

## Planning Commission Staff Report

- Meeting Date:** October 16, 2019
- From:** Annisa Kumerow, Planner **AK**
- Location:** A 0.22 acre tract of land located south of Old Chesterfield Road and north of Santa Maria Drive.
- Petition:** **P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road)**: A request to amend Ordinance 2170 to add coffee shop as a permitted use for 0.22 acres of land within an existing “PC” Planned Commercial District with a “LPA” Overlay located south of Old Chesterfield Road and north of Santa Maria Drive (17T310412).

### **SUMMARY**

Janie Struckman, property owner, is requesting a text amendment to City of Chesterfield Ordinance 2170 with respect to permitted uses for 16626 Old Chesterfield Road of the Burkhardt Place subdivision. This amendment would add a new permitted use for the existing “PC” Planned Commercial District with a “LPA” Landmark and Preservation Area Overlay on 0.22 acres of land located south of Old Chesterfield Road and north of Santa Maria Drive.

The request is to add “coffee shop” as a permitted use and update the development criteria in the existing Attachment A to reflect updated references and criteria utilized by the City. As no physical changes to the existing development are proposed, the most recently approved and recorded Amended Site Development Plan serves as the preliminary development plan. A Public Hearing was held on September 23, 2019, and there were no issues raised by the Planning Commission pertaining to this petition.



Figure 1: Subject site aerial image

**SITE HISTORY**

The subject site was zoned “PC” Planned Commercial by the City of Chesterfield in 2005 via Ordinance 2170. Ordinance 2170 also established a “LPA” Landmark and Preservation Area Procedure for the site. The Site Development Plan was approved in 2012 in order for the existing structure to be used as a piano studio.

**LAND USE AND ZONING OF SURROUNDING PROPERTIES**

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

Direction	Zoning	Land Use
North	“PI” Planned Industrial District w/LPA	Urban Core
East	“UC” Urban Core District w/LPA	Urban Core
South	“LLR” Large Lot Residential District	Urban Core
West	“PC” Planned Commercial District w/LPA	Urban Core

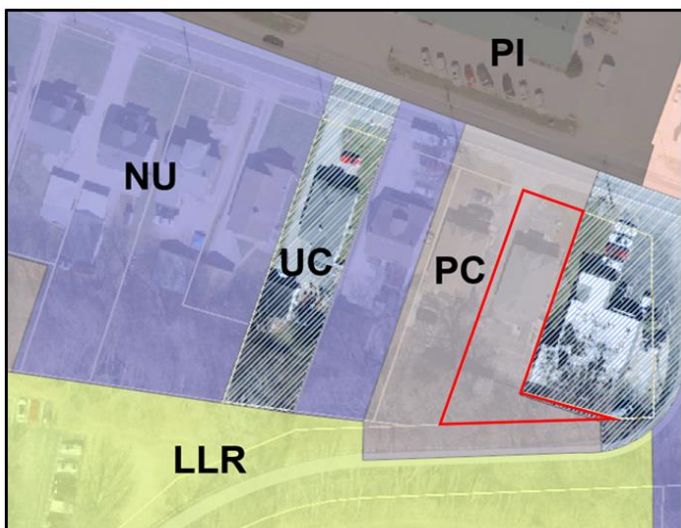


Figure 2: Zoning Map



Figure 3: Comprehensive Land Use Plan

**COMPREHENSIVE PLAN ANALYSIS**

The subject site is located within Ward 2 of the City of Chesterfield. The City of Chesterfield Comprehensive Land Use Plan indicates that this development is within the area designated as the Urban Core. As seen from the figures and table above, the subject site is surrounded by other Urban Core designated areas. The Comprehensive Plan identifies the Urban Core as containing the highest density of mixed-use development.

The City of Chesterfield’s Comprehensive Plan also identifies specific plan policies. Outlined below are specific plan policies that are applicable to this request.

**1.8 Urban Core** – The Urban Core should be developed to contain the highest density of mixed-use development in Chesterfield. It should serve as the physical and visual focus for the City and include both residential and commercial developments with parks, municipal services, and preservation of historic structures and areas, with cultural, entertainment and pedestrian amenities for its residents.

**3.6.8 Historic Preservation** – Historic structures, districts, and sites should be preserved and protected and the City’s historical heritage should be promoted where appropriate.

The specific Plan Policies pertaining to the Urban Core area encourage a mix of uses while also emphasizing the preservation of historic structures and areas. Several planned district ordinances govern properties along Old Chesterfield Road and within the Burkhardt Place subdivision, most of which have an approved “LPA” Landmark Preservation Area procedure. The subject site conforms with the Comprehensive Plan as it is located within a planned district and contains a mix of uses which are housed within a preserved historic building under the terms of the “LPA” Landmark Preservation Area procedure.

### **STAFF ANALYSIS**

The Petitioner is requesting a text amendment to the current governing Ordinance 2170 with respect to the permitted uses. As no physical changes to the existing development are proposed, the most recently approved and recorded Amended Site Development Plan serves as the required preliminary development plan.

#### **Coffee Shop Use**

The petitioner is requesting to add the use of “coffee shop” to the permitted uses established in the Attachment A of Ordinance 2170 for the Burkhardt Place subdivision, and no other changes to the existing permitted uses are proposed. The Unified Development Code (UDC) defines coffee shop as “an informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold.” The petitioner intends to sell beverages and pre-prepared baked goods to customers consisting of customers of the music school as well as patrons of other businesses along Old Chesterfield Road. All modifications to the subject site in order to accommodate the proposed coffee shop will be interior to the existing building, and the petitioner will also utilize the existing porch by providing tables and seating.

#### **Hours of Operation**

The current governing ordinance for the development does not include restrictions on the hours of operation for the permitted uses, similar to the majority of properties in the Burkhardt Place subdivision with the “LPA” Landmark Preservation Area overlay. Presently, 11624 Old Chesterfield Road and 11625 Old Chesterfield Road are the only properties with the “LPA” Landmark Preservation Area overlay to have restrictions on the hours of operation; both properties have “warehousing & repair facility” as a permitted use. Hours of operation at 16624 Old Chesterfield Road are restricted to between 8:00 AM and 8:00 PM, and hours of operation at 16625 Old Chesterfield Road are restricted to between 6:00 A.M. to 10:00 P.M.

### **Revised Development Criteria**

In addition to the petitioner's request, Staff is updating the Attachment A of Ordinance 2170 in order to revise obsolete references and sections of text no longer used by the City when drafting Attachment A's for commercial development. Staff recommends revising the existing development criteria established in Ordinance 2170 to better reflect the outline structure and formatting of more recent Attachment A's, cleaning up obsolete or conflicting items, and updating references to the City's former Zoning Ordinance and other obsolete agencies. A summary of revisions recommended by Staff is provided below:

- **Old Chesterfield Road** – The existing governing ordinance for this "PC" Planned Commercial development references Chesterfield Airport Road. St. Louis County Ordinance No. 420, 2007 renamed the section of Chesterfield Airport Road between Baxter Road and Wild Horse Creek Road as Old Chesterfield Road, at which point it was accepted by the City of Chesterfield for future maintenance. Staff recommends revising the existing Attachment A to reflect the street's current name and maintenance.
- **Open space requirement** – The current governing ordinance for this "PC" Planned Commercial development includes language for green space, but does not include a provision for open space. Open space has since become a requirement and is included in the Attachment A's of more recent Planned Commercial districts. Staff recommends revising the forty-five percent (45%) green space requirement in the existing Attachment A to reference forty-five percent (45%) open space.
- **Attachment "A" Outline/Format** – More recent Attachment A's approved for planned commercial development follow an updated outline structure compared to earlier approvals. Staff recommends incorporating this new format in order to be more consistent with current City standards.

Staff has worked with the applicant to incorporate the above mentioned revisions and updates to the Attachment A of Ordinance 2170 as part of this text amendment request. These updates are intended to clean up current conflicts and replace obsolete references with more appropriate and consistent language currently utilized by the City when drafting Attachment A's for commercial development.

### **ISSUES**

A Public Hearing was held on September 23, 2019, and there were no issues raised by the Planning Commission pertaining to this petition.

### **REQUEST**

Attached, please find a copy of the revised Attachment A, Narrative Statement for this request as required by City Code, and a copy of the existing Site Development Plan.

Staff has no concerns or issues with this petition, and no issues were raised at the Public Hearing. The petition has met all filing requirements and procedures of the City of Chesterfield. Staff recommends action from Planning Commission on the text amendment request and Attachment A.

Attachments

1. Attachment A
2. Narrative Statement
3. Existing Site Development Plan

## 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 permitted in this "PC" Planned Commercial District with a Landmark and Preservation Area (LPA) procedure shall be:
  - a. Coffee shop;
  - b. Offices or office buildings;
  - c. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
2. The above uses in this "PC" Planned Commercial District with a Landmark and Preservation Area (LPA) procedure shall be restricted as follows:
  - a. The uses permitted shall be contained within the existing house and one (1) outbuilding.
3. Hours of Operation.
  - a. Hours of operation for this "PC" Planned Commercial District with a Landmark and Preservation Area (LPA) procedure shall not be restricted.

#### B. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

1. Floor Area
  - a. The maximum footprint of the structures shall not exceed that of the existing structures. The square footage allocated for each use shall be based on the development's ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.

2. Height

- a. The maximum height of the structures shall not exceed that of the existing structures.

3. Building Requirements

- a. A minimum of forty-five percent (45%) open space is required for this development.
- b. This development shall have a maximum F.A.R. of twenty-five percent (25%).

C. SETBACKS

1. Structure Setbacks

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

- a. Thirty-eight (38) feet from the right-of-way of Old Chesterfield Road.
- b. Fifteen (15) feet from the southern property line with bearing S87°44'00"W.
- c. Two (2) feet from the western boundary line with bearing N19°13'00"E.
- d. Nine (9) feet from the eastern property line with bearing N19°13'00"E.

2. Parking Setbacks

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

- a. Two (2) parking spaces located north of the main building. Fourteen (14) feet from the right-of-way of Old Chesterfield Road and twenty (20) feet from the eastern property line with bearing N19°13'00"E.
- b. Five (5) parking spaces shall be located south of the structure, fifteen (15) feet from the southern property line with bearing S87°44'00"W.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code, with the exception that the total number of parking spaces required shall be seven (7) spaces.

2. All parking, loading, and internal drive areas shall be of a surface as approved by the Planning Commission on the Site Development Plan. Consideration should be given to utilizing a paver block system, or other alternative, that is conducive to a more pleasing visual appearance from Old Chesterfield Road. These areas will not be permitted to be gravel.
3. Parking lots shall not be used as streets.
4. Construction Parking
  - a. Adequate on-site parking for construction related vehicles and equipment shall be provided. No parking shall be permitted on the Old Chesterfield Road right-of-way
  - b. If existing City maintained streets are to be used as construction access to this site, prior to approval of a grading permit or improvement plans, or any construction related traffic or delivery of any construction equipment to the site, the following items must be addressed:
    - i. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.
    - ii. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
    - iii. An appropriate bond must be submitted, as approved by the City of Chesterfield, to ensure that any damage to existing pavement is repaired. Repair of damage to existing streets will not be included in the subdivision escrow; a separate bond must be established.
    - iv. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load per 60,000 gross vehicle weight and that no tri-axle trucks are to be used. Weight tickets may be used to determine conformance with this requirement.
    - v. Additional protective measures as deemed necessary by the Department of Public Works may also be required.
  - c. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions. The streets surrounding this development and any street



sued for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.

#### E. LANDSCAPE AND TREE REQUIREMENTS

The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

#### F. SIGN REQUIREMENTS

1. Signage shall be permitted in accordance with the regulations of the City of Chesterfield Code.
2. All signage is subject to review by the Planning Commission for compatibility with the existing historic area.
3. All lighting for said signage shall be situated to avoid casting light directly on any public right of way or adjoining property and shall adhere to the requirements set forth in the City of Chesterfield Lighting Ordinance.
4. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
5. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield for sight distance considerations and approved prior to installation or construction.
6. The location of all signs shall be as approved by the Planning Commission on the Site Development Plan.
7. This development shall be permitted one (1) freestanding business or project identification sign. All permanent freestanding and identification signs shall have landscaping. Landscaping shall be as approved by the Planning Commission on the Site Development Plan.

#### G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. The location of all lighting standards shall be as approved by the Planning Commission on the Site Development Plan.

3. Except for required street lighting, no source of illumination will be so situated that light is cast on any public right-of-way or adjoining property.

#### H. ARCHITECTURAL

1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.
3. Screening for mechanical equipment shall be reviewed by the Planning Commission.
4. The developer shall submit architectural elevations and building materials. Architectural information is to be reviewed by the Architectural Review Board prior to submission to the Planning Commission as directed by the City of Chesterfield.

#### I. ACCESS/ACCESS MANAGEMENT

1. Access to Old Chesterfield Road shall be restricted to the existing entrance as directed by the City of Chesterfield.
2. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and the adjacent parcels as directed by the City of Chesterfield.
3. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be the required sight distance as directed by the City of Chesterfield.
4. Provide a sidewalk conforming to St. Louis County ADA standards adjacent to Old Chesterfield Road as directed by the City of Chesterfield.

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

1. Provide any additional right-of-way and construct any improvements to Old Chesterfield Road, as required by the City of Chesterfield.
2. Improve Old Chesterfield Road to one half of a seventy (70) foot right-of-way as directed by the City of Chesterfield.
3. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.
4. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right-of-way.
5. 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. 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 public right of way. 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.

**L. POWER OF REVIEW**

Either Councilmember of the Ward where a development is proposed, the Mayor, or any two (2) City Council members from any Ward 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 seventy-two (72)

hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

#### M. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or 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). The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the 100-year high water.
3. Detention of differential runoff of storm water is required by providing permanent detention facilities, such as: dry reservoirs, ponds or another acceptable alternative. The detention basin shall be completed and in operation prior to paving of any driveways or parking areas.

#### N. SANITARY SEWER

Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

#### O. GEOTECHNICAL REPORT

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

## P. MISCELLANEOUS

1. If any work is proposed in, near or above the natural watercourse through this site, a hydrologic/hydraulic study evaluating the impacts of the proposed work shall be provided as directed by the City of Chesterfield Department of Public Works. Said study shall evaluate impacts on the entire length of stream, and any maintenance requirements. Appropriate permits and approvals from other agencies shall also be provided.
2. 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.
3. All utilities will be installed underground.
4. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
5. 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. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

## II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS

- A. Within eighteen (18) months from the date of approval of the preliminary development plan by the City Council and prior to issuance of any building or occupancy permit, the petitioner shall submit to the Planning Commission for its review and approval a Site Development Plan. Where due cause is shown by the petitioner, this time interval 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 City Council may extend the period to commence construction for two (2) additional years.

#### IV. GENERAL CRITERIA

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

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

1. The location and size of all proposed structures, including free-standing business signs.
2. Existing and proposed contours at two (2) foot intervals.
3. Location and size of all parking area.
4. Roadways and driveways on and adjacent to the property in question, including required roadway right-of-way dedication and pavement widening.
5. The design, location and size of all proposed lighting, fences and trash areas.
6. A landscape plan including, but not limited to, the location, size and general type of all plan and other material to be used and retained in accordance with the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
7. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
8. Outboundary plat and legal description of property.
9. Density calculations.
10. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
11. Provide open space percentage for overall development including separate percentage for each lot on the plan.
12. Provide Floor Area Ratio (F.A.R.).
13. A note indicating all utilities will be installed underground.
14. A note indicating signage approval is separate process.
15. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.

16. Specific structure and parking setbacks along all roadways and property lines.
17. Indicate location of all existing and proposed freestanding monument signs.
18. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
19. Floodplain boundaries.
20. 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.
21. 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.
22. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
23. 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.
24. Address trees and landscaping in accordance with the City of Chesterfield Code.
25. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
26. 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.
27. 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.
28. Compliance with Sky Exposure Plane.

29. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

Traffic Generation Assessment

1. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Chesterfield Village Road Trust Fund (No. 554). 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	\$2,319.85/parking space
High Turnover Sit Down Restaurant	\$2,319.85/parking space
Drive-In Fast Food	\$4,639.87/parking space

(Parking Space as required by the site-specific ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Saint 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 Saint 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 Saint 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. 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.

4. The amount of all required contributions, if not submitted by January 1, 2020, shall be adjusted on that date and on the first January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.

## VI. RECORDING

Within sixty (60) days of approval of any Site Development Plan by the Planning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

## 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.

Project Narrative: 89th Key Music Studio  
16626 Old Chesterfield Rd. Chesterfield, MO. 63017.



- a. 89th Key currently provides private music instruction for both children and adults on a weekly basis. We primarily use the building we are located in on weeknights and Saturday mornings when our lessons are scheduled.

Our proposal is to add to our current business by putting a coffee shop within our building to be open to customers during the morning and early afternoon when we typically are not giving lessons. In addition, we would continue to keep the coffee shop open through our lesson times so that we can serve the parents that are often sitting in our waiting area while their children are taking lessons.

We have two sets of customers we hope to target by adding this coffee shop element to our business. The first are the customers we already have. The parents that are bringing their children to lessons are often sitting and waiting in our waiting areas while their child is having their lessons, and we want to be able to provide them with a fun and inviting atmosphere as well as quality refreshments. The second set of customers we are targeting are the existing employees and customers of the businesses around us. There are already plenty of people that are spending their entire day on Old Chesterfield Rd. and would love to have a fresh cup of coffee available in walking distance. Some examples of these types of potential coffee shop customers would be customers and employees of Chesterfield Antique mall and Fleur de Chic, employees of Rio Creative Marketing and Mainini Tile as well as employees and clients at Lauren Strutman Architects and other businesses on the other end of Old Chesterfield Road (if you get a chance to do a drive by and list a few...). The majority of the customers we expect to serve will be ones that are already on Old Chesterfield Rd for other reasons. We are not looking to be a quick on-the-go style coffee shop, but more of a place where you can come and relax, do some work, and enjoy a quiet cup of coffee.

The types of goods we are looking to provide to customers are split based on the type of customer and time of day. We plan on serving coffee, espresso, and hot tea with pre-prepared baked goods to our morning customers that will likely be shoppers of the mall and employees of the area. We plan to partner with local coffee roasters so that we can create local partnerships that help grow the St. Louis area as a whole. In the evening, however, we will likely shift to serving more cold beverages like soda and juice with snacks such as popcorn and soft serve ice cream cones to accommodate our students and parents.

Any modifications that will be done to the property will all be inside the building. We plan to add work space in the back room of the building by using freestanding antique shelves and tables. We will add coffee tables and bistro tables to the main waiting area as well as our private studios to allow customers to take advantage of the whole building. We will also put bistro tables and chairs on the front porch to provide customers with an outdoor seating option. Equipment we plan on purchasing/acquiring will be an espresso machine, one or two small glass display cases for baked goods and drinks, automatic

coffee makers, refrigeration, blenders, a soft serve ice cream machine, and a popcorn machine.

Overall, we want this to be a small, quiet and friendly coffee shop that gives customers a quaint homey feel and a quiet place to sit and have a great cup of coffee. We want to enhance the experience of existing shoppers and employees in the area as well as the customers of the music studio, which in turn, will help that side of the business grow.

- b. The requested uses for this land will be all the uses that are currently listed in Ordinance No. 2170, Attachment A.- I. -1. with the additional use being coffee shop.
- c. All of the development standards, density and height limitations, and yard requirements listed with Ordinance No. 2170 will remain unchanged and continue to be compatible with the Comprehensive Plan with the addition of this land use.
- d. Current permitted uses per Ordinance No. 2170 include:
  1. Offices or office buildings;
  2. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- e. There are no exceptions or variations from the requirement of the Zoning Ordinance being requested.
- f. The property that is being proposed for this land use is 0.22 acres and 100% of the property will be used for the proposed use and current existing use.
- g. Parking plans will remain the same as they are with the current studio set-up. As the majority of our customers will already be using our studio for lessons or will already be parked at another business nearby we will not need to add any additional parking for this proposed use.
- h. There will be no outward construction to the land and the physical outside appearance of building will remain unaltered.
- i. Landscaping and tree preservation will remain the same as it is now with the current use of the plan.

## ATTACHMENT A

### Approved uses for Ordinance No. 2791

- a. Gymnasium;
- b. Business, professional and technical training schools;
- c. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services related to floral or interior design, artwork, crafts for the home or other similar and related items are being offered for sale or hire to the general public on the premises;
- d. Business service establishment;
- e. Cafeterias for employees and guests only;
- f. Laundries and dry cleaning plants, which include dry cleaning drop-off and pick up stations;
- g. Offices or office buildings;
- h. Plumbing, electrical, air conditioning and heating equipment sales, warehousing and repair facilities;
- i. Restaurants, sit down;
- j. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry and agriculture;
- k. Service facilities, studios or work areas for antique salespersons, artists, candy makers, craftspersons, dressmakers, tailors, music teachers, dance teachers, typists and stenographers, including cabinet makers, film processors, fishing tackle and bait shops and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises;
- l. Warehousing, storage, or wholesaling of manufactured commodities;
- m. Or other uses which may be sought under the Chesterfield Zoning Ordinance after further public hearings.

### Approved uses for Ordinance No. 2646

- a. Art Gallery
- b. Art Studio
- c. Barber shop or Beauty Shop
- d. Commercial Service facility
- e. Dry Cleaning Business
- f. Office, General
- g. Reading Room
- h. Research facility
- i. Plumbing, electrical, air conditioning and heating equipment sales, warehousing and repair facility
- j. Warehouse, General

### Approved uses for Ordinance No. 2171

- a. Offices or office buildings;

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

PROPERTY SURVEY

- LEGEND**
- TREE W/ SIZE
  - BUSH W/ SIZE
  - POWER POLE
  - GAS METER
  - WATER METER
  - WATER VALVE
  - CLEAN OUT
  - ELECTRIC BOX
  - ELECTRIC METER
  - TELEPHONE CONTROL BOX
  - STREET SIGN
  - OVERHEAD ELECTRIC
  - UNDERGROUND TELEPHONE
  - EXISTING CONTOUR
  - EXISTING WATER
  - PROPERTY LINE
  - SECTION CUT
  - PARKING SPACE JOINT

SYMBOL	QUANTITY	COMMON NAME
(A)	1	AMERICAN YELLOWWOOD
(B)	1	GREEN ASH
(C)	2	HOSTA
(D)	2	DWARF ALBERTUS SPRUCE

NO EXISTING TREES WILL BE DISTURBED

**OPEN SPACE CALCS**

TOTAL AREA	= 0.22 ACRES
BUILDING AREA	= 0.04 ACRES
IMPERVIOUS AREA	= 0.08 ACRES
PERVIOUS AREA	= 0.10 ACRES

OPEN SPACE = 45%

**PARKING CALCULATION**

7 SPACES ALLOWED PER P.Z. 21&22-2004

**FLOOR AREA RATIO (F.A.R.)**

16626 CHESTERFIELD AIRPORT ROAD:  
2328 SF TOTAL GROSS FLOOR AREA  
(ABOVE AND BELOW GRADE FLOORS)  
9526 SF TOTAL SITE AREA

F.A.R. = 2328 SF/9526 SF = 0.244 = 25%

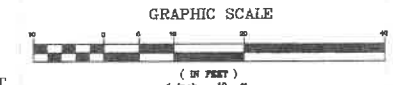
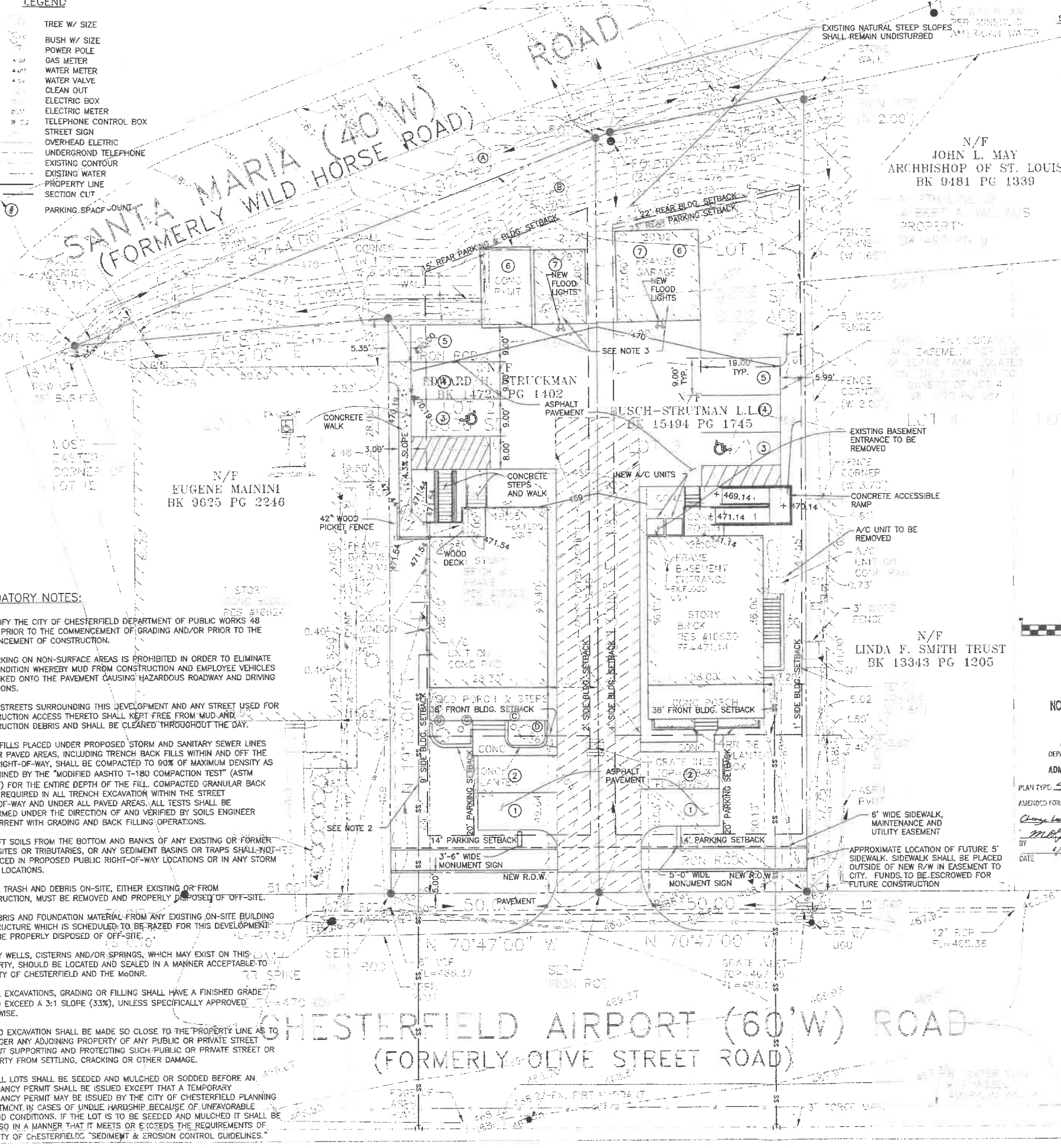


**NOTES:**

- SEE SHEET C1-02 FOR SECTION PROFILES.
- LOT 2 SHALL INSTALL A MYERS MODEL NUMBER WG30H-75H, THREE HORSE POWER, SINGLE PHASE, GRINDER PUMP. THE PUMP WILL DISCHARGE INTO AN EXISTING 3" FORCEMAIN ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD.
- EXISTING CARPORT AND FRAME GARAGES ARE TO REMAIN IN PLACE AND USED FOR PARKING.
- NO CONSTRUCTION PARKING SHALL BE PERMITTED ON CHESTERFIELD AIRPORT ROAD.
- NEAREST EXISTING MAJOR STREET INTERSECTION IS WEST 800 FEET TO BAXTER AND CHESTERFIELD AIRPORT RD.
- ZONING DISTRICT: PC/LPA (PLANNED COMMERCIAL/LANDMARK AND PRESERVATION AREA)  
TOWNSHIP: 45 NORTH  
RANGE: 4 EAST  
EQUATOR: 9  
US SURVEY: 2031  
SCHOOL DISTRICT: 110 ROCKWOOD R-6  
FIRE DISTRICT: MONARCH  
WATER COMPANY: MISSOURI AMERICAN WATER
- ALL UTILITIES WILL BE PLACED UNDERGROUND.
- ORDINANCE NUMBER: 2170
- SUBDIVISION NAME: BURKHARDT PLACE SUBDIVISION.
- PROPOSED USE: MUSIC STUDIO (FOR PIANO LESSONS).
- NEW FLOOD LIGHT FIXTURE SHALL BE MOUNTED TO GARAGE WALL BELOW EAVE NEAR PEAK OF GARBLE. AIM LIGHTS DOWNWARD TO PREVENT LIGHT TRESPASS ON TO ADJACENT PROPERTIES.

**MANDATORY NOTES:**

- NOTIFY THE CITY OF CHESTERFIELD DEPARTMENT OF PUBLIC WORKS 48 HOURS PRIOR TO THE COMMENCEMENT OF GRADING AND/OR PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- PARKING ON NON-SURFACE AREAS IS 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.
- THE STREETS SURROUNDING THIS DEVELOPMENT AND ANY STREET USED FOR CONSTRUCTION ACCESS THERETO SHALL BE KEPT FREE FROM MUD AND CONSTRUCTION DEBRIS AND SHALL BE CLEANED THROUGHOUT THE DAY.
- ALL FILLS PLACED UNDER PROPOSED STORM AND SANITARY SEWER LINES AND/OR PAVED AREAS, INCLUDING TRENCH BACK FILLS WITHIN AND OFF THE ROAD RIGHT-OF-WAY, SHALL BE COMPACTED TO 90% OF MAXIMUM DENSITY AS DETERMINED BY THE "MODIFIED AASHTO T-180 COMPACTION TEST" (ASTM D-1557) FOR THE ENTIRE DEPTH OF THE FILL. COMPACTED GRANULAR BACK FILL IS REQUIRED IN ALL TRENCH EXCAVATION WITHIN THE STREET RIGHT-OF-WAY AND UNDER ALL PAVED AREAS. ALL TESTS SHALL BE PERFORMED UNDER THE DIRECTION OF AND VERIFIED BY SOILS ENGINEER CONCURRENT WITH GRADING AND BACK FILLING OPERATIONS.
- SOFT SOILS FROM THE BOTTOM AND BANKS OF ANY EXISTING OR FORMER POND SITES OR TRIBUTARIES, OR ANY SEDIMENT BASINS OR TRAPS SHALL NOT BE PLACED IN PROPOSED PUBLIC RIGHT-OF-WAY LOCATIONS OR IN ANY STORM SEWER LOCATIONS.
- ALL TRASH AND DEBRIS ON-SITE, EITHER EXISTING OR FROM CONSTRUCTION, MUST BE REMOVED AND PROPERLY DISPOSED OF OFF-SITE.
- DEBRIS AND FOUNDATION MATERIAL FROM ANY EXISTING ON-SITE BUILDING OR STRUCTURE WHICH IS SCHEDULED TO BE RAZED FOR THIS DEVELOPMENT MUST BE PROPERLY DISPOSED OF OFF-SITE.
- ANY WELLS, CISTERNS AND/OR SPRINGS, WHICH MAY EXIST ON THIS PROPERTY, SHOULD BE LOCATED AND SEALED IN A MANNER ACCEPTABLE TO THE CITY OF CHESTERFIELD AND THE MOHNR.
- ALL EXCAVATIONS, GRADING OR FILLING SHALL HAVE A FINISHED GRADE NOT TO EXCEED A 3:1 SLOPE (33%), UNLESS SPECIFICALLY APPROVED OTHERWISE.
- NO EXCAVATION SHALL BE MADE SO CLOSE TO THE PROPERTY LINE AS TO ENDANGER ANY ADJOINING PROPERTY OF ANY PUBLIC OR PRIVATE STREET WITHOUT SUPPORTING AND PROTECTING SUCH PUBLIC OR PRIVATE STREET OR PROPERTY FROM SETTLING, CRACKING OR OTHER DAMAGE.
- ALL LOTS SHALL BE SEEDED AND MULCHED OR SODDED BEFORE AN OCCUPANCY PERMIT SHALL BE ISSUED EXCEPT THAT A TEMPORARY OCCUPANCY PERMIT MAY BE ISSUED BY THE CITY OF CHESTERFIELD PLANNING DEPARTMENT IN CASES OF UNLIE HARDSHIP BECAUSE OF UNFAVORABLE GROUND CONDITIONS. IF THE LOT IS TO BE SEEDED AND MULCHED IT SHALL BE DONE SO IN A MANNER THAT IT MEETS OR EXCEEDS THE REQUIREMENTS OF THE CITY OF CHESTERFIELD "SEDIMENT & EROSION CONTROL GUIDELINES."



NOTE: Must maintain existing drainage directions and patterns

CITY OF CHESTERFIELD  
DEPARTMENT OF PLANNING AND PUBLIC WORKS  
ADMINISTRATIVE APPROVAL

PLAN TYPE: Site Development Plan  
AMENDED FOR: Parking, Signage, etc.  
BY: [Signature]  
DATE: 4/1/08

**City of Chesterfield**  
DEPARTMENT OF PLANNING  
SCRIPT FOR A SITE DEVELOPMENT PLAN

Edward H. Struckman and Janie A. Struckman  
In connection with a change of zoning for the following described property from PC to PC/LPA:

All of lot 2 and the east part of lot 12 of the Burkhardt Place, a subdivision in U.S. Survey 2031, township 45 north, range 4 east, according to the plat recorded in plat book 12 page 94 of the St. Louis County records and being more particularly described as follows: Beginning at a point in the south line of Chesterfield Airport Road, 60 feet wide, (formerly Olive Street Road), at the southeast corner of said lot 2; thence along the south line of Chesterfield Airport Road north 70 degrees 47 minutes 00 seconds west a distance of 50.00 feet to the northwest corner of said lot 2; thence along the west line of said lot 2 and its continuation westerly north 19 degrees 13 minutes 00 seconds west a distance of 182.85 feet to the north line of Chesterfield Airport Road, 40 feet wide, (formerly Wild Horse Road), thence east along said north line of Chesterfield Airport Road north 87 degrees 44 minutes 00 seconds east a distance of 124.92 feet to the west corner of said lot 12; thence along the north line of said lot 12 north 79 degrees 28 minutes 00 seconds west a distance of 75.50 feet to the southeast corner of said lot 2; thence along the east line of said lot 2 north 19 degrees 13 minutes 00 seconds west a distance of 136.35 feet to the point of beginning. Total acreage is 0.22 acres.

Edward H. Struckman and Janie A. Struckman, the owner(s) of the property shown on this plan, for and in consideration of being granted a permit to develop property under the provisions of Chapter 100.140, PC/LPA, of the City of Chesterfield Ordinance #654, do hereby agree and declare that said property from the date of recording this plan shall be developed only as shown thereon, unless said plan is amended by the Planning Commission, or voided or rescinded by order of resolution of the City of Chesterfield Council.

Edward H. Struckman and Janie A. Struckman  
State of Missouri )  
County of St. Louis )  
On this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, before me personally  
Approved: Edward H. Struckman and Janie A. Struckman, his wife, in his own right, and she as co-owner of the foregoing instrument, and acknowledge that he, she or they executed the same as his, her, or their free act and deed.  
In Testimony Whereof, I have hereunto set my hand and affixed my Notarial Seal as my Office in the State of Missouri, the day and year last above written. My term expires \_\_\_\_\_.

(Notary Public)

This Site Development Plan was approved by the City of Chesterfield Planning Commission and duly verified on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Chairperson of said Commission, authorizing the recording of this Site Plan pursuant to Chesterfield Ordinance Number 200, as amended by the Director of Planning and the City Clerk.

Director of Planning  
City Clerk

**SITE DEVELOPMENT PLAN**

OWNER: EDWARD AND JANIE STRUCKMAN  
6 BROOK LANE  
FALLON, MISSOURI 63368  
OWNER CONTACT: EDWARD STRUCKMAN  
TELEPHONE: 314-954-2144  
EMERGENCY PHONE: 636-300-3595

APPROVED FOR THE CITY OF CHESTERFIELD  
EDWARD L. SCHMIDT HOUSE  
(OWNERS: EDWARD AND JANIE STRUCKMAN)  
16626 CHESTERFIELD AIRPORT ROAD  
CHESTERFIELD, MISSOURI 63017



**SITE PLAN**

RECEIVED  
AUG 14 2019  
City of Chesterfield  
Department of Public Services