

BILL NO. 3498

ORDINANCE NO. 3290

**AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 3258 FOR A “PI” PLANNED INDUSTRIAL DISTRICT AND CREATING A NEW “PI” PLANNED INDUSTRIAL DISTRICT FOR 32.93 ACRES LOCATED EAST OF EATHERTON RD AND NORTH OF WINGS CORPORATE DR (17W130064, 17W130075).**

**WHEREAS**, the petitioner, Stock & Associates, on behalf of Carshield F.C., has requested an ordinance amendment to add an additional 16.32-acre tract of land zoned “NU” Non-Urban to an existing 16.58-acre tract of land zoned “PI” Planned Industrial and modify development criteria; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on February 12<sup>th</sup>, 2024; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the ordinance amendment; and,

**WHEREAS**, the Planning and Public Works Committee, having considered said request, recommended approval of the ordinance amendment; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the ordinance amendment.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a “PI” Planned Industrial District designation for 32.93 acres located east of Eatherton Rd., and north of Wings Corporate Dr. and as described as follows:

A tract of land being part of Lot 2 of the Subdivision of E. Kroennung Estate. a subdivision according to the plat thereof as recorded in Plat Book 11 Page 11, and a tract of land as conveyed to Burkhardt Family Investments, LLC, by Deed Book 17645 Page 4855 all of the St. Louis County Records, located in U.S. Survey 362, Township 45 North, Range 3 East. City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at a stone located at the northeastern corner of Lot 3 of Precision Plaza, a subdivision according to the plat thereof as recorded in Plat Book 357, Page 286 of above said records; thence along the northern line of said Lot 3 and its direct southwestern prolongation thereof, South 79 degrees 01 minute 04 seconds West, 594.01 feet to a stone found on the eastern right-of-way of Eatherton Road, variable width; thence along said right-of-way line the following courses and distances, North 11 degrees 42 minutes 12 seconds West, 455.20 feet to a found Iron Rod; North 78 degrees 37 minutes 41 seconds East, 14.77 feet to a found Iron Rod; North 11 degrees 22 minutes 19 seconds West, 580.16 feet to a found Iron Rod, said point also being the beginning of a curve to the right, having a radius of 925.00 feet; thence along said curve with an arc length of 154.90 feet and a chord which bears North 06 degrees 34 minutes 29 seconds West, 154.72 feet to the beginning of a non-tangential curve to the right having a radius of 105.00 feet; along said curve with an arc length of 88.92 feet and a chord which bears North 54 degrees 21 minutes 08 seconds East, 86.28 feet to a found Iron Rod and North 11 degrees 23 minutes 25 seconds West, 5.00 feet to the southern line of that part of Old Eatherton Road, 40 feet wide, as vacated by City of Chesterfield Ordinance Number 2649, recorded in Book 19501, Page 473 of above said records; thence along said southern line of Old Eatherton Road, North 78 degrees 36 minutes 35 seconds East, 493.10 feet to a found Iron Rod at the northwest corner line of a tract of land as conveyed to the Burkhardt Family Investments, LLC by Deed Book 17645, Page 4855 of said records; thence along the north line of said Burkhardt tract, North 78 degrees 32 minutes 11 seconds East, 572.29 feet to the west line of U.S. Survey 133; thence along said west line, South 12 degrees 27 minutes 10 seconds East, 740.46 feet and South 12 degrees 26 minutes 20 seconds East, 476.81 feet to the north line of a tract of land as conveyed to St. Louis County, Missouri by Deed Book 12257, Page 1819 of said records, thence leaving said west line, and along the north and west lines of said St. Louis County tract, South 78 degrees 30 minutes 04 seconds West, 597.93 feet, and South 11 degrees 14 minutes 25 seconds East, 16.73 feet to the POINT OF BEGINNING.

Containing 1,434,647 square feet or 32.935 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc during December 2023.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations.


**Section 3.** The City Council, pursuant to the petition filed by Stock & Associates, on behalf of Carshield F.C. in P.Z. 01-2024, requesting the ordinance amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 12<sup>th</sup> day of February 2024, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

**Section 4.** This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 8 of the City of Chesterfield Unified Development Code.


**Section 5.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 6<sup>th</sup> day of May, 2024

  
PRESIDING OFFICER

  
Bob Nation, MAYOR

ATTEST:

  
Vickie McGownd, CITY CLERK

FIRST READING HELD: 4/16/2024

## 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. Athletic courts and fields
  - b. Gymnasium
  - c. Industrial sales, service, and storage
  - d. Mail order sales warehouse
  - e. Office, general
  - f. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
  - g. Professional and technical service facility
  - h. Recreation facility
  - i. Warehouse, general
2. Hours of Operation.
  - a. Hours of operation for this "PI" District shall not be restricted.
  - b. Hours of operation for any lighting source for a recreation facility shall adhere to the Lighting Standards of the City of Chesterfield Code.
3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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

1. Height
  - a. The maximum height of the building, exclusive of roof screening, shall not exceed 60 feet.

2. Building Requirements

- a. A minimum of 35% openspace is required for each lot within this development.
- b. This development shall have a maximum F.A.R. of fifty-five hundredths (0.55).

**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. Thirty-five (35) feet from the right-of-way of Eatherton Road.
- b. Thirty (30) feet from the rear yard.
- c. Twelve (12) feet from the side yard.

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. Twenty-five (25) feet from the right-of-way of Eatherton Road.
- b. Twenty-five (25) feet from the rear yard.
- c. Ten (10) feet from the side yard.

**D. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. No construction related parking shall be permitted within right of way 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, with the exception of 25' landscape buffer shall be provided along Eatherton Road.

## **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/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 Code.
2. The mounting height of light standards for athletic courts and fields shall not exceed seventy (70) feet and are subject to Spirit of St. Louis Airport approval. All other lighting shall adhere to City code and is subject to Spirit of St. Louis Airport approval.

## **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 substantially conform to 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 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 Eatherton Road frontage of the site. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within the Eatherton 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 Eatherton Road to internal sidewalks and/or pedestrian paths.

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

1. Provide a traffic study as directed by the City of Chesterfield and/or 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.

#### **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 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. 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**

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.
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 St. Louis Sewer District Site Guidance as adopted by the City of Chesterfield.

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

1. 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.
2. The Traffic Generation Assessment (TGA) contribution shall be made prior to the issuance of a Municipal Zoning Approval (MZA) by the City of Chesterfield.
3. 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.
4. 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.

#### **5. WATER MAIN**

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$1,060.35 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the St. 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 St. Louis County Department of Transportation. Funds shall be payable to Treasurer, St. Louis County/City of Chesterfield.

#### **6. 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 \$3,364.25 per acre for the total area as approved on the Site Development Plan.

The storm water contributions to the Trust Fund shall be deposited with the 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.

#### **7. 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.









NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	03/27/2018
2	REVISED FOR PERMIT	03/27/2018
3	REVISED FOR PERMIT	03/27/2018
4	REVISED FOR PERMIT	03/27/2018

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1	ISSUED FOR PERMIT	03/27/2018
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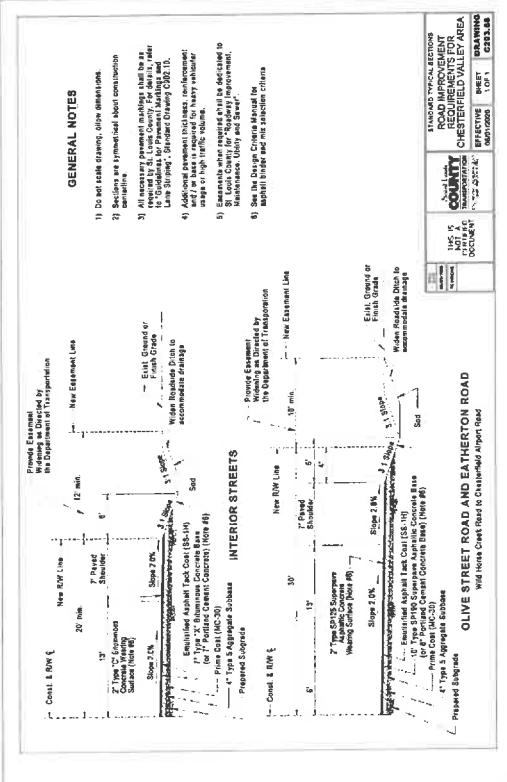
Section A-A PROFILE



Section B-B PROFILE



SECTIONS  
 SHALL BE 1/8" = 1'-0" UNLESS OTHERWISE NOTED



GENERAL NOTES

- 1) Do not scale drawings, show dimensions.
- 2) Sections are symmetrical about centerline.
- 3) All necessary pavement markings shall be as proposed by St. Louis County, For details, refer to Lane Marking, Standard Drawing C&B-110.
- 4) Additional pavement thickness, subgrade, and/or high traffic volume.
- 5) Materials when specified shall be applicable to St. Louis County Highway Improvement.
- 6) See the State Criteria Manual for applicable standards and specifications.

NO.	REVISIONS	DATE
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2	REVISED FOR PERMIT	03/27/2018
3	REVISED FOR PERMIT	03/27/2018
4	REVISED FOR PERMIT	03/27/2018

EATHERTON ROAD WIDENING - TYPICAL SECTION

# Memorandum

## Department of Planning

**To:** Michael O. Geisel, City Administrator  
**From:** Justin Wyse, Director of Planning *JW*  
**Date:** May 6<sup>th</sup>, 2024



**RE:** **P.Z. 03-2024 Chesterfield Village Mall:** An ordinance amendment to add an additional 16.679-acre tract of land zoned “C-8” Planned Commercial to an existing 96.017-acre tract of land zoned “PC&R” Planned Commercial and Residential District located on the south side of Interstate 64, east of Chesterfield Parkway.

### Summary

A request to add an additional 16-acres of land zoned “C-8” Planned Commercial to an existing 96-acres of land zoned “PC&R” Planned Commercial and Residential District. The existing “PC&R” district was established in 2023 and is governed under Ordinance 3255. The proposed amendment would incorporate a connecting parcel into the District. Consent has been received from all applicable parties.

The 16-acres would be incorporated as “Area 4” and would be permitted commercial uses only. “Area 4” would be permitted a maximum of 280,000 square feet of these uses which is the size of the existing building onsite today.

A Public Hearing was held on April 8<sup>th</sup>, 2024 and no issues were raised. Planning Commission voted on the request on April 8<sup>th</sup>, 2024 and a motion to recommend approval passed by a vote of 6-0.

The request was reviewed by Planning & Public Works Committee on April 18<sup>th</sup>, 2024. At that time, the Committee made a motion to recommend approval. The motion passed by a vote of 4-0.

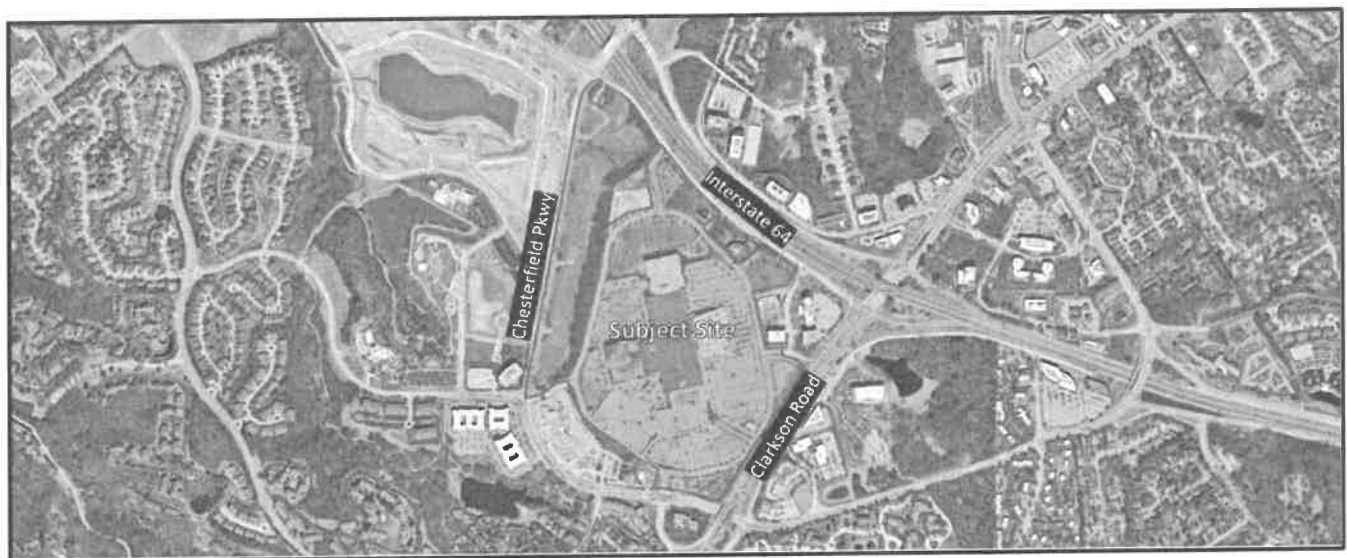


Figure 1: Subject Site