

# **Memorandum**Department of Planning & Development Services

**To:** Planning and Public Works Committee

**From:** Andrew Stanislav, Planner

**Date:** November 21, 2019

RE: P.Z. 13-2019 84 Lumber, Adj. Lot 2 (17511 Chesterfield Airport Rd):

A request to amend Ordinance 2969 to establish new permitted uses and revise the development criteria for a 13.023 acre tract of land within an existing "PC" Planned Commercial District located on the north side of

Chesterfield Airport Road east of Long Road (17U510084)(Ward 4).

# **Summary**

Green Bay Properties, LLC (property owner under contract of Proposed Lot A), on behalf of property owner TSG Chesterfield Airport Road, LLC, is requesting an ordinance amendment to City of Chesterfield Ordinance 2969 with respect to permitted uses and development criteria for 84 Lumber, Adjusted Lot 2. This amendment would add a new permitted use and revise and update the development conditions for the existing "PC" Planned Commercial District on 13.023 acres of land located at the north side of Chesterfield Airport Road east of Long Road.

The primary requests are to add "automobile dealership" as a permitted use and to increase the building story height from one (1) to two (2) story construction. Minor updates are included with the development criteria in the existing Attachment A, including applicable restrictions on the proposed use. An updated Preliminary Development Plan has also been submitted for consideration.

A Public Hearing was held on October 16<sup>th</sup>, 2019, and there were no speakers in opposition to this petition. One issue was raised pertaining to the number of proposed parking spaces to which the applicant has formally responded as detailed in the attached Planning Commission Staff Report dated November 13, 2019.

On November 13<sup>th</sup>, 2019, the Planning Commission made a motion to recommend approval of P.Z. 13-2019 84 Lumber, Adj. Lot 2 (17511 Chesterfield Airport Rd), which passed by a vote of 7-0.

Attached to this report please find a copy of Staff's Issues and Vote Report, the draft Attachment A, Applicant's Narrative Statement, and Preliminary Development Plan.

Attachments: November 13, 2019 Issues and Vote Report

Attachment A Narrative Statement

Preliminary Development Plan Packet





Figure 1: Subject Site Aerial





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# **Planning Commission Staff Report**

Meeting Date: November 13, 2019

From: Andrew Stanislav, Planner

**Location:** 17511 Chesterfield Airport Road

Petition: P.Z. 13-2019 84 Lumber, Adj. Lot 2 (17511 Chesterfield Airport Rd): A request to

amend Ordinance 2969 to establish new permitted uses and revise the development criteria for a 13.023 acre tract of land within an existing "PC" Planned Commercial District located on the north side of Chesterfield Airport Road

east of Long Road (17U510084).

#### **SUMMARY**

Green Bay Properties, LLC (property owner under contract of Proposed Lot A), on behalf of property owner TSG Chesterfield Airport Road, LLC, is requesting an ordinance amendment to City of Chesterfield Ordinance 2969 with respect to permitted uses and development criteria for 84 Lumber, Adjusted Lot 2. This amendment would add a new permitted use and revise and update the development conditions for the existing "PC" Planned Commercial District on 13.023 acres of land located at the north side of Chesterfield Airport Road east of Long Road.

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Figure 1: Subject Site Aerial Image

existing Attachment A, including applicable restrictions on the proposed use. An updated Preliminary Development Plan has also been submitted for Planning Commission consideration.

A Public Hearing was held on October 16, 2019, and there was one issue raised by the Planning Commission pertaining to the number of parking spaces.

### **SITE HISTORY**

The subject site was originally zoned "NU" Non-Urban District by St. Louis County prior to the City's incorporation. On October 2, 1995, a record plat was approved by the City of Chesterfield establishing lots 1 and 2 of the 84 Lumber Subdivision. City of Chesterfield Ordinance 2969 was approved by City Council on August 7, 2017, establishing a "PC" Planned Commercial District for Lot 2 of the 84 Lumber Subdivision. Subsequently, a Boundary Adjustment Plat was approved by the City on August 5, 2019, in order to consolidate a small 10-foot wide tract of land located between Lot 2 of the 84 Lumber Subdivision and Chesterfield Commons Seven.

A Site Development Concept Plan and Site Development Section Plan were submitted and reviewed by the City in 2017; however, these applications became inactive and the subject site currently remains vacant.

#### LAND USE AND ZONING OF SURROUNDING PROPERTIES

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

Direction	Zoning	Land Use
North	"NU" Non-Urban District	I-64/US-40 & Vacant Land
East	"PC" Planned Commercial District	Commons Seven (Undeveloped Lot)
South	"PC" Planned Commercial District	AutoZone/St. Louis Family Church
West	"PC" Planned Commercial District	Car Craft Autobody/Lou Fusz Ford

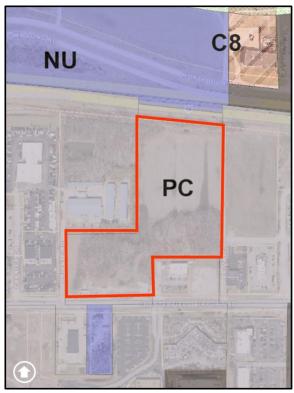


Figure 2: Zoning Map

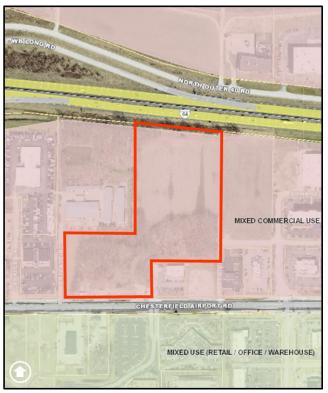


Figure 3: Comprehensive Land Use Map

# **COMPREHENSIVE PLAN ANALYSIS**

The subject site is located within Ward 4 of the City of Chesterfield. The City of Chesterfield Comprehensive Land Use Plan indicates this development is within the area designated as "Mixed Commercial Use" along with the adjacent properties north of Chesterfield Airport Road and across the I-64/US-40 corridor, while properties south of Chesterfield Airport Road near the subject site are within the "Mixed Use (Retail/Office/Warehouse)" designation as seen in Figure 3 on the previous page. The Comprehensive Plan designates appropriate land uses of the "Mixed Commercial Use" designation as "retail, low-density office, and limited office/warehouse facilities."

Additionally, a number of Plan Policies are applicable to this request. The following items identify the applicable plan policy followed by staff analysis:

<u>**3.1 Quality Commercial Development**</u> – Commercial developments should positively affect the image of the City, provide employment opportunities, and offer retail and service options to residents.

The additional permitted use proposed in this petition provides additional retail and service options that are also compliant with the "Mixed Commercial Use" designation in the Land Use Plan.

<u>3.2.3 Regional Retail Facilities</u> – Regional retail development should be limited to the two (2) existing regional retail facilities: Chesterfield Mall and the Chesterfield Commons areas.

The governing ordinance for this development currently permits 39 uses of various types of commercial activity, which is located east of Long Road near the Commons developments and shares the same Land Use designation.

**3.5.1 Chesterfield Valley Regional Retail and Low Intensity Industry** – Regional retail and low-intensity industrial developments should be located in Chesterfield Valley. These include mixed-use office/retail-planned developments, low-intensity industrial assembly, distribution, and research and development business parks, and corporate campuses. Specifically, low-intensity industrial use is encouraged west of Long Road.

The subject site is located in Chesterfield Valley east of Long Road within an existing "PC" Planned Commercial District. The proposed additional permitted use with this petition would comply with the regional retail aspect of the Comprehensive Plan.

<u>7.2.4 Encourage Sidewalks</u> – Sidewalks should be required of all new developments and encouraged along existing roads in the City of Chesterfield, allowing creative placement to protect the natural environment.

Sidewalks are required in the governing ordinance to be located along Chesterfield Airport Road, the Arnage Road extension, and the west side of the north/south connector roadway.

<u>7.2.6 Cross-Access Circulation</u> – Internal vehicular and pedestrian connections between commercial developments should be encouraged.

Cross access is to be provided between the proposed lots of this development, specifically between proposed Lots B, C, and D fronting Chesterfield Airport Road and between Lot E and the vacant parcel to the east of AutoZone (17499 Chesterfield Airport Road). Each of these proposed lots will have frontage and access from the proposed Arnage Road extension for circulation throughout the proposed development.

The Unified Development Code (UDC) also contains specific design requirements for Chesterfield Valley, which may be considered in reviewing this petition as well as with a future Site Development Concept Plan and Site Development Section Plans providing greater details for development on each individual lot, including architectural review. The applicable policies to consider with this petition, especially with the proposed automobile dealership use, are as follows:

- **Storage** Screen outdoor storage of goods, equipment or automobiles for sale or service from *I-64/US-40*.
- Parking Locate parking primarily to the side or rear of any building façade facing I-64/US-40 or along North Outer 40.

# **ISSUES**

During the Public Hearing held on October 16, 2019, there were no speakers in opposition of the ordinance amendment. One issue was identified by the Planning Commission as summarized below along with a formal response from the applicant:

 Proposed Parking Spaces: provide clarification on the approximate number of parking spaces proposed for customer parking, inventory display, and other types of parking for the automobile dealership.

Applicant Response: Customer Parking Spaces = 12 at North side of site

Certified Pre-Owned Land Rover & Jaguars Parking Spaces = 19 at North side of site, plus 41 spaces at East and West sides of building

New Car Spaces = 113 at East, West, and South perimeter

Employee Spaces = 60 at SE and SW interior

Service and Loaner Spaces = 15 on East side of building

#### **STAFF ANALYSIS**

The Petitioner is requesting an ordinance amendment to the current governing Ordinance 2969 with respect to the permitted uses and development criteria.

# **Automobile Dealership Use**

The petitioner is requesting to add the use of "automobile dealership" to the permitted uses established in the Attachment A of Ordinance 2969 governing Adjusted Lot 2 of the 84 Lumber Subdivision, and no other changes to the existing permitted uses are proposed. The Unified Development Code (UDC) defines automobile dealership as the following:

"A retail business primarily housed in a structure and characterized by a mixture of related uses upon a commercial site; however, the principal use of the site shall be the marketing of new or used automobiles, whether by sale, rent, lease, or other commercial or financial means. Secondary supporting uses may also exist upon the same site, such as maintenance, repair and service areas, parts storage areas, and financial service areas."

The request to add this as a permitted use is conditioned in the proposed Attachment A with restrictions as similarly approved ordinances with automobile dealership as a permitted use along the I-64/US-40 corridor. Language in the existing ordinance currently prohibits all outdoor storage and limits outdoor sales activity to patio and pedestrian areas located adjacent to the storefronts of retail users. The request to add "automobile dealership" as a permitted use will require these restrictions to be modified to correlate with existing restrictions present in other governing ordinances involving this use. For example, more recent ordinances delineate the location of outdoor displays (also as shown and approved on a Site Development Plan) and provide a maximum limit to the number of vehicles permitted within an outdoor display.

Nearby subdivisions along the I-64/US-40 corridor with "automobile dealership" existing on the site include Long Road Crossing (Jim Butler Kia), Lou Fusz Ford, River Crossings (Lamborghini/Bentley St. Louis), and Kemp Automobile Museum (Tesla). Each of these subdivisions are also included in the "Mixed Commercial Use" Land Use designation. Of these developments, the automobile dealership use is generally permitted with similar restrictions regarding outdoor retail display and storage. Figure 4 below depicts the location of 84 Lumber, Adjusted Lot 2 in relation to these nearby developments as well as the applicable restrictions to outdoor displays and storage.

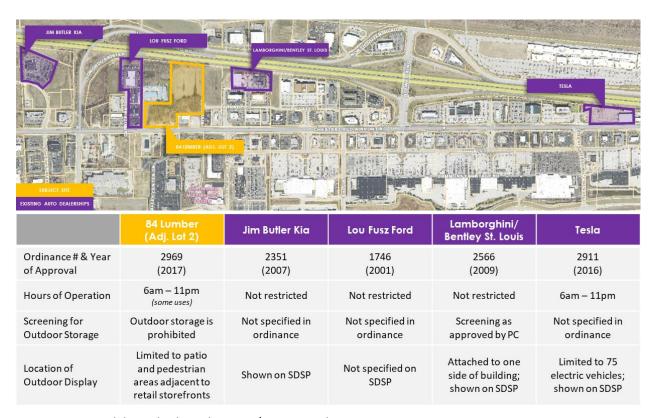


Figure 4: Automobile Dealerships along I-64/US-40 Corridor

#### **Building Height**

In addition to including "automobile dealership" as a permitted use, the petitioner is also requesting to increase the allowable number of stories per building from one (1) story to two (2) stories. The current governing ordinance requires the following as it pertains to height of structures within the development:

a. The maximum height including parapets and rooftop equipment of all buildings shall not exceed forty-two (42) feet.

There is no request to change the overall maximum building height. The above regulation is proposed to remain as existing in the current governing ordinance.

b. All buildings within this development shall be limited to single story construction only with the exception of a hotel.

The petitioner is requesting to amend this portion of the ordinance's height regulations to allow two (2) story construction. The building layout of the proposed automobile dealership will include a 5,000 square foot second story, requiring this portion of the ordinance to be amended.

#### **Preliminary Development Plan**

A zoning map amendment to a planned zoning district, such as "PC" Planned Commercial District, requires a Preliminary Development Plan which has been included in the Planning Commission's packet. A Preliminary Development Plan was approved in July 2017 for the subject site with the passage of Ordinance 2969. The proposed plan with this petition remains largely similar to the previously approved plan with most notable differences including the building on Proposed Lot A and the placement of buildings on proposed lots B, C, and D formerly located closer to the Arnage Road extension. The existing Preliminary Development Plan can be seen in Figure 5 on the next page.

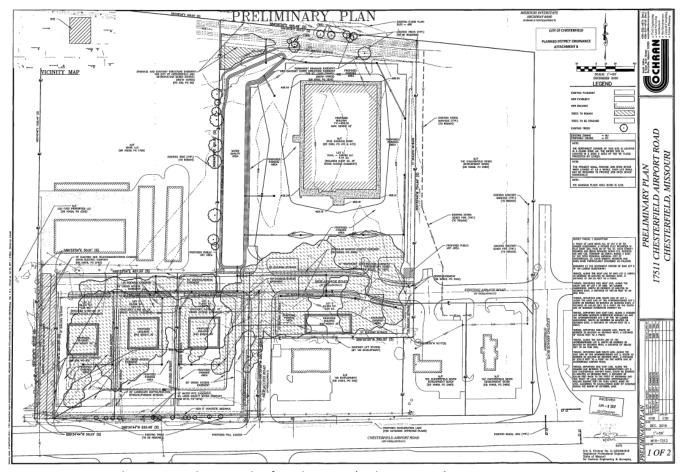


Figure 5: Existing Preliminary Development Plan for Subject Site (Ordinance 2969)

Some elements of the proposed Preliminary Development Plan include, but aren't limited to:

- Five proposed lots, three of which front Chesterfield Airport Road;
- Cross access easements between proposed lots;
- Proposed location for public art installation;
- Arnage Road extension west across the subject property;
- North-south access drive connection between the Arnage Road extension and Chesterfield Airport Road to align with Valley Center Drive to the south;
- Stormwater management provisions in accordance with City requirements for the Valley; and
- Parking areas generally to the side and rear of the proposed building as they front Major Arterials.

Figure 6 on page 8 depicts the proposed Preliminary Development Plan. Site Sections and a Tree Stand Delineation (TSD) submitted by the petitioner are also included in the packet attached to this report.

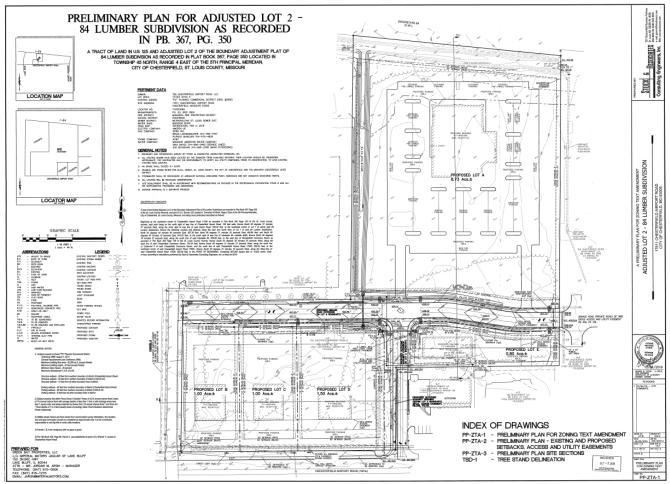


Figure 6: Proposed Preliminary Development Plan

Attached please find a copy of the draft Attachment A and Preliminary Development Plan packet.

This petition has met all filing requirements and procedures of the City of Chesterfield. Staff recommends action from Planning Commission on the change of zoning request and proposed conditions in the Attachment A.

Attachments: Draft Attachment A

Narrative Statement

Preliminary Development Plan Packet

#### ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

#### I. SPECIFIC CRITERIA

#### A. PERMITTED USES

- 1. The uses allowed in this "PC" Planned Commercial District shall be:
  - a. Animal grooming service
  - b. Art gallery
  - c. Art studio
  - d. Automobile dealership
  - e. Automotive retail supply
  - f. Bakery
  - g. Banquet facility
  - h. Bar
  - i. Barber or beauty shop
  - j. Brewpub
  - k. Check-cashing facility
  - 1. Church and other places of worship
  - m. Coffee shop
  - n. Coffee shop, drive-through
  - o. Community center
  - p. Day-care center
  - q. Drugstore and pharmacy
  - r. Drugstore and pharmacy, with drive-through
  - s. Dry-cleaning establishment
  - t. Dry-cleaning establishment, with drive-through
  - u. Financial institution, no drive-through

- v. Financial institution, with drive-through
- w. Grocery, community
- x. Grocery, neighborhood
- y. Hotel and motel
- z. Hotel and motel, extended stay
- aa. Laundromat
- bb. Office-dental
- cc. Office-general
- dd. Office-medical
- ee. Oil change facility
- ff. Recreation facility
- gg. Restaurant-fast-food
- hh. Restaurant-sit-down
- ii. Restaurant-take-out
- jj. Retail sales establishment-community
- kk. Retail sales establishment-neighborhood
- 11. Specialized private school
- mm. Theater, indoor
- nn. Vehicle repair and service facility

# 2. Outdoor Storage and Sales Activity

- a. All outdoor storage shall be prohibited within this development, with the exception of automotive vehicles in conjunction with an "Automobile Dealership". Outdoor storage for the use "Automobile Dealership" shall be as approved on the Site Development Plan.
- b. All outdoor sales activity shall be limited to patio and pedestrian areas located adjacent to the storefronts of retail users, with the exception of an "Automobile Dealership". Outdoor sales and/or displays for the use "Automobile Dealership" shall be as approved on the Site Development Plan.

# 3. Hours of Operation

- a. Uses "e", "q", "r", "w", "x", "jj", and "kk" above shall be restricted to hours of operation open to the public from 6:00 AM to 11:00 PM. Hours of operation for said uses may be expanded for Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven (7) business days in advance of said holiday.
- b. All deliveries and trash pick-ups shall be limited to the hours from 7:00 AM to 11:00 PM.

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

#### 1. Floor Area

a. The total building floor area of any single building within this development, exclusive of a hotel, shall not exceed 50,000 square feet.

# 2. Height

- a. The maximum height including parapets and rooftop equipment of all buildings shall not exceed forty-two (42) feet.
- b. All buildings within this development shall be limited to two (2) story construction, only with the exception of a hotel.

# 3. Building Requirements

- a. A minimum of thirty-five percent (35%) openspace is required for this development.
- b. This development shall have a maximum F.A.R. of 0.55.
- c. Uses "y" and "z" above shall be restricted to a maximum of 120 rooms.

#### C. SETBACKS

#### 1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, light standards, public art installation, or flag poles will be located within the following setbacks:

a. Thirty (30) feet from the southern boundary of this district that fronts on Chesterfield Airport Road.

- b. Fifty-five (55) feet from the northern boundary of this district that fronts on I-64/US 40.
- c. Ten (10) feet from all other boundary lines within this district.

# 2. Parking Setbacks

No parking stall or 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 southern boundary of this district that fronts on Chesterfield Airport Road.
- b. Fifty-five (55) feet from the northern boundary of this district that fronts on I-64/US 40.
- a. Zero (0) feet from all other boundary lines within this district.

# D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development shall be as required in the City of Chesterfield Unified Development Code.
- 2. No construction related parking shall be permitted within right of way or on any existing roadways. 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

The developer shall adhere to the Tree Preservation and Landscape Requirements of the City of Chesterfield Unified Development Code.

# F. SIGN REQUIREMENTS

- 1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Unified Development Code or a Sign Package may be submitted for the planned district. Sign packages shall adhere to the City of Chesterfield Unified Development Code.
- 2. Installation of 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 Transportation, for sight distance consideration and approved prior to installation or construction.

# G. LIGHT REQUIREMENTS

- 1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Unified Development Code.
- 2. Street lights shall be provided along Chesterfield Airport Road in accordance with the City of Chesterfield Unified Development Code and as directed by the City of Chesterfield.

### H. ARCHITECTURAL

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

# I. ACCESS/ACCESS MANAGEMENT

- 1. Access to this development from Chesterfield Airport Road shall be limited to one (1) commercial entrance located opposite Valley Center Drive to be shared with the adjacent AutoZone property to the east as shown on the Preliminary Plan. The entrance shall be built to Saint Louis County Standards, as directed by the Saint Louis County Department of Transportation and shall be located to provide adequate sight distance, as directed by the Saint Louis County Department of Transportation.
- 2. 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 required to provide adequate sight distance as directed by the Saint Louis County Department of Transportation.
- 3. Construct an eight (8) foot wide full depth shoulder along the frontage on Chesterfield Airport Road, as directed by the Saint Louis County Department of Transportation.
- 4. Access to this development from Arnage Road shall be via a roadway extension as shown on the Preliminary Plan.
- 5. Provide ingress/egress and cross access easements and temporary slope construction license or other appropriate legal instrument or

agreement guaranteeing permanent access between parcels in this development and the public and to ensure access rights to Chesterfield Airport Road, the new portion of Arnage Road, and the new access road for all parcels in the development as directed by the St. Louis County Department of Transportation and the City of Chesterfield.

6. Provide cross access easements and temporary slope construction license or other appropriate legal instruments or agreements guaranteeing permanent access between this site and all adjacent properties as directed by the St. Louis County Department of Transportation and the City of Chesterfield.

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

- 1. Construct a new north/south access road as shown on the Preliminary Plan that will connect to Arnage Road.
- 2. Construct an extension to Arnage Road that will connect to the existing portion of Arnage Road and extended approximately 910 feet to the west of the existing terminus. The western terminus of Arnage Road shall be aligned to allow for a future connection to the west to Caprice Drive through 17519 Chesterfield Airport Road and 17525 Chesterfield Airport Road.
- 3. All new roadways proposed as part of this development shall be privately maintained.
- 4. The new north/south access road and Arnage Road shall be constructed prior to or concurrently with construction and in any case shall be completed prior to issuance of occupancy permits. The portion of Arnage Road west of the new north/south access road may be constructed in phases in conjunction with construction on Lots D, C, and B, as approved by the City of Chesterfield. Each phased terminus shall provide a suitable turn around and end of pavement signage/stub street signage.
- 5. Provide a 5 foot wide sidewalk, conforming to ADA standards, along Chesterfield Airport Road, Arnage Road, and the western side of the new north/south access road as shown on the Preliminary Plan. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. 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.

- 6. Internal sidewalks shall be provided to each lot from the sidewalks along the adjacent roadways creating accessible pedestrian paths to the proposed buildings. Internal sidewalks and curb ramps shall conform to ADA standards.
- 7. Obtain approvals from the City of Chesterfield and the Saint Louis County Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
- 8. Additional right-of-way and road improvements shall be provided, as required by Saint Louis County Department of Transportation and the City of Chesterfield.
- 9. Stub street signage, in conformance with Article 04-09 of the Unified Development Code of the City of Chesterfield, shall be posted within 30 days of the street pavement being placed.
- 10. Any work within MoDOT's right of way will require a MoDOT permit.
- 11. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will affect MoDOT right of way.
- 12. 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.
- 13. Due to the close proximity to Interstate 64, any sound mitigation is the responsibility of the owner/developer. MoDOT will not provide any noise mitigation measures for this development.
- 14. Prior to Special Use Permit issuance by the Saint Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the Saint Louis County Department of Transportation to guarantee completion of the required roadway improvements.

# K. TRAFFIC STUDY

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

density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Chesterfield Airport Road. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

#### L. POWER OF REVIEW

City Council Review of Planning Commission Decisions (Power of Review) shall apply to this development in accordance with Section 31-02-20 of the Unified Development 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 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 and the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to paving of any driveways or parking areas. The location and types of storm water management facilities shall be identified on all Site Development Plans.
- 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. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
- 5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities.
- 6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.

- 7. The developer shall be responsible for construction of any required storm water improvements per the Chesterfield Valley Master Storm Water Plan, as applicable, and shall coordinate with the owners of the properties affected by construction of the required improvements. In the event that the ultimate required improvements cannot be constructed concurrently with this development, the developer shall provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed.
- 8. The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements per the Chesterfield Valley Master Storm Water Plan. Functional equivalence is said to be achieved when, as determined by the Public Works Director, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Public Works Director determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence The hydraulic routing calculations regarding will not be met. functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.
- 9. The developer shall provide all necessary Chesterfield Valley Storm Water Easements to accommodate future construction of the Chesterfield Valley Master Storm Water Plan improvements, and depict any and all Chesterfield Valley Master Storm Water Plan improvements on the Site Development Plan(s) and Improvement Plans. Maintenance of the required storm water improvements shall be the responsibility of the property owner unless otherwise noted.

- 10. All Chesterfield Valley Master Storm Water Plan improvements, as applicable, shall be operational prior to the paving of any driveways or parking areas unless otherwise approved.
- 11. The developer shall reimburse the Chesterfield Valley Mitigation Bank Program for any jurisdictional wetlands that have been identified on this site. The reimbursement is required prior to approval of a Grading Permit, Improvement Plans, or issuance of any Building Permits. The reimbursement amount is based on the total acres delineated on the site requiring mitigation and will be the proportionate share of the cost of establishment of the mitigation area.
- 12. Formal MSD review, approval, and permits are required prior to construction.
- 13. Post construction water quality Best Management Practices (BMPs) are required to treat the extents of the project's disturbed area. A Water Quality Area is depicted on Lot A which would appear to service the development area in one common location. MSD would be amenable to this under the following conditions:
  - a. A subdivision trusteeship would need to be established. The water quality area would need to be located within a common ground or easement dedicated to the trusteeship. A standard MSD maintenance agreement would need to be recorded on the property.
  - b. The water quality area would need to service a drainage area limited to the confines of the proposed commercial subdivision. Offsite flows from beyond this proposed development area would need to be diverted around the water quality feature.
  - c. Tributary acreage to a facility would need to be limited to less than 5 acres in order to ensure the basin's performance and longevity. Given the size of Lot A, a separate facility(ies) may need to be broken out and configured to serve that particular property.
  - d. If the arrangements noted above cannot be met, individualized BMPs to serve each lot and the access road will need to be integrated into the layout.
- 14. Approval from the City of Chesterfield and the Monarch Chesterfield Levee District indicating that the final plans conform to their master stormwater conveyance plan will be required prior to formal MSD plan approval.

#### N. SANITARY SEWER

- 1. Public sanitary sewers shall be extended to serve each lot.
- 2. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
- 3. The sanitary lift station (as depicted south of Lot E on the Preliminary Plan) is the nearest sanitary sewer location. The lift station must obtain construction approval from MSD prior to the District concurring with occupancy for this development.

#### 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 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. Prior to redevelopment of this property, provide detailed plans to MoDOT for review and approval.
- 3. Public art installations shall be required in the locations depicted on the Preliminary Plan attached hereto as Attachment "B."
- 4. Street lights shall be required along public right-of-way frontage.
- 5. 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.
- 6. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code, with the exception of the land use designation, shall be required where applicable.

- 7. 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, MoDOT, 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.
- 8. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
- 9. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
- 10. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Study and Floodplain Development Permit/Application to the City of Chesterfield and the City of Wildwood 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. All new roads within and adjacent to this site shall be constructed at least one (1) foot above the base flood elevation of the Special Flood Hazard Area. Improvements to existing roadways shall be required as necessary to provide at least one access route to each lot that is at least one (1) foot above the base

flood elevation. Consult Article 5 of the Unified Development Code for specific requirements.

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

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

#### III. COMMENCEMENT OF CONSTRUCTION

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

#### IV. GENERAL CRITERIA

# A. SITE DEVELOPMENT CONCEPT PLAN

- 1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
- 2. Include a Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
- 3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.

- 4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
- 5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

# B. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.

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

# C. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

- 3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
- 4. Provide Floor Area Ratio (F.A.R.).
- 5. A note indicating all utilities will be installed underground.
- 6. A note indicating signage approval is separate process.
- 7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
- 8. Specific structure and parking setbacks along all roadways and property lines.
- 9. Indicate location of all existing and proposed freestanding monument signs.
- 10. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
- 11. Floodplain boundaries.
- 12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
- 13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 16. Address trees and landscaping in accordance with the City of Chesterfield Code.
- 17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.

- 18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
- 19. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Highways and Traffic, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
- 20. Compliance with Sky Exposure Plane.
- 21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

#### V. TRUST FUND CONTRIBUTION

**A.** 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:

# Type of Development

Required Contribution

General Retail General Office

\$2,319.85/parking space \$773.24/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.

- **B.** 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.
- **C.** 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 S.U.P. is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

**D.** The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2020, 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.

#### E. WATER MAIN

- 1. The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$933.02 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.
- 2. The primary water line contribution shall be deposited with the Saint Louis County Department of Transportation. The deposit shall be made before St. Louis County approval of the Site Development Plan or Concept Plan unless otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, Saint Louis County.

#### F. STORM WATER

- 1. The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,960.28 per acre for the total area as approved on the Site Development Plan.
- 2. 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.

#### G. SANITARY SEWER

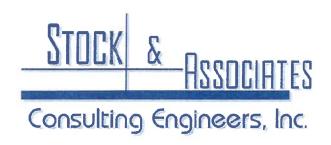
- 1. The sanitary sewer contribution is collected as the Caulks Creek impact fee.
- 2. The sanitary sewer contribution within the Chesterfield Valley area shall be deposited with the Metropolitan Saint Louis Sewer District as required by the District.

#### VI. RECORDING

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

#### VII. ENFORCEMENT

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



October 1, 2019

Via Email: (astanislav@chesterfield.mo.us)

City of Chesterfield 690 Chesterfield Parkway W Chesterfield, MO 63017

Attention: Mr. Andrew Stanislav - Planner

Re: Project Narrative Associated w/ Petition for a "Text Amendment" to Ordinance No. 2969 "PC" Planned Commercial District for 13.01 Acres, Located at 17511 Chesterfield Airport Road. (170510084) (Stock Project No. 218-6407.3)

Dear Andrew,

On behalf of Green Bay Properties LLC, purchaser of approximately 8.73 Acres, and The Staenberg Group we are requesting a "Text Amendment" to Ordinance No. 2969. Our request is to add "Automobile Dealership" to the list of permitted uses currently outlined in the Attachment A Section I. A.

Our request is to allow Imperial Motors of St. Louis LLC dba Jaguar Chesterfield & Imperial Motors of St. Louis LLC dba Land Rover Chesterfield, to develop Approximately 8.73 Acres of the total tract to build and operate a new Jaguar and Land Rover automobile dealership. The building will be approximately 31,000 GSF, of which approximately 5,000 GSF will be on a second floor. The building height is approximately 26ft. tall.

1.) Proposed land uses and development standards, density and height limitation, yard requirements, all of which shall be compatible with other nearby uses and developments and ensuring consistency with the Comprehensive Plan;

Response: Per Ordinance #2969, except Section I.A., add "Automobile Dealership" and Section B.2.b. Automobile Dealership, shall not exceed two (2) story construction.

2.) A listing of all land uses per tract of land within the proposed development, if applicable;

Response: Site is currently undeveloped.

3.) Exceptions, variances, or waivers from the UDC, if being requested;

Response: Amendments to Ordinance #2969 are being requested.

4.) A statement regarding tree preservation and proposed landscaping;

257 Chesterfield Business Parkway, St. Louis, MO 63005 636.530.9100 - Main | 636.530.9130 - Fax www.stockassoc.com | general@stockassoc.com Response: Tree Preservation will follow the City of Chesterfield Tree Preservation ordinance. Detail Landscape Plans will be provided for each development at the time of filing Site Development Section Plans for each respective development.

5.) A description of any proposed amenities or recreational facilities;

Response: Pedestrian circulation within the Development will be provided by 5' wide concrete sidewalks along interval streets.

6.) A description of lands to be dedicated for public facilities;

Response: Internal streets will be dedicated as "Private". Drainage channels will be dedicated to the City of Chesterfield & Monarch Chesterfield Levee District.

7.) Proposed phasing and time schedule if the development is to be done in phases; and

Response: Preliminary phasing of this development is as follows:

- a Stockpile Grading & Clearing 4th Qtr 2019 & 1st Qtr 2020
- b Internal Streets and Public Utilities 2<sup>nd</sup>/3<sup>rd</sup> Otr 2020
- c Automobile Dealership Facility on Proposed Lot  $1 2^{nd}/3^{rd}//4^{th}/$  Qtr 2020 into  $1^{st}$  Qtr of 2021.
- 8.) Proposed phasing and time schedule for land to be dedicated for public facilities.

Response: 2020-2021

As always, we appreciate your continued assistance and support for this project. Should you have any question or comments, please feel free to call.

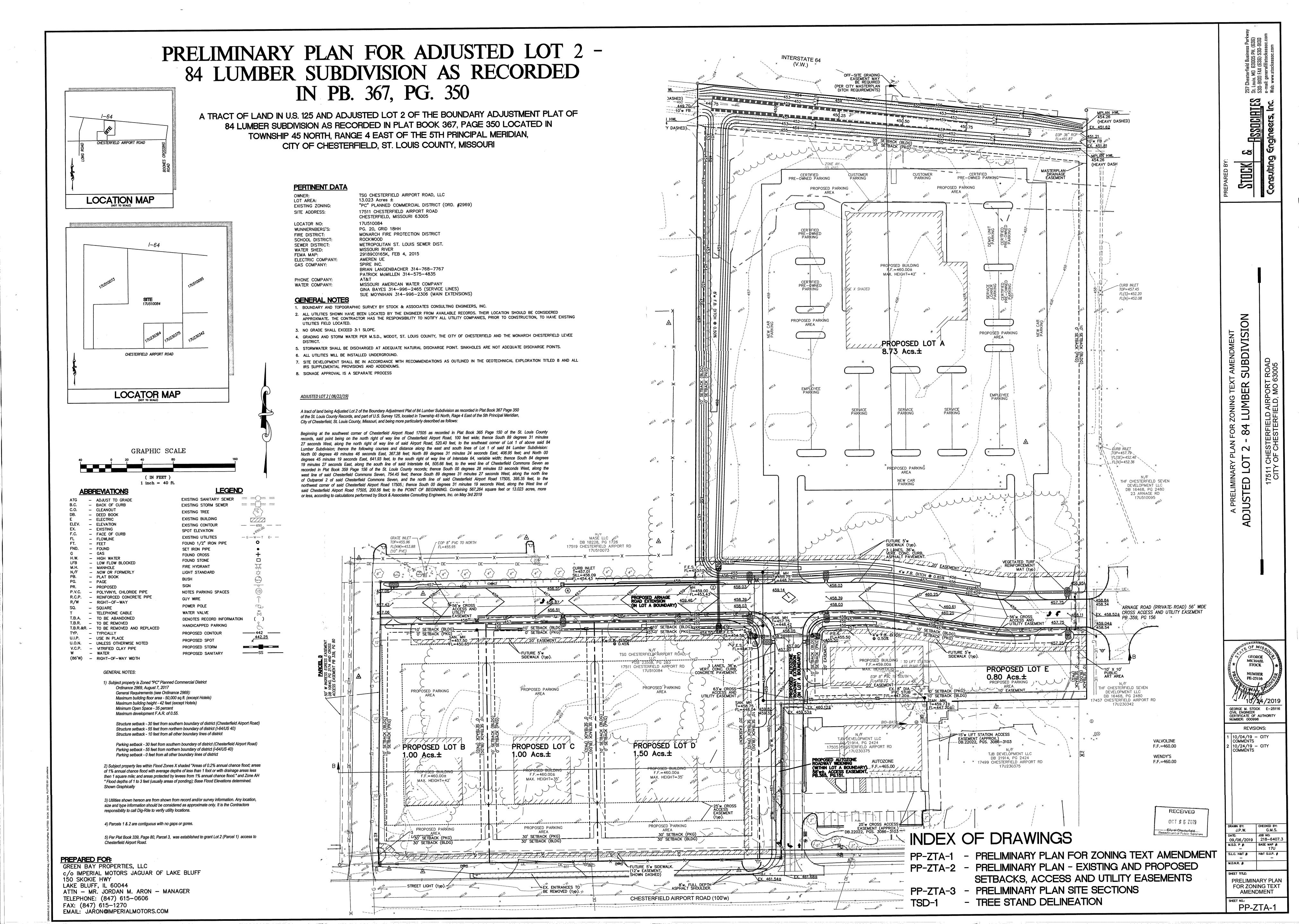
Sincerely,

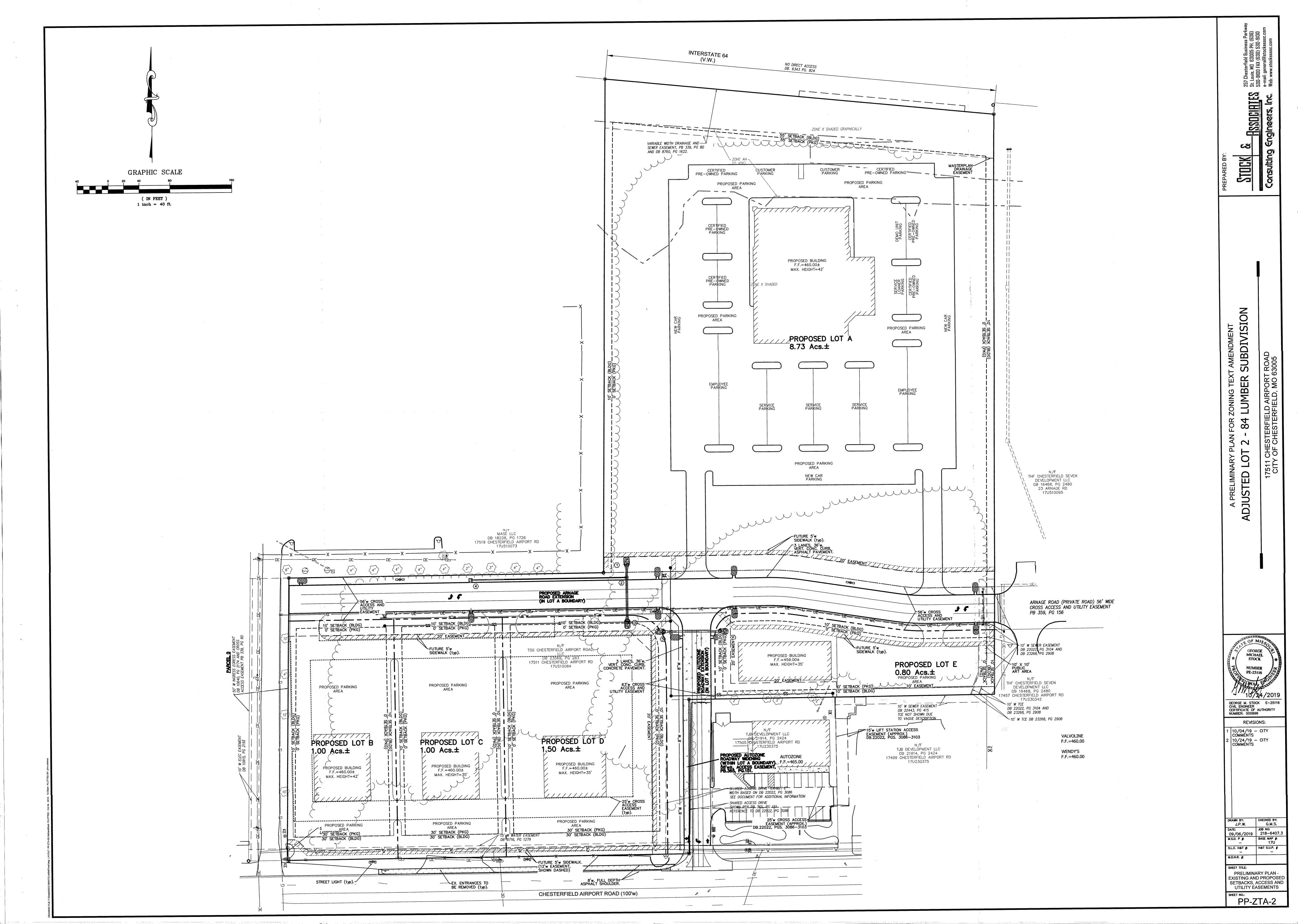
George M. Stock, P.E.

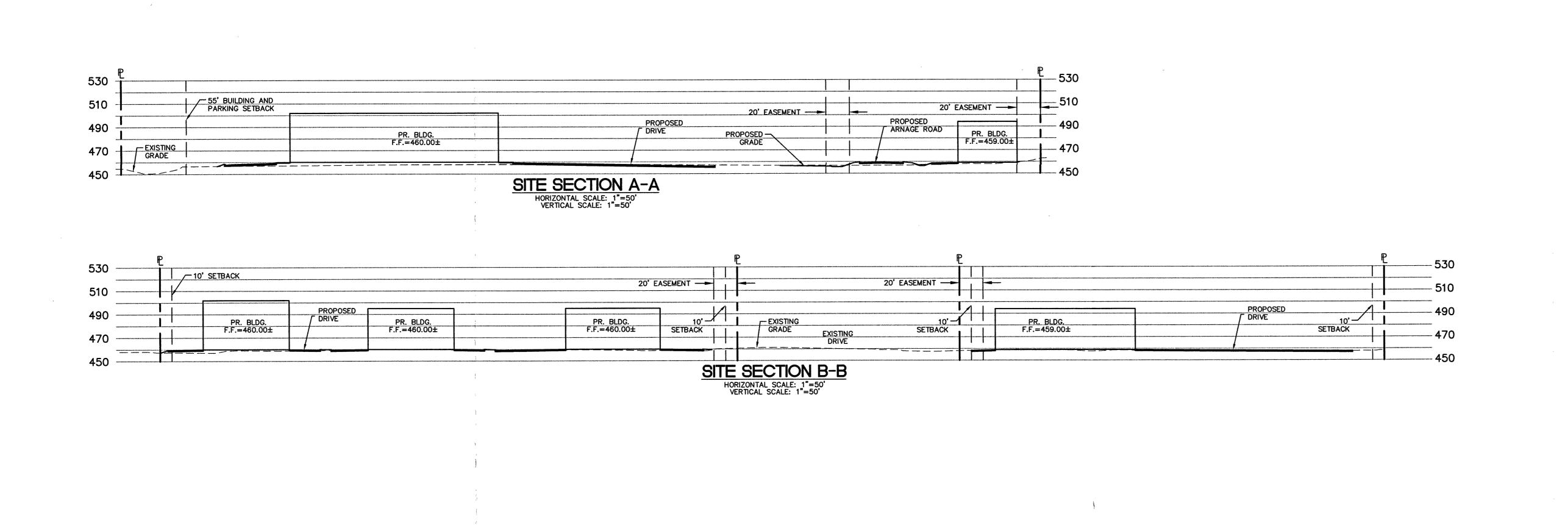
President

CC: Green Bay Properties, LLC – Mr. Jordan M. Aron (jaron@imperialmotors.com)

The Staenberg Group – Mr. Sam Adler (sadler@tsgproperties.com)







GEORGE MICHAEL STOCK NUMBER PE-25116 10/24/2019

GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

-ASSOCIATES ngineers, Inc.

STOCK

A PRELIMINARY PLAN FOR ZONING TEXT AMENDMENT ADJUSTED LOT 2 - 84 LUMBER SUBDIVISION

17511 CHESTERFIELD AIRPORT ROAD CITY OF CHESTERFIELD, MO 63005

1 10/04/19 - CITY COMMENTS 2 10/24/19 - CITY COMMENTS

DRAWN BY:
J.P.W.
G.M.S.

DATE:
09/06/2019
JOB NO:
218-6407.3

M.S.D. P #:
BASE MAP #:
17U

S.L.C. H&T #:
H&T S.U.P. # PRELIMINARY PLAN SITE SECTIONS

SHEET NO.: PP-ZTA-3

