

Memorandum

Department of Planning



To: Planning and Public Works Committee
From: Mike Knight, Assistant City Planner *JMK*
Date: August 18, 2022

RE: P.Z. 01-2022 Kemp Automobile Museum (Johnny Y Properties LLC):
An ordinance amending the Unified Development Code by changing the boundaries of an existing “PC” Planned Commercial District to a new “PC” Planned Commercial District for a 2.65 acre tract of land located on the south side of Interstate 64 east of Chesterfield Commons Drive (17T230190).

Summary

Johnny Y Properties LLC is requesting a zoning map amendment to the boundaries of an existing “PC” Planned Commercial District to a new “PC” Planned Commercial District for a 2.65 acre tract of land. There are two primary purposes with this request.

The first purpose would be to delete restrictions on the fast food use including the prohibition on drive-through restaurants at the property. The applicant states that the dining habits of customers that have developed as a result of the COVID 19 pandemic has made the availability of a drive-through critical to the success of restaurants the applicant operates.

The second purpose is to revise the Preliminary Development Plan to reduce the total square footage of the building at the property from 24,400 square feet to 11,100 square feet to accommodate the drive-through.

A public hearing was held on June 13, 2022 at which time the Planning Commission and general public discussed the zoning map amendment request but no specific issues were raised. The zoning petition was before the Planning Commission on August 8, 2022. At that meeting the Planning Commission made a motion to approve the zoning petition as presented with two conditions:

- No free-standing signs, including pylon signs are permitted along the Highway 40 frontage.
- There shall be increased landscaping along the Highway 40 frontage.

The motion passed by a vote of 7-0.

Attached, please find a copy of the August 8th Planning Commission Staff Report, draft Attachment A, Preliminary Development Plan marked as Attachment B, and the

Applicant's Narrative Statement for this petition. It should be noted that the draft Attachment A includes the conditions of approval by the Planning Commission.

Attachments: August 8th, 2022 Planning Commission Staff Report
Attachment A
Attachment B - Preliminary Development Plan
Applicant's Narrative Statement



Figure 1: Subject Site Aerial



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Planning Commission Vote Report

Meeting Date: August 8, 2022

From: Mike Knight, Assistant City Planner *JMK*

Location: South side of Interstate 64 east of Chesterfield Commons Drive

Petition: **P.Z. 01-2022 Kemp Automobile Museum (Johnny Y Properties LLC):** An ordinance amending the Unified Development Code by changing the boundaries of an existing “PC” Planned Commercial District to a new “PC” Planned Commercial District for a 2.65 acre tract of land located on the south side of Interstate 64 east of Chesterfield Commons Drive (17T230190).

SUMMARY

Johnny Y Properties LLC is requesting a zoning map amendment to the boundaries of an existing “PC” Planned Commercial District to a new “PC” Planned Commercial District for a 2.65 acre tract of land. There are two primary purposes with this request. **The first purpose would be to delete restrictions on the fast food use including the prohibition on drive-through restaurants at the property.** The applicant states that the dining habits of customers that have developed as a result of the COVID 19 pandemic has made the availability of a drive-through critical to the success of restaurants the applicant operates. **The second purpose is to revise the Preliminary Development Plan to reduce the total square footage of the building at the property from 24,400 square feet to 11,100 square feet to accommodate the drive-through.**



Figure 1: Subject Site Aerial

SITE HISTORY

In 2007, Ordinance 2397 was approved. This ordinance re-zoned the property from a “M3” Planned Industrial District to a “PC” Planned Commercial District. The ordinance permitted one use on the property. The sole permitted use was a Restaurant, Sit Down.

In 2015, Ordinance 2905 was approved. This ordinance created a new “PC” Planned Commercial District on the subject site to add additional uses. One of the additional uses permitted by Ordinance 2905 was Restaurant, Fast Food. The use also had a series of restrictions. These restrictions include that there is no drive-through component, the restaurant must utilize non-disposable dishware, and the majority of the menu items are custom prepared to order versus pre-prepared and “racked”. A Site Development Plan was submitted to the City in May of 2017 and approved in November of 2018. Improvement Plans were submitted to the City but never approved and the site sits vacant today.

SURROUNDING LAND USES

The project is located south of I-64 in an area known as the Chesterfield Valley. To the north of I-64 are two developments known as the “The District” and “Summit Topgolf”. The project is bordered to the south by Chesterfield Airport Road, which is a major arterial roadway owned and operated by St. Louis County. Below (Figure 2) is an image of the surrounding land uses followed by a table (Table 1) identifying the common development name, associated zoning district, and description of current use.

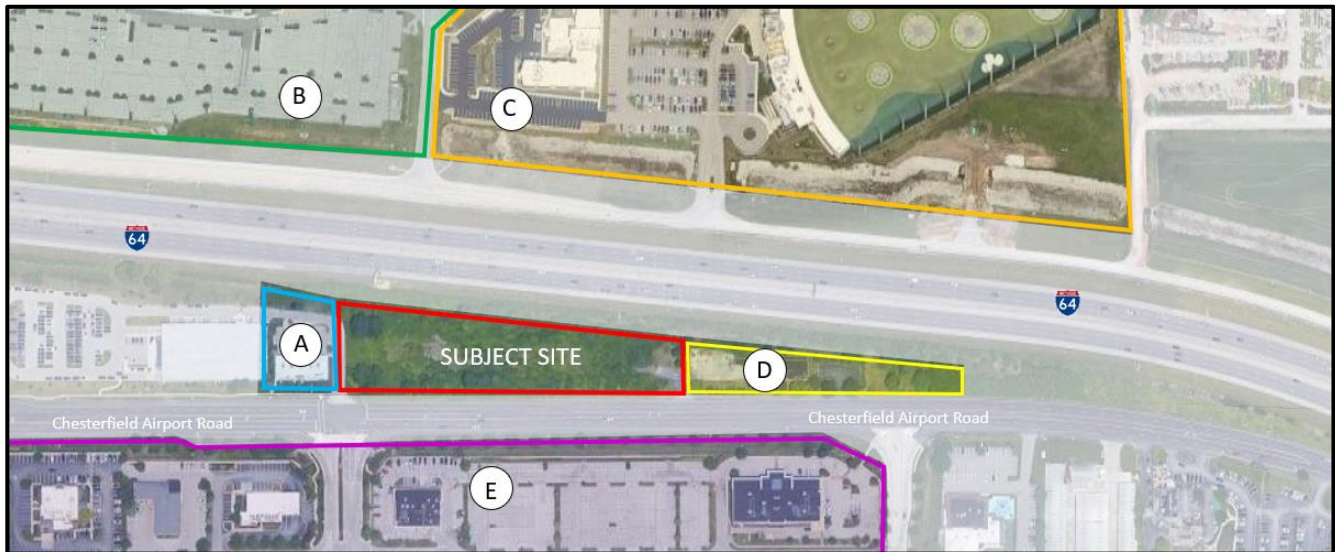


Figure 2: Surrounding Aerial

ID	Development	Zoning	Current Use
A	Chesterfield Smiles	PC	Dentist and Retail
B	The District	PC	Entertainment District
C	Summit-Topgolf	PC	Hotel and Golf Recreational Facility
D	Sachs Maintenance	M3	Warehouse Maintenance Equipment
E	Chesterfield Commons East	PC	Retail and Restaurant

Table 1: Surrounding Uses

COMPREHENSIVE PLAN

The subject site is located within Ward 4 of the City of Chesterfield. The City's Comprehensive Plan contains the City's Land Use Plan. The Land Use Plan depicts the development patterns envisioned by and for the community. While the land use designations are not zoning districts, they provide sufficient guidance to help city officials determine which zoning districts are suitable for specific locations. The subject site and all the adjacent properties are designated Regional Commercial on the City's Land Use Plan (Figure 3).

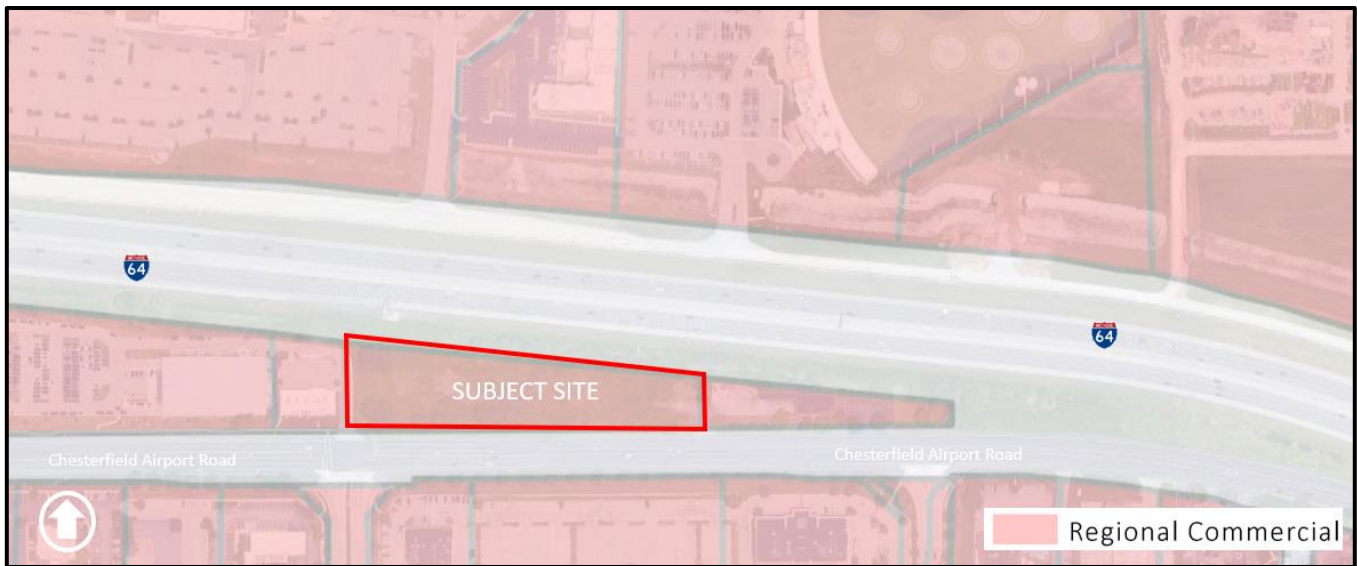


Figure 3: Comprehensive Land Use Plan

The City of Chesterfield Comprehensive Plan describes the character of the Regional Commercial land use designation:

“Areas that serve regional commercial needs (emphasizing retail, dining, entertainment, hotel, and leisure components) and draw visitors from both Chesterfield and the surrounding areas”.

A series of development policies are also provided for the Regional Commercial designation. Policies relative to this proposal are below.

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points
- Primary entrance points should be aligned with access points immediately across the street
- Promote the re-invention of existing tenant space to accommodate different users to increase the mix of uses and redefine the centers, allowing them to be modernized and remain relevant in the market
- Landscape buffering should be utilized between roadways to screen areas of surface parking
- Maintain pedestrian connectivity from transit stops to facilitate the large employment centers
- Secure infrastructure for safe walking and biking between lodging and attraction centers

STAFF ANALYSIS

There are two primary purposes with this request. The first purpose would be to delete restrictions on the fast food use including the prohibition on drive-through restaurants at the property. The applicant states that the dining habits of customers that have developed as a result of the COVID 19 pandemic has made the availability of a drive-through critical to the success of restaurants the applicant operates. The second purpose is to revise the Preliminary Development Plan to reduce the total square footage of the building at the property from 24,400 square feet to 11,100 square feet to accommodate the drive-through.

Request 1 (*Remove restriction on Restaurant, Fast Food*)

The current governing ordinance has 8 permitted uses provided below.

- Coffee Shop
- Commercial Service Facility
- Office, General
- Professional and Technical Service Facility
- Restaurant, Sit Down
- Restaurant, Take Out
- Restaurant, Fast Food
- Retail Sales Establishment, Neighborhood

The governing ordinance has additional restrictions on the Restaurant, Fast Food use. This is the only use of the ordinance that has an additional restriction placed on it. A restriction states that the Fast Food is more narrowly defined as “Fast Casual”, and no drive-through component is permitted. The ordinance also states that the fast food restaurant must use non-disposable dishware, and the majority of the menu items are custom prepared to order versus pre-prepared and racked. The applicant is requesting to remove this restriction from the Restaurant, Fast Food use.

Staff is unaware of the “Fast Casual” restriction placed in any other planned district ordinance. It is important to note that the applicant for the previous zoning petition is the same applicant for the current zoning petition request. Although staff is unaware of any other parcel with the Fast Casual restriction, the Restaurant, Fast Food use is permitted in many areas of the Chesterfield Valley.

On the following page is an image (Figure 4) which outlines the surrounding developments and demarks whether the fast food use with drive-through is permitted. It is also important to recognize that there are a series of other development requirements, outside of use, that dictate if a site would be able to accommodate a drive-through restaurant. These requirements include, but are not limited to, parking requirements, vehicle stacking requirements, landscaping requirements, and access management principles all defined in the City’s Unified Development Code.

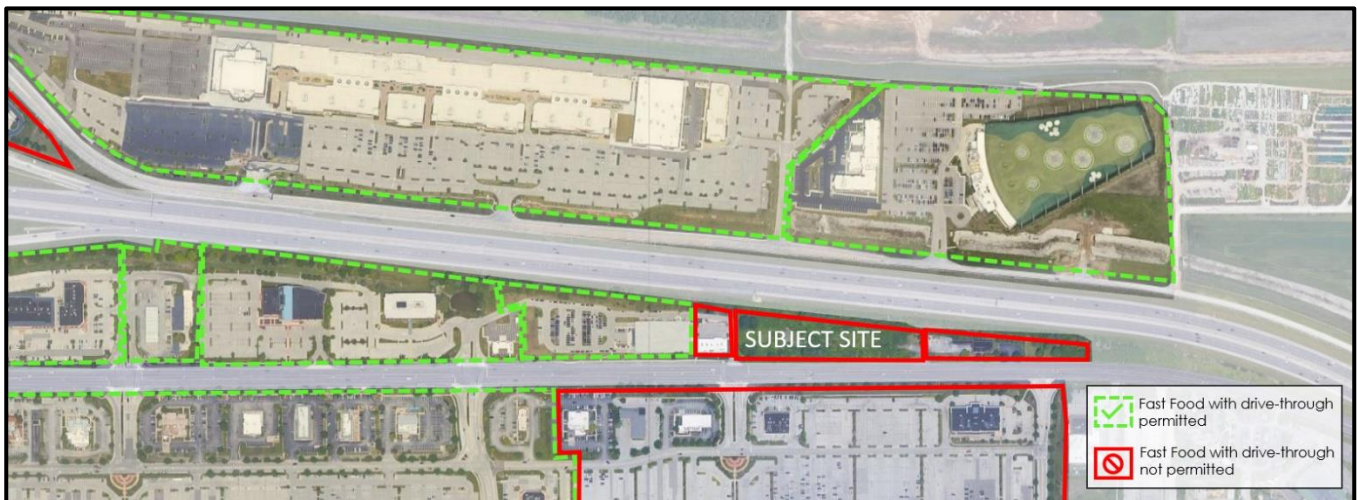


Figure 4: Restaurant Use, Fast Food Permitted/Not Permitted

Request 2 (Revise the Preliminary Development Plan)

The applicant is proposing to revise the Preliminary Development Plan to reduce the total square footage of the building at the property from 24,400 square feet to 11,100 square feet to accommodate the drive-through. The drive-through lane wraps around the western tenant building labeled as the restaurant user. The general building and parking areas are largely consistent with the previous Preliminary Development Plan with the addition of parking between the restaurant and office/retail users. All the same building setbacks, parking setbacks, height requirements and landscape requirements remain from the previous ordinance.

PRELIMINARY DEVELOPMENT PLAN

A zoning map amendment to a planned zoning district requires a Preliminary Development Plan, which has been included in the Planning Commission's packet (Figure 5).

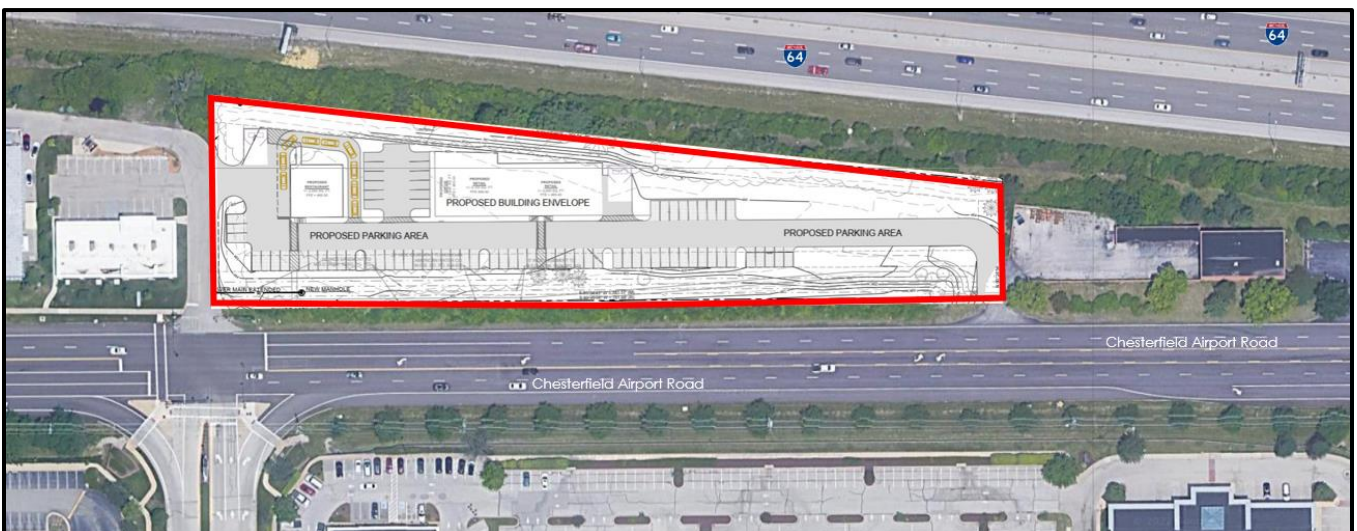


Figure 5: Preliminary Development Plan Over Aerial Image

There are two existing curb cuts supporting the site off Chesterfield Airport Road and are in the same location as the previously approved Preliminary Development Plan. The development will have cross-access to the adjacent sites to the east and west.

PUBLIC HEARING

A public hearing was held on June 13, 2022 at which time the Planning Commission and general public discussed the zoning map amendment request but no specific issues were raised. Since the Public Hearing, the applicant has updated their Preliminary Development Plan to meet the requirements of the City's Unified Development Code.

REQUEST

Staff has reviewed the requested zoning map amendment by the Applicant and has prepared an Attachment A reflecting this request for consideration by the Planning Commission. The Preliminary Development Plan has been reviewed by Staff and is marked hereto as Attachment B. Staff has no further comments or outstanding issues on the zoning request before the Commission.

The petition has met all filing requirements and procedures of the City of Chesterfield. Additionally, all agency comments have been received and comments are represented in site specific rules and regulations provided in the Attachment A. Staff requests action on P.Z. 01-2022. Upon receiving recommendation on this petition from the Planning Commission, this zoning request will be forwarded to both the Planning and Public Works Committee and City Council for review. If approved, the Site Development Plan process will then commence. Attached, please find a copy of the Applicant's Narrative Statement, the site specific zoning rules and regulations represented as the Attachment A and the Preliminary Development Plan represented as Attachment B.

Attachments

1. Applicant's Narrative Statement
2. Attachment A
3. Attachment B

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. Hours of Operation.
 - a. Use "h" listed above shall be restricted to hours of operation open to the public from 6:00 AM to 11:00 PM.
 - 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%) open space 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 Development Plan.

3. There shall be increased landscaping along the Highway 40 frontage.
4. Additional planting will be required on Interstate 64 right of way as directed by the Department of Planning 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.
2. No free-standing signs, including pylon signs are permitted along the Highway 40 frontage.
3. 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

The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Chesterfield Airport Road shall be via one (1) shared commercial entrance with the property owner to the east, and one (1) shared commercial entrance with the property to the west. Access drives shall be widened and/or improved to provide required sight distance as directed by the City of Chesterfield and St. Louis County. Access shall be constructed to Saint Louis County Standards as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
2. 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.
3. Access to the development shall be as shown on the Preliminary Development Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
4. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as

required by the City of Chesterfield and the agency in control of the right of way off which the access is proposed.

5. 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, as directed by the controlling agency.
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. The drive lane north of the building shall be restricted to one-way westbound.
9. Any work within MoDOT right of way will require a MoDOT permit.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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 Transportation. No gate installation will be permitted on public right-of-way.
15. 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 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 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

The development shall adhere to the Power of Review Requirements of the City of Chesterfield Code.

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. Stormwater improvements shall be provided as required by the City of Chesterfield, the Monarch Chesterfield Levee District, 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.

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, the developer shall provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Chesterfield. 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

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.
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. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include all items required by City Code and the following items:

1. Density calculations.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for ADA designed.
3. Provide open space percentage for overall development.
4. A note indicating all utilities will be installed underground.
5. A note indicating signage approval is separate process.
6. A note stating all above ground utility facilities larger than 2 feet in height or covering in excess of 4 square feet in size shall be screened from public view. If screening is completed by landscape material, a landscape plan identifying the size, location and species shall be submitted and approved by the city prior to installation of any facility.

7. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Floodplain boundaries.
11. 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.
12. 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.
13. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
14. 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.
15. Address landscaping in accordance with the City of Chesterfield Code.
16. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
17. 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.
18. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD), St. Louis County Department of Transportation and the Missouri Department of Transportation.
19. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

III. 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, 2023, 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. ROAD IMPROVEMENTS

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	\$2,477.85/parking space
Restaurant, Sit Down	\$2,477.85/parking space
Restaurant, Drive-In Fast Food	\$4,955.88/parking space
Loading Space	\$4,054.68/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 \$996.57 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 \$3,161.89 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.

IV. 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.

V. 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.

NARRATIVE STATEMENT

Johnny Y Properties LLC (“Applicant”) is requesting to amend Ordinance 2905 to delete Section I.A.2. This amendment deletes the prohibition on drive-through restaurants at the property and the requirement that a fast food restaurant be narrowly defined as a “fast casual” restaurant. Applicant intends to use a portion of the property for a restaurant with a Japanese bistro concept. The dining habits of customers that have developed as a result of the COVID 19 pandemic has made the availability of a drive-through critical to the success of restaurants of the type that Applicant operates. Takeout orders are a key component of Applicant’s success, and availability of a drive-through allows Applicant to more effectively serve takeout customers.

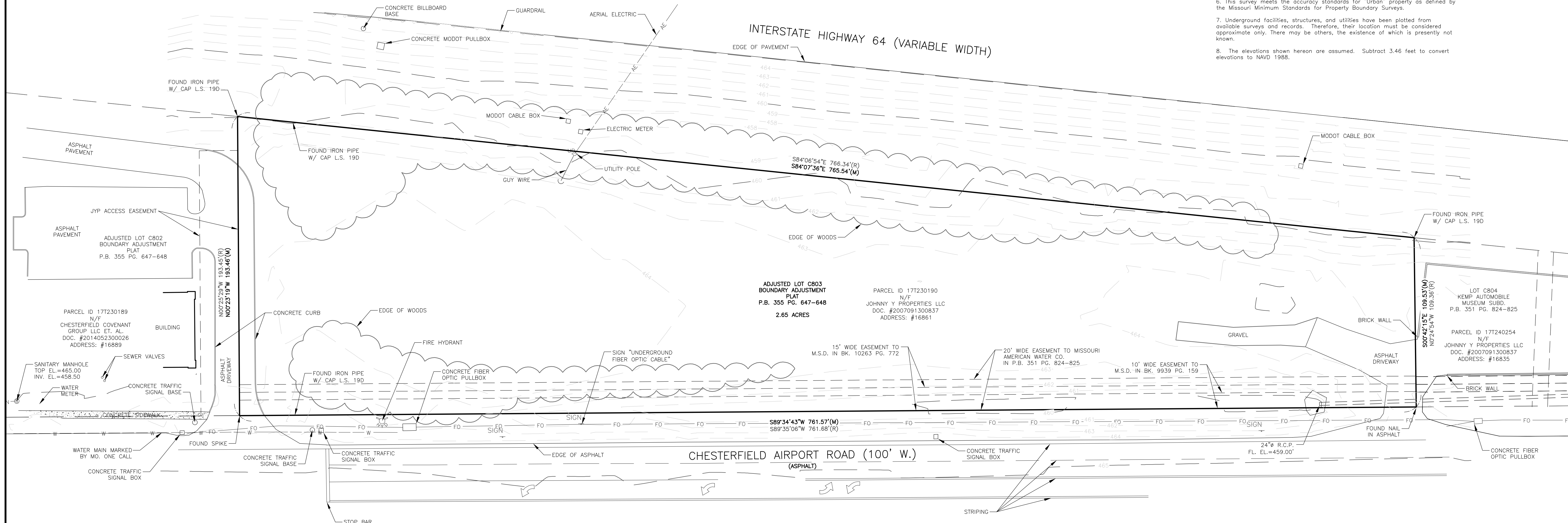
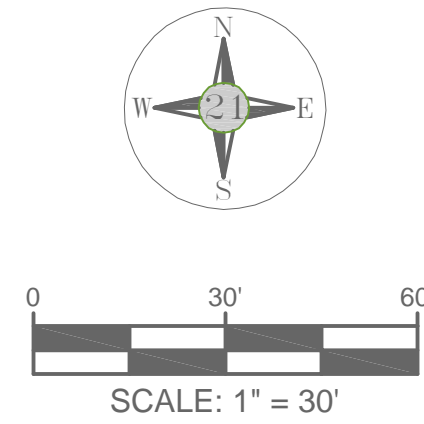
In connection with this amendment, Applicant is also revising the preliminary development plan to reduce the total square footage of buildings at the property from a maximum 24,400 square feet to 11,100 square feet. One building will be a standalone drive-through restaurant with a building area of about 2,500 square feet. The other will be an office/retail building of about 8,600 square feet. There will be a parking area between the two buildings.

PROPERTY BOUNDARY SURVEY

ADJUSTED LOT C803 OF BOUNDARY ADJUSTMENT PLAT AS RECORDED IN PLAT BOOK 355 PAGES 647 AND 648 IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH P.M., CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

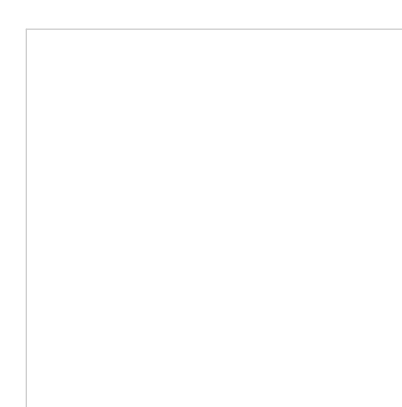
NOTES:

- Bearings referenced to Grid North of the Missouri Coordinate System 1983, East Zone 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.
- The elevations shown hereon are assumed. Subtract 3.46 feet to convert elevations to NAVD 1988.



SURVEYOR'S CERTIFICATE:

This is to certify that at the request of Arnold Consulting Engineering Services Inc., we have during the month of August 2015, executed a Property Boundary Survey and located improvements on Adjusted Lot C803 of Boundary Adjustment Plat of Lots C802 & C803 of the Kemp Automobile Museum Subdivision as recorded in Plat Book 355 Pages 647 and 648 of the St. Louis County Recorder of Deeds Office. This plat and the survey on which it was based were made under my direct supervision in a manner consistent with the degree of care and skill ordinarily exercised by prudent members of the same profession currently practicing and in similar circumstances (the "Applicable Standards and Degree of Care"), and in accordance with the current Minimum Standards for Property Boundary Surveys as established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. The results of said survey are, to the best of my knowledge and belief, correctly represented upon this plat.

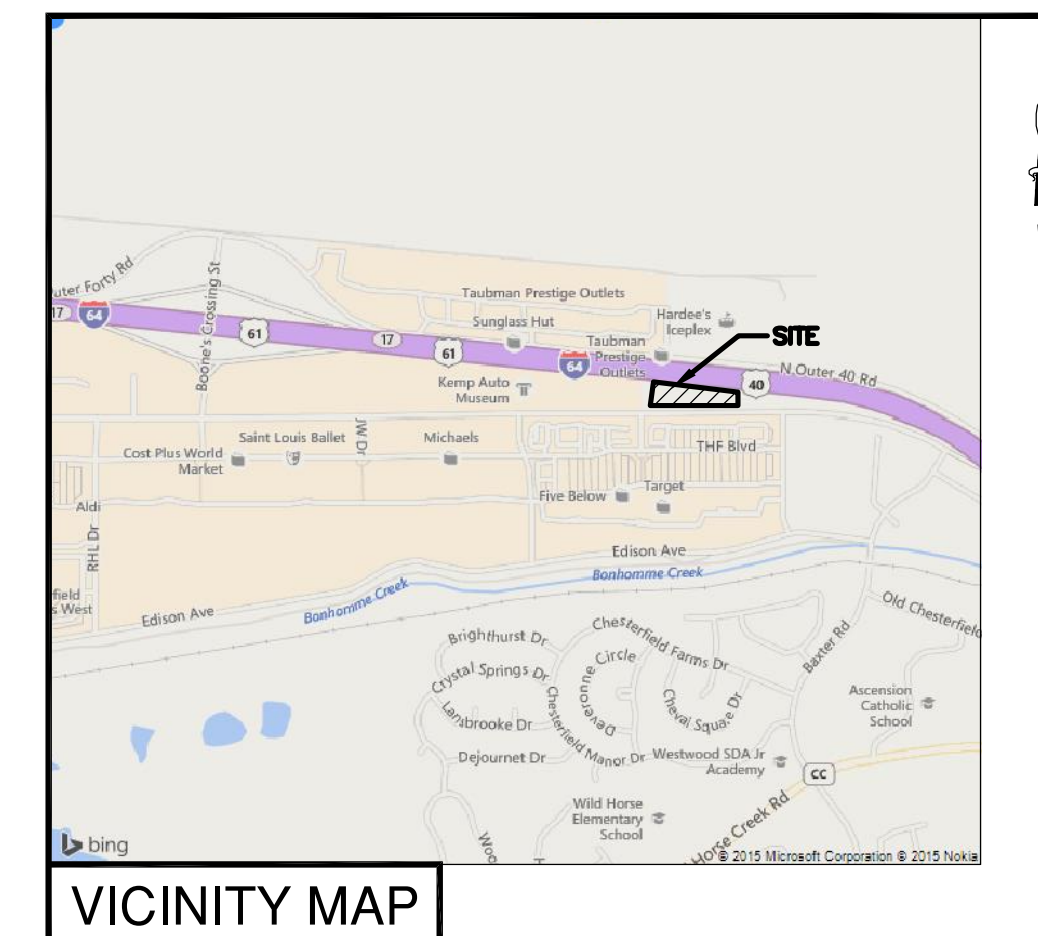


Jason P. Pellin, L.S. #2000148665
State of Missouri
Professional Land Surveyor
for 21 Design Group, Inc.
L.S.C. #2013008264

Revised 1-7-16, Added improvements to the west J.P.P.

MISSOURI ONE CALL NOTE:

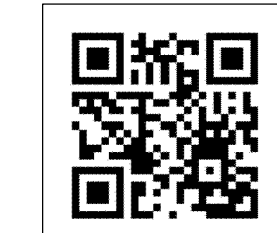
- TICKET NO. 152360676
- UTILITY COMPANIES NOTIFIED:
- AMEREN MO ELECTRIC 800-778-9140 (USIC)
 - ATT DISTRIBUTION 800-778-9140 (USIC)
 - MODOT ST. LOUIS DISTRICT 314-275-1500
 - LACLEDE GAS CO. 314-621-6960
 - CTLN CENTURYLINK 855-742-6062
 - MISSOURI AMERICAN WATER CO. 314-878-5787 (USIC)
 - MCI 800-289-3427
 - ST. LOUIS METROPOLITAN SEWER DIST. 314-768-6262



VICINITY MAP

AREA MAP - NOT TO SCALE

DOWNLOAD MOBILE APPS LIKE "REDLASER BARCODE & QR SCANNER" OR ANY OTHER "QR SCANNER"

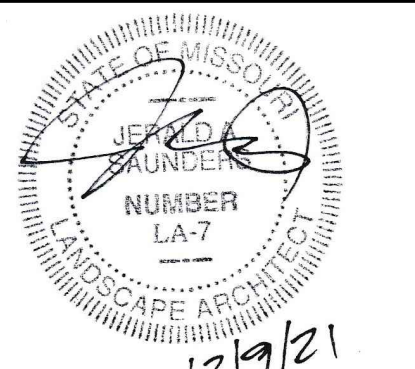


SCAN QR CODE WITH YOUR MOBILE DEVICE FOR VIRTUAL SITE TOUR

DATE:	1/7/16
PROJECT NO:	0176-15
APPROVED BY:	J.P.P.
DRAWN BY:	J.P.P.
SCALE:	1"=30'
SHEET NAME:	
LOT SPLIT	

SURVEY CERTIFICATE OF AUTHORITY NO. LS-2013008264
ENGINEERING CERTIFICATE OF AUTHORITY NO. E-2013008264

21 DESIGN GROUP
ENGINEERING AND SURVEYING
1351 Jefferson St., Suite 301
Washington, MO 63090
mail@21designgroup.net
636-283-0621 (tel.)

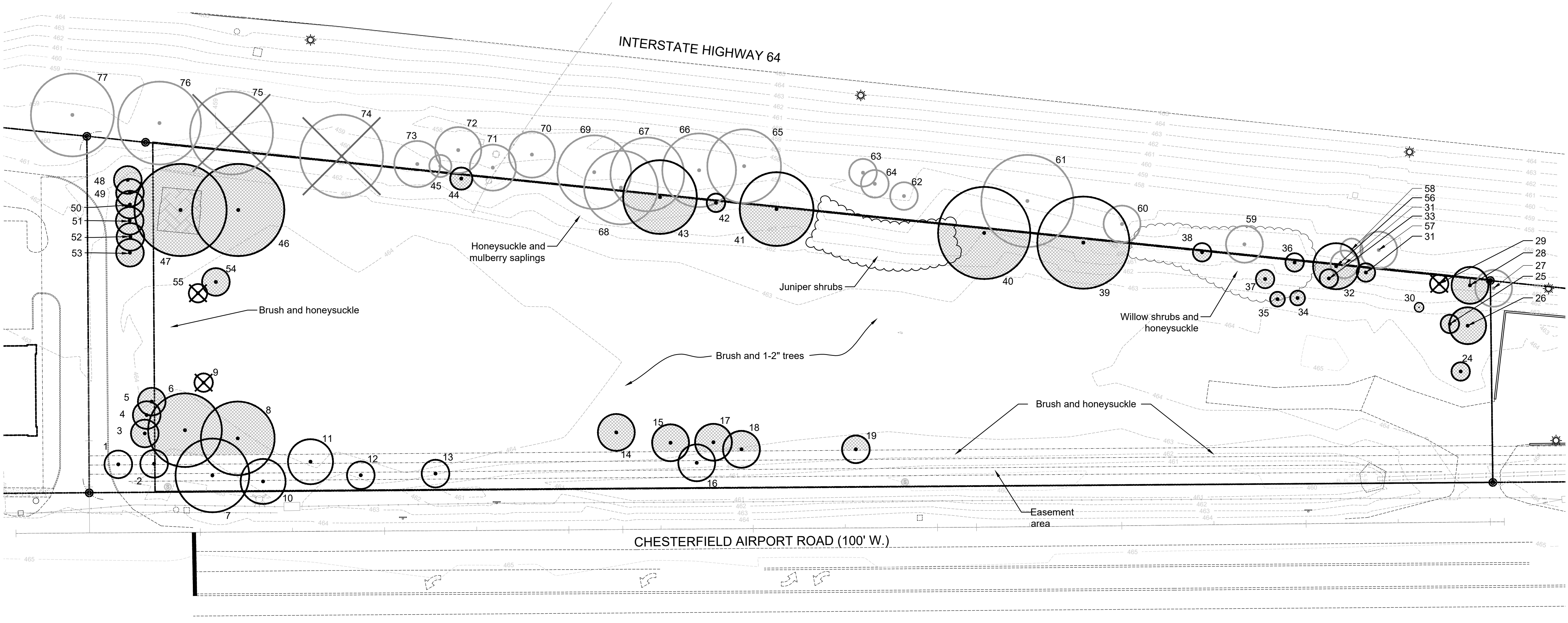


Jerald Saunders - Landscape Architect
MO License # LA-007

Consultants:

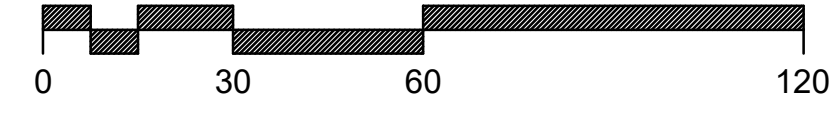
Yoon Commercial Development

16861 Chesterfield Airport Road, Chesterfield, Missouri



TREE STAND DELINEATION PLAN

SCALE 1"=30'



Site Description:

This site once had previously been planted with ornamental trees and shrubs of which many still remain but now has given way to volunteer bush honeysuckle and Mulberry.

The southwest corner of the property along Chesterfield Airport Road consists of Red Oak and White Oak ranging from 16 to 21"DBH. The understory is dominated by dense bush honeysuckle, a small population of Amur Maple along the western property line, and some Crabapple along the roadway.

The northwest corner of the property along the Hwy 40 R.O.W. features two Red Oak sizing 20 and 23"DBH with a poorly conditioned understory of Amur Maple and dense bush honeysuckle. The northern boundary consists of small Mulberry and Bush Honeysuckle with an overhanging canopy from the Hwy 40 Right-of-Way.

There are two stands of White Pine and Norway Spruce ranging in size of 8 to 12"DBH, along the southern property line and the northeast corner. Along Chesterfield Airport Road at the east entrance to the site there is a small stand of multi-stemmed Cornelian Cherry Dogwood. These are multi-stemmed at about ground level with and 6"DBH.

The interior of the site consists of overgrown grasses and forbs, and sparsely populated with 1-3" caliper Pear, Boxelder, and Mulberry trees.

The Hwy 40 R.O.W. has grown into patches of dense bush honeysuckle and volunteer Mulberry ranging in size from 1" to 9"DBH and willow shrubs. There is a slope planted in juniper shrubs. There are groupings of good conditioned Bald Cypress, poor conditioned Weeping Willow, and Crabapple.

Tree Condition Rating

- 0-Dead
- 1-In Decline
- 2-Poor
- 3-Fair
- 4-Good
- 5-Excellent

Total Canopy = 12,411 sq. ft. or 0.28 Ac.

Note: Trees located in existing Easement areas are not included in the total canopy.

Tree Inventory

Existing Tree List - Chesterfield Airport Rd: Arnold Consulting						
	Species	DBH	Condition	Canopy Diam.	Canopy Sq. Ft.	Comments
1	Amur Maple	13	2	15	0	Easement area
2	Amur Maple	10	2	15	0	Easement area
3	Amur Maple	10	2	15	177	Multi-stem
4	Amur Maple	10	2	15	177	Multi-stem
5	Amur Maple	10	2	15	177	Multi-stem
6	Pin Oak	22	4	50	1963	
7	Pin Oak	18	3	50	0	Easement area
8	Pin Oak	23	4	50	1963	
9	Ash	6	0	0	0	Dead
10	Crabapple	12	3	20	314	Easement area
11	Crabapple	12	3	20	314	Easement area
12	Swamp White Oak	18	4	28	0	Easement area
13	Swamp White Oak	20	4	28	0	Easement area
14	Swamp White Oak	18	4	28	616	
15	White Pine	14	4	20	314	
16	Norway Spruce	12	4	18	0	Easement area
17	White Pine	12	4	20	314	
18	White Pine	12	4	20	314	
19	River Birch	10	3	15	177	
24	Hornbeam	12	4	10	79	
25	Hornbeam	12	4	10	79	
26	Norway Spruce	16	4	18	254	
28	Norway Spruce	12	4	18	254	
29	White Pine	8	0	0	0	Dead
30	White Pine	3	5	4	13	
32	Mulberry	9	3	25	491	
33	Mulberry	3	3	10	79	
34	Juniper	1.5	3	4	13	B&B
35	Arborvitae	2	4	4	13	B&B
36	Mulberry	6	3	10	79	
37	Mulberry	8	3	10	79	
38	Mulberry	6	10	10	79	
39	Willow	30	2	60	2827	
40	Willow	30	1	50	1963	

Tree Inventory

	Species	DBH	Condition	Canopy Diam.	Canopy Sq. Ft.	Comments
41	Bald Cypress	32	4	50	1963	Monarch
42	Mulberry	6	3	10	79	
43	Bald Cypress	20	4	40	1257	
44	Mulberry	5	3	10	79	
46	Red Oak	23	3	50	1963	Galls
47	Red Oak	23	3	50	1963	Galls
48	Amur Maple	8	3	14	154	Multi-stem
49	Amur Maple	8	1	14	154	Multi-stem
50	Amur Maple	8	1	14	154	Multi-stem
51	Amur Maple	8	3	14	154	Multi-stem
52	Amur Maple	8	3	14	154	Multi-stem
53	Amur Maple	8	3	14	154	Multi-stem
54	Mulberry	5	3	10	79	
55	Ash	8	0	0	0	Dead
56	Mulberry	6	3	15	177	

R.O.W. Trees

	Species	DBH	Condition	Canopy	Area- Sq. Ft.	Comments
27	Norway Spruce	12	4	20	314	
31	Mulberry	10	3	10	79	Twin
45	Mulberry	5	3	10	79	
57	Mulberry	6	3	20	314	
58	Mulberry	4	3	12	113	
59	Mulberry	8	3	20	314	
60	Mulberry	6	4	20	314	
61	Willow	28	1	50	1963	Broken limbs, deadwood
62	Mulberry	6	4	15	177	
63	Pear	4	4	10	79	
64	Mulberry	4	3	15	177	
65	Bald Cypress	28	4	50	1963	
66	Bald Cypress	28	4	50	1963	
67	Bald Cypress	20	4	40	1257	
68	Bald Cypress	23	4	40	1257	
69	Bald Cypress	23	4	40	1257	
70	Crabapple	12	3	25	491	
71	Crabapple	12	3	25	491	
72	Crabapple	14	3	25	491	
73	Crabapple	14	3	25	491	
74	Willow	28	0	0	0	Dead
75	Willow	28	0	0	0	Dead
76	Willow	28	1	50	1963	Broken limbs, deadwood
77	Willow	28	1	50	1963	Broken limbs, deadwood

KEY

- Existing Individual Tree
- Existing Individual Tree in Easement Area
- Existing Individual Tree in R.O.W. (Offsite)
- Existing Tree (Dead)

Revisions:

Date	Description	No.
2-1-16	Added off-site	1
5-24-17	Tree Inventory	3
8-18-17	Plan Changes	4
9-11-17	Plan Changes	5
3-21-18	City Comments	8
8-22-18	City Comments	10
12-4-18	Mylar	11
12-9-21	Tree Inventory	12

Drawn: BB
Checked: JS

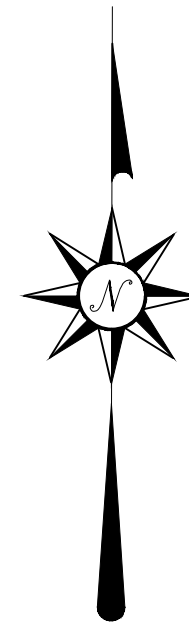
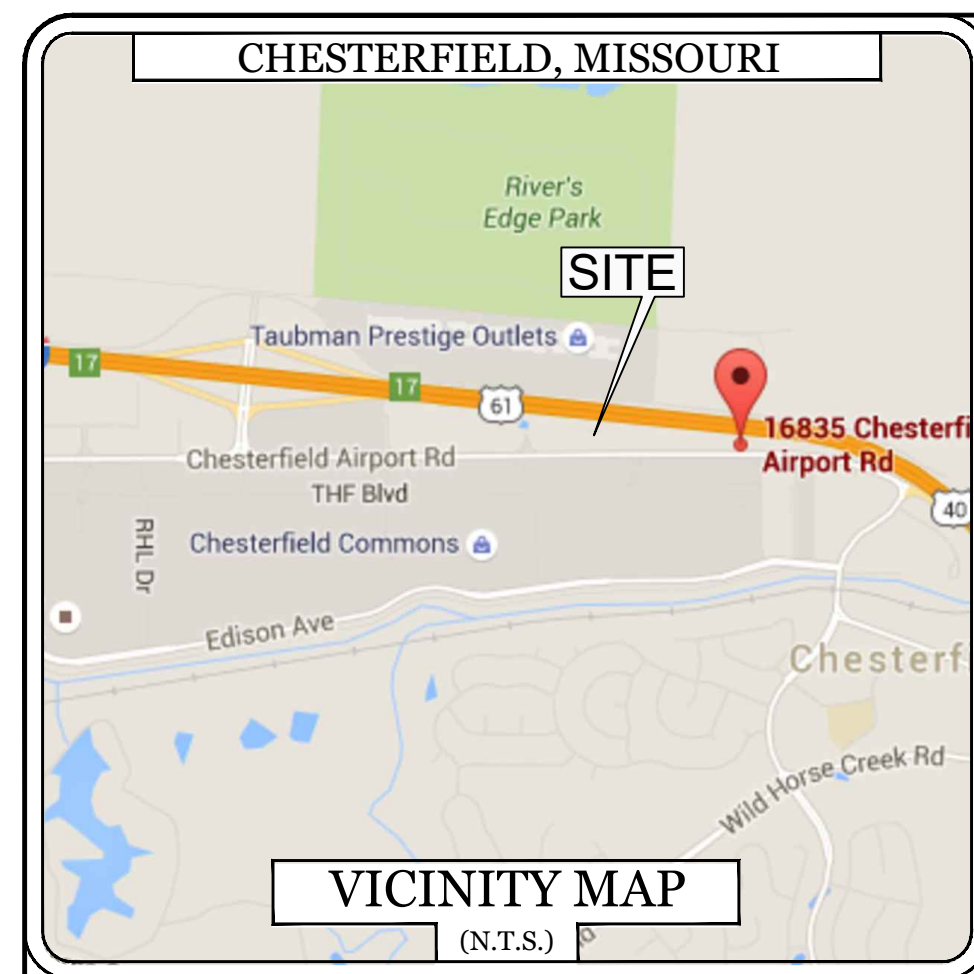


Loomis Associates Inc.
Missouri State Certificate of Authority #: LAC #000019

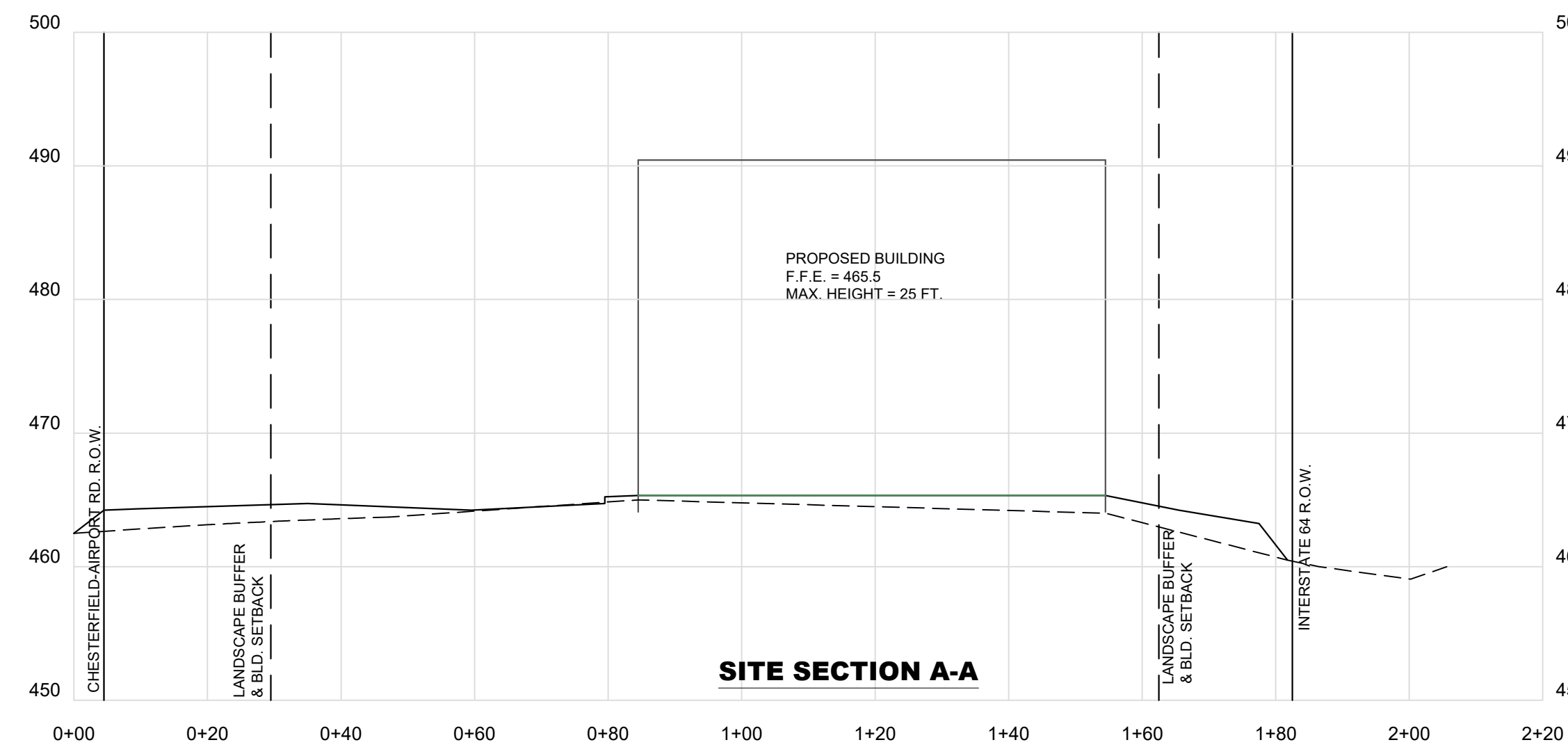
Sheet Title:	Tree Stand Delineation
Sheet No.:	TSD
Date:	9/24/15
Job #:	968.001

Tree Stand Delineation & Preservation Plan Prepared under direction of:
Brian Bage
Certified Arborist MW- 5033A

B. Bage

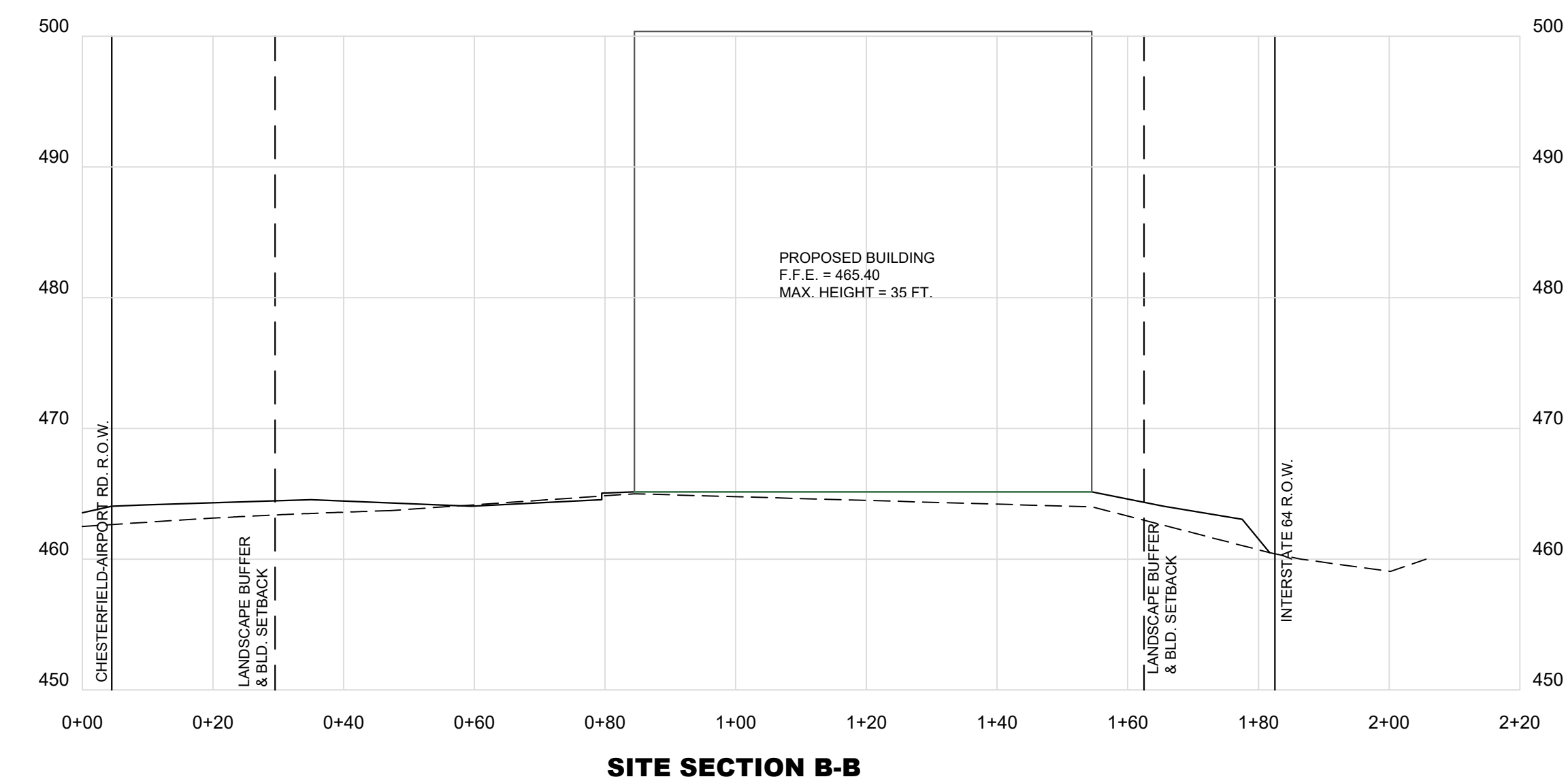


- NOTES:**
1. BEARINGS REFERENCED TO GRID NORTH OF THE MISSOURI COORDINATE SYSTEM 1983, EAST ZONE AND ELEVATIONS REFERENCED TO NAVD 1988 PER GPS OBSERVATIONS UTILIZING THE MODOT VRS RTK NETWORK.
 2. THIS SURVEY WAS EXECUTED WITHOUT A TITLE COMMITMENT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, CONDITIONS, ETC. OF RECORD.
 3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE LAND SURVEYOR.
 4. (R) - DENOTES RECORDED DEED AND PLAT INFORMATION.
 5. (M) - DENOTES MEASURED SURVEY INFORMATION GATHERED BY 21 DESIGN GROUP.
 6. THIS SURVEY MEETS THE ACCURACY STANDARDS FOR "URBAN" PROPERTY AS DEFINED BY THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.
 7. 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

- GAS METER
- TELEPHONE PEDESTAL
- STORM SEWER MANHOLE
- DROP BOX INLET
- CURB BOX INLET
- PIPE BOLLARD
- GUTTER OUTLET
- ROAD SIGN
- TREE
- MAILBOX
- LAMP POLE
- BSBL BUILDING SET BACK LINE
- ESOL EACH SIDE OF LINE
- PUE PUBLIC UTILITY EASEMENT
- FFE FINISHED FLOOR ELEVATION
- BENCHMARK
- IRON PIN FOUND
- 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

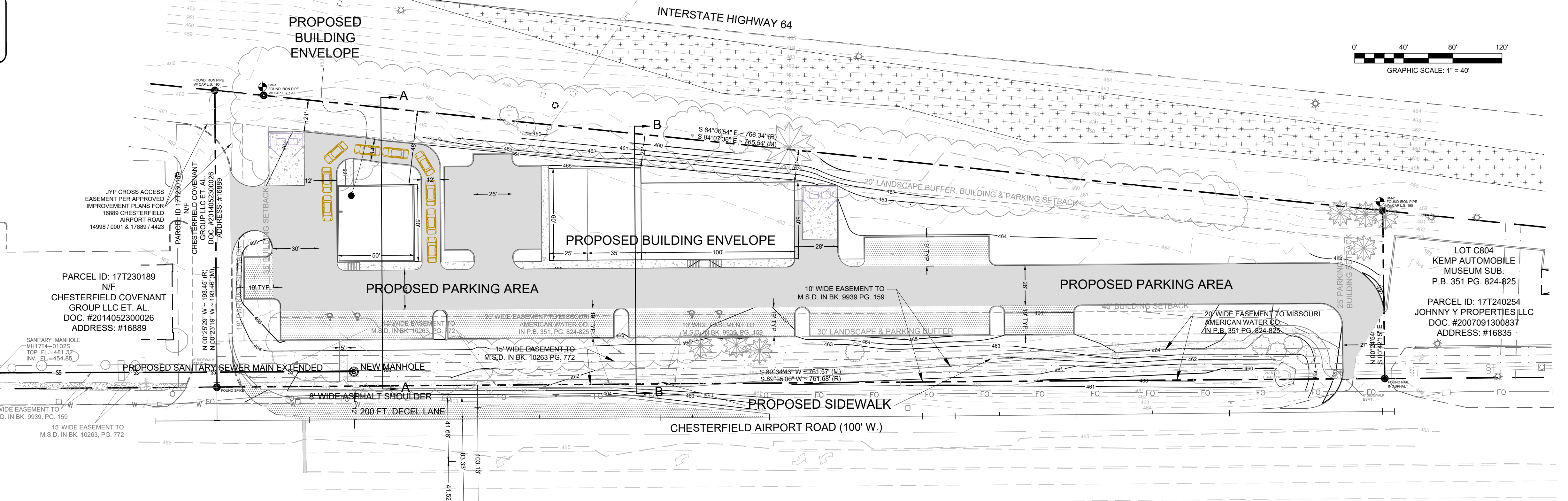


- GENERAL NOTES**
1. TOTAL SITE ACREAGE: +/-2.65 ACRES
 2. EXISTING ZONING: PC
 3. PROPOSED ZONING: PC
 3. SETBACKS:
BUILDING: FRONT: 45' BUILDING SETBACK
REAR: 20' BUILDING SETBACK
SIDE (EAST): 25' BUILDING SETBACK
SIDE (WEST): 35' BUILDING SETBACK
 4. THE SITE LAND USE SHALL BE COMMERCIAL.
 5. THE 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: LACED GAS COMPANY
 6. 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 29189C0168K, EFFECTIVE DATE OF FEBRUARY 4, 2015.
 7. EFFORTS WILL BE MADE TO DIRECT DRAINAGE TO EXISTING DISCHARGE POINTS.
 8. ALL UTILITIES ARE TO BE LOCATED UNDERGROUND.
 9. THE PROPOSED BUILDING HEIGHT SHALL NOT EXCEED 35'.
 10. THE SITE SHALL CONFORM TO THE CITY OF CHESTERFIELD STANDARDS.
 11. 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.
 12. ALL ROADWAY DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 13. NO INVESTIGATION HAS BEEN PERFORMED BY ARNOLD CONSULTING ENGINEERING SERVICES REGARDING HAZARDOUS WASTE, UNDERGROUND CONDITIONS OR UTILITIES AFFECTING THE TRACT SHOWN HEREON.
 14. THE DRAWING DOES NOT CONSTITUTE A BOUNDARY SURVEY.
 15. ALL PAVEMENT STRIPPING SHALL BE 4" WIDE, PAINTED YELLOW.
 16. LOCATION, REPLACEMENT AND CONNECTION OF THE UTILITIES SHALL BE COORDINATED WITH THE UTILITY COMPANIES.
 17. TRASH ENCLOSURE IS TO BE MASONRY TO MATCH THE BUILDING AND SCREENED ACCORDING TO CITY REQUIREMENTS.
 18. ALL MECHANICAL, HVAC AND UTILITY EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW ACCORDING TO CITY ORDINANCE.
 19. ALL LANDSCAPING MATERIAL AND DESIGN WILL FOLLOW CHESTERFIELD CITY CODES, INCLUDING TYPES OF PLANTS AND SPACING.
 20. ALL DISTRIBUTED AREAS INTENDED FOR GRASS SHALL BE SODDED.
 21. OPEN SPACE SHALL BE A MINIMUM OF 35% OF EACH LOT FOR THE DEVELOPMENT.
 22. FLOOR AREA RATIO SHALL NOT EXCEED 0.55.
 23. SLOPES SHALL NOT EXCEED 3 HORIZONTAL TO 1 VERTICAL (3:1).

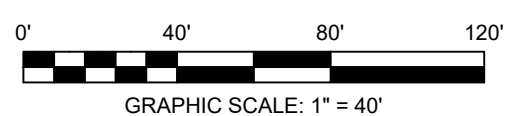
FLOODPLAIN INFORMATION
A PORTION OF THE PROPERTY SHOWN HEREON LIES IN A FLOOD PRONE AREA ACCORDING TO (FIRM) FLOOD INSURANCE RATE MAP FOR SUMNER COUNTY, TENNESSEE. SAID AREA IS SHOWN ON MAP #47165C0264G, WITH AN EFFECTIVE DATE OF APRIL 17, 2012.

BENCHMARK DATA:

- BENCHMARK 1
FOUND IRON PIPE W/ CAP L.S. 190
LOCATED IN THE NORTHWEST PORTION
OF FIELD SURVEY
ELEV: 459.77
- BENCHMARK 2
FOUND IRON PIPE W/ CAP L.S. 190
LOCATED IN THE NORTHEAST PORTION
OF FIELD SURVEY
ELEV: 459.45



- HATCH LEGEND**
- SIDEWALK
 - PROPOSED PERVIOUS PAVEMENT (WATER QUALITY TREATMENT AREA)
 - PROPOSED IMPERVIOUS PAVEMENT



REVISIONS

NO.	DESCRIPTION

**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: 21-3359-L
DATE: 7-13-2022
SCALE: 1" = 40'
DRAWN: B. McDANIEL
CHECKED: B. ZACKERY

LOT C804
KEMP AUTOMOBILE MUSEUM SUB.
P.B. 351 PG. 824-825
PARCEL ID: 17T240254
JOHNNY Y PROPERTIES LLC
DOC. #2007091300837
ADDRESS: #16835

PP
PRELIMINARY PLAN