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690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

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## Planning Commission Vote Report

Meeting Date: September 11<sup>th</sup>, 2023

From: Alyssa Ahner, Planner

Location: 730, 732, 734, 736, 738 Long Road Crossing Dr.

Description: P.Z. 01-2023 Long Road Lipton Parcel (Cronin Valley Real Estate, LLC): A request to amend an existing "PI" Planned Industrial District for 8.83 acres of land located north of Chesterfield Airport Rd and south of Interstate 64 (17U410115, 17U410160, 17U410126, 17U410159, 17U410137, 17U410148).

### PROPOSAL SUMMARY

Cronin Valley Real Estate, LLC, has submitted a request to amend a "PI" Planned Industrial District governed under [Ordinance 1540](#) to allow for the outdoor sale of automobiles. The existing ordinance encompasses 18.54 acres of land; however, the proposed use amendment is only being requested for 8.83 acres of the development – or the land north of Long Road Crossing.



Figure 1: Subject Site

**HISTORY OF SUBJECT SITE**

Pre-1988: Subject site was zoned "M-3" Planned Industrial.

1999: Subject site was rezoned from "M-3" Planned Industrial to "PI" Planned Industrial under governing [Ordinance 1540](#). A Site Development Concept Plan was subsequently approved.

2006: An Amended Site Development Concept Plan was approved.

2007: A Record Plat was approved.

**ZONING & LAND USE**

The subject site is currently zoned "PI" Planned Industrial under governing [Ordinance 1540](#) and the land is designated as "Industrial" in the Comprehensive Plan.



Figure 2: Zoning Map



Figure 3: Land Use Map

Direction	Zoning	Land Use
North	<a href="#">Interstate 64</a>	Interstate 64
South	"PI" "M-3" & "PC"	Office
East	"PC"— Planned Commercial	Car dealership, Retail, Utilities
West	"PI" Planned Industrial	Undeveloped

**COMPREHENSIVE PLAN - Industrial**

The City of Chesterfield provides a character description of this area: "Conventional industrial park and associated activity involving an airport. These areas generally support manufacturing and production uses, including warehousing, distribution, light manufacturing, airport support businesses, and assembly operations. They are found in close proximity to major transportation corridors (i.e., highways and airports) and are generally buffered from surrounding development by transitional uses or landscaped areas that shield the view of structures, loading docks, or outdoor storage from adjacent properties". Industrial areas have the following Development Policies:

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points
- Primary entrance points should be aligned with access points immediately across the street

- Connectivity may vary as industrial parks may have low connectivity due to dead ends and lack of connection to adjacent areas
- Landscape buffering should be utilized between roadways to screen areas of surface parking
- Residential projects should be limited to areas outside of the Chesterfield Valley

### UNIFIED DEVELOPMENT CODE - *Planned Industrial District*

The regulations of the Planned Industrial District offer a method for the industrial and selected commercial development of land in the City of Chesterfield that allows flexibility in applying certain zoning standards. The requirements of this Section are designed to offset the impact of changes in development standards allowed through these provisions. The PI District regulations should have the following outcomes:

- Ensure consistency with the Comprehensive Plan;
- Promote building styles and architectural styles that complement one another, as well as the surrounding area;
- Promote more efficient use of land;
- Incorporate site features, such as topography, views, vegetation, water features, and other factors into the design so they become assets to the development;
- Promote the most efficient arrangement of circulation systems, land use, and buildings;
- Promote environmentally sensitive developments; and
- Allow development, under a specifically approved design concept and site plan.

### STAFF ANALYSIS

The applicant is proposing an amendment to site-specific ordinance ([Ord. 1540](#)) which was originally approved in 1999. The existing ordinance – whose use terms and development criteria no longer align with today's Unified Development Code – allows for the indoor sale of motor vehicles. The applicant is requesting to modify this language to allow the outdoor sale of motor vehicles north of Long Road Crossing.



Figure 4: Entire Subject Site



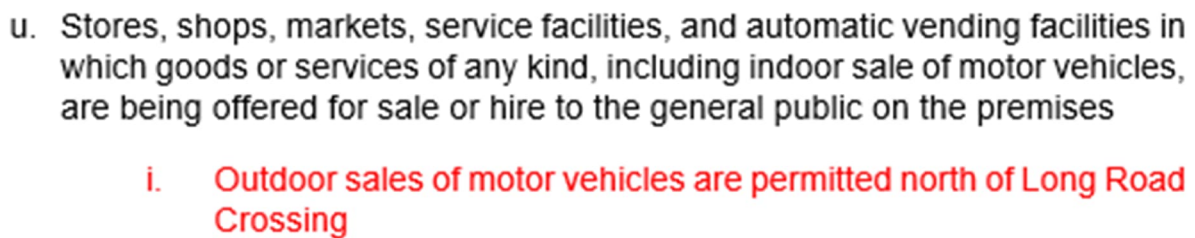
Figure 5: Proposed Use Amendment Area



## PUBLIC HEARING

A public hearing was held on July 10<sup>th</sup>, 2023 at which time the Planning Commission discussed the proposed amendments. Staff noted that since the existing ordinance is from 1999, the uses and development criteria differ from today's Unified Development Code. The Planning Commission requested that the existing ordinance be updated to reflect today's terminology.

Following the public hearing, Staff worked with the applicant on translating the 1999 use terms to current use terms. A majority of the uses were easily translated – however, it was discovered that Planned Industrial Districts in 1999 allowed retail sales. Retail sales establishments are no longer permitted in Planned Industrial Districts but rather Planned Commercial Districts. The applicant is requesting that the use terms not be updated to today's terminology but rather just amend the use related to the sale of motor vehicles. Staff explained that this request could be brought forward to the Planning Commission and that the decision of approval/denial would be dependent on the Commission's judgement in addition to City Council. *Figure 6* below depicts how use "u" currently exists and then the proposed modification in red.

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- u. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises
- i. Outdoor sales of motor vehicles are permitted north of Long Road Crossing

*Figure 6: Proposed use modification*

While the use terms have not been updated, the applicant was open to updating other development criteria. Items such as landscaping, lighting, signage, architecture etc. shall now be in accordance with today's Unified Development Code.

The applicant has also revised the Preliminary Development Plan to clear up some confusion. The existing easements have been removed from the conceptual plan as the entirety of the development will require a replat in the future. The overall layout of the development i.e., easements, lot boundaries etc. will be modified in a separate process following the rezoning. The rezoning is the first of many steps for the proposed development.

### Attachments:

- 1) Public Hearing Notice
- 2) Narrative Statement
- 3) Survey
- 4) Preliminary 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 allowed in this "PI" Planned Industrial District shall be:
  - a. Animal hospitals, veterinary clinics, and kennels
  - b. Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly
  - c. Cafeterias for employees and guests only
  - d. Childcare centers, nursery schools, and day nurseries
  - e. Financial institutions
  - f. Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open for longer than twenty-four (24) hours
  - g. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private)
  - h. Hotels and motels
  - i. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
    - i. Adequately screened with landscaping, fencing or walls, or any combination thereof; or
    - ii. Placed underground; or
    - iii. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area. All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.
  - j. Medical and dental offices

- k. Offices or office buildings
  - l. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
  - m. Permitted signs
  - n. Police, fire, and postal stations
  - o. Printing and duplicating services
  - p. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith
  - q. Restaurant, fast food
  - r. Restaurant, sit down
  - s. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture
    - i. Outdoor storage is prohibited.
  - t. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, 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.
  - u. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises
    - i. Outdoor sales of motor vehicles are permitted north of Long Road Crossing.
  - v. Vehicle service centers for automobiles
  - w. Vehicle washing facilities for automobiles
2. Hours of Operation
- a. Hours of operation for this "PI" District shall not be restricted.
3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.
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## **B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

### 1. Height

- a. The maximum height of any building shall not exceed three (3) floors or forty-five (45) feet.

### 2. Building Requirements

- a. Gross floor area for the development shall not exceed 185,796 square feet. The square footage constructed shall be based on the developer's ability to comply with the parking regulations of the City of Chesterfield code.

## **C. SETBACKS**

### 1. Structure Setbacks

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

- a. Ninety (90) feet from the new or existing right-of-way limits of Interstate 64/40.
- b. Thirty (30) feet from the right-of-way of Chesterfield Airport Road.
- c. Thirty (30) feet from the right-of-way limits of Chesterfield Industrial Drive.
- d. Thirty (30) feet from the right-of-way limits of the Long Road Crossing Drive.
- e. Thirty (30) feet from the eastern boundary of this "PI" district.
- f. Thirty (30) feet from the western boundary of this "PI" district.
- g. Fifteen (15) feet from internal lot lines.

### 2. Parking Setbacks

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

- a. Thirty (30) feet from the right-of-way limits of Interstate 64/40.
- b. Thirty (30) feet from the right-of-way limits of Chesterfield Airport Road.
- c. Thirty (30) feet from the right-of-way limits of Chesterfield Industrial Drive.
- d. Thirty (30) feet from the right-of-way limits of Long Road Crossing Drive.
- e. Fifteen (15) feet from internal lot lines.

## **D. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
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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.

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

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

#### **F. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the City of Chesterfield/Saint 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 Code.

#### **H. ARCHITECTURAL**

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

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

1. Access to the development shall be as shown on the Preliminary Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
  2. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as
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required by the City of Chesterfield and St. Louis County Department of Transportation.

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

1. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and St. Louis County Department of Transportation. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
2. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Transportation. No gate installation will be permitted on public right-of-way.
3. Provide a 5-foot-wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site and both sides of interior roadways. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within the Chesterfield Airport Road right-of-way, if permitted by St. Louis County or on private property within a 6-foot-wide sidewalk, public access and utility easement dedicated to the City. The sidewalk shall be maintained by the property owner.
4. Provide sidewalk connections from the required 5-foot-wide sidewalk along Chesterfield Airport Road to internal sidewalks and/or pedestrian paths.

#### **K. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and St. Louis County Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

#### **L. POWER OF REVIEW**

1. The development shall adhere to the Power of Review Requirements of the City of Chesterfield Code.
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## **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. 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.
3. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
4. Provide stormwater management facilities as required by the City of Chesterfield, the Metropolitan St. Louis Sewer District, and the Monarch-Chesterfield Levee District. The location and types of storm water management facilities shall be identified on all Site Development Plans.

## **N. SANITARY SEWER**

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

## **O. GEOTECHNICAL REPORT**

1. Prior to Site Development Section 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 Section Plans and Improvement Plans.

## **P. MISCELLANEOUS**

1. All utilities will be installed underground.
2. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. 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.

## **II. GENERAL CRITERIA**

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

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
  2. Outboundary plat and legal description of property.
  3. Density calculations.
  4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
  5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
  6. Provide Floor Area Ratio (F.A.R.).
  7. A note indicating all utilities will be installed underground.
  8. A note indicating signage approval is a separate process.
  9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
  10. Specific structure and parking setbacks along all roadways and property lines.
  11. Indicate location of all existing and proposed freestanding monument signs.
  12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
  13. Floodplain boundaries.
  14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
  15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
  16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
  17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
  18. Address trees and landscaping in accordance with the City of Chesterfield Code.
  19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
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20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and St. Louis County Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

### **III. TRUST FUND CONTRIBUTION**

- A.** The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the City of Chesterfield. Allowable credits for required improvements will be awarded as directed by the City of Chesterfield. This contribution shall be established by the City of Chesterfield Trust Fund Rate Schedule.
- B.** The Traffic Generation Assessment (TGA) contribution shall be made prior to the issuance of a Municipal Zoning Approval (MZA) by the City of Chesterfield.
- C.** Prior to Special Use Permit issuance by the St. Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with St. Louis County Department of Transportation to guarantee completion of the required roadway improvements.
- D.** The amount of all required contributions for storm water and primary water line improvements, if not submitted by January 1, 2024, 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 St. Louis County Department of Transportation.

#### **E. WATER MAIN**

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$915.62 per acre for the total area as approved on the Site Development Section Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made before St. Louis County approval of the Site Development Section Plan or Concept Plan unless otherwise directed by the St. Louis County Department of Transportation. Funds shall be payable to Treasurer, St. Louis County/City of Chesterfield.

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## **F. STORM WATER**

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,905.08 per acre for the total area as approved on the Site Development Section Plan.

The storm water contributions to the Trust Fund shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. 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, St. Louis County/City of Chesterfield.

## **G. SANITARY SEWER**

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

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

## **IV. RECORDING**

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

## **V. ENFORCEMENT**

1. 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.
  2. 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.
  3. 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.
  4. Waiver of Notice of Violation per the City of Chesterfield Code.
  5. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.
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## Narrative Statement

This is a request to amend Ordinance 1540 by adding “automobile dealership” as an additional use for Lots 3, 4, 5, 6 and 7 of Long Road Crossing Subdivision. These Lots are immediately south of Highway 64/40 and immediately North of Long Road Crossing. They are also immediately adjacent to property that has been developed with the Jim Butler Kia automobile dealership. Petitioner is a real estate limited liability company related to Dean Team Automotive Group, Inc. (“Dean Team”). It is Dean Team’s intention to develop the referenced Lots for the operation of Hyundai and Genesis automobile dealerships. The requested use would include new car sales and service and outdoor display. There will be no automobile body repair at these dealerships. No other amendments or variances are requested, and Petitioner intends to comply with all applicable regulations.

