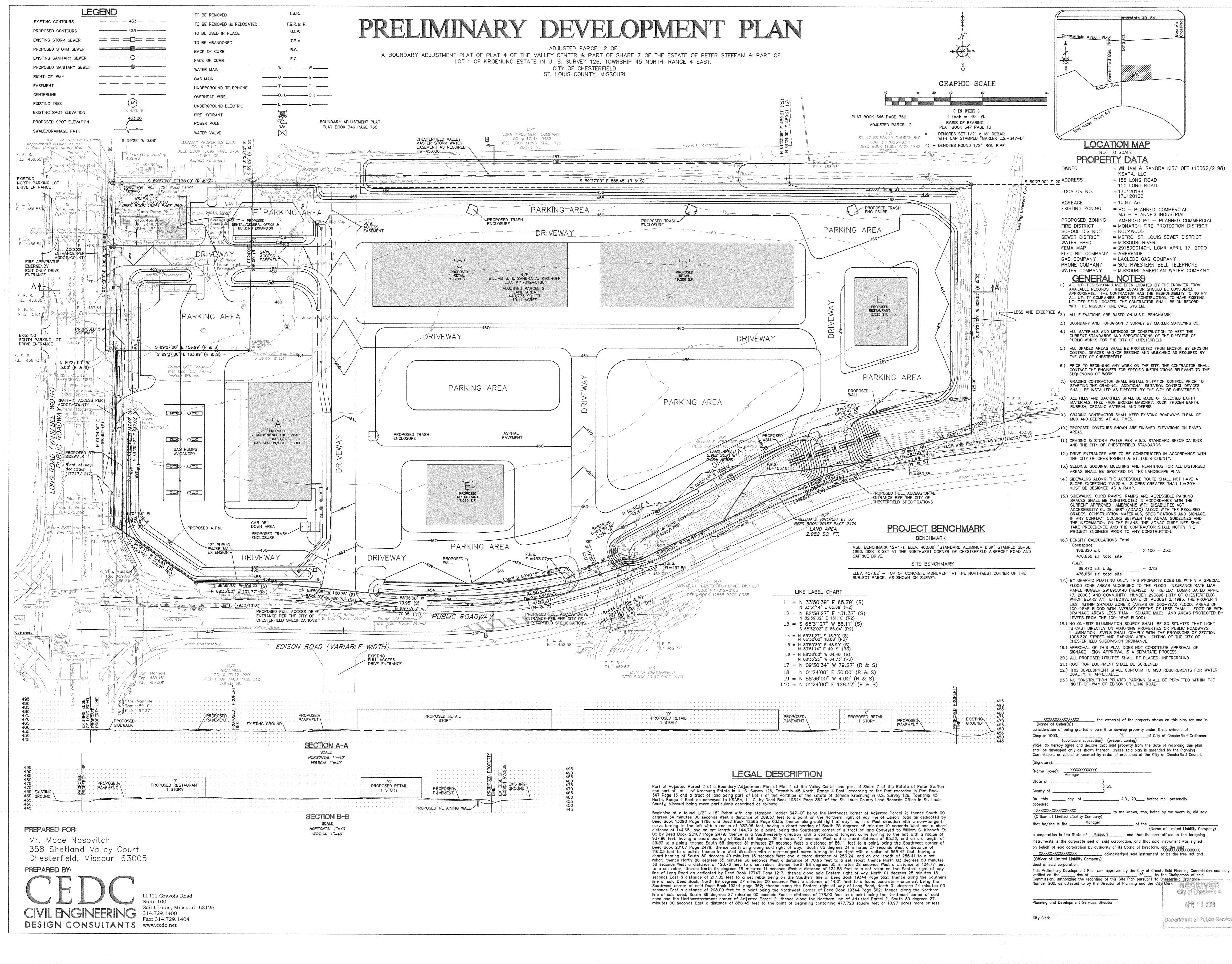
Very truly yours,

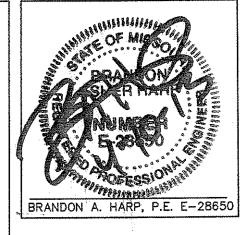
William B. Remis

U BRL

WBR/kml

cc: Mace Nosovitch Brandon Harp





Proj. # 1129 No. Description 12/21/12 City Submittal 03/07/13 Per City

> Preliminary Development

OF 1

