

BILL NO. 2064

ORDINANCE NO. 1847

AN ORDINANCE AMENDING CITY OF CHESTERFIELD ORDINANCE NO. 1417 GOVERNING LONG ROAD PLAZA, A "C8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE WEST SIDE OF LONG ROAD, SOUTH OF CHESTERFIELD AIRPORT ROAD.

WHEREAS, the petitioner, Domino's Pizza, has requested an amendment to Ordinance No. 1417 governing Long Road Plaza, a "C8" Planned Commercial District located on the west side of Long Road, south of Chesterfield Airport Road; and

WHEREAS, the Planning Commission, having considered said request, recommended approval of an amendment to City of Chesterfield Ordinance Number 1417; and

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

Section 1. City of Chesterfield Ordinance Number 1417 governing Long Road Plaza, a "C8" Planned Commercial District located on the west side of Long Road, south of Chesterfield Airport Road; is hereby amended as follows:

Section 2.b – FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS

~~The total gross floor area of this development shall not exceed 14,072 square feet.~~

Shall be replaced by:

The total gross floor area of this development shall not exceed 14,152 square feet.

Section 5.a (6) – SITE DEVELOPMENT PLAN CRITERIA – BUILDING SETBACKS

A one (1) foot building setback shall be maintained from the western property line for the tenant unit at 105 Long Road.

Section 2. The ordinance amendment approval, pursuant to the City of Chesterfield Zoning Ordinance, is granted subject to all ordinances, rules and regulations as recommended by the Planning Commission and the Planning and Zoning Committee in its recommendations to City Council.

Section 3. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 6TH day of MAY, 2002.

*ohid
jms*

NOTE: BILL BECOMES LAW PER
RSMo 77.270 THIS 21ST DAY
OF MAY, 2002.

MAYOR (MAYOR CHOSE NOT
TO SIGN)

ATTEST:

Judith A. Raggian
DEPUTY CITY CLERK

ATTACHMENT A

1. PERMITTED USES

The uses allowed in this "C-8" Planned Commercial District shall be all Permitted Uses in the "C-2" Commercial Shopping District, a gas pump facility, and an animal hospital/veterinary clinic, but excluding bars, lounges, pool halls, and recreational facilities.

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

- a. The uses permitted in this "C-8" Planned Commercial District shall be contained in two (2) one-story buildings.
- b. *The total gross floor area of this development shall not exceed 14,152 square feet.*
- c. The gas pumps permitted within this "C-8" development shall be located in the middle eastern portion of this development.

3. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months of the preliminary development plan approval date by the Planning Commission and City of Chesterfield and prior to issuance of any building permit, the developer shall submit to the Planning Commission for its review and approval a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended by the Planning Commission.

4. SITE DEVELOPMENT PLAN CRITERIA

The Site Development Plan shall include the following:

- a. The location and size, including height, of the proposed building and general use of the building.
- b. Building and parking setbacks.
- b. Location and size of all parking and loading areas, light standards, fencing, freestanding business signs, trash enclosures, and landscaping.
- d. Existing and proposed roadways, drives and walkways on, and adjacent to, the property in question.
- e. Areas to be dedicated for road right-of-way and required roadway improvements.
- f. Curb cut locations.
- f. Existing and proposed contours at intervals of not more than two (2) feet.
- h. A landscape plan, including, but not limited to, the location, size and general type of all plants and other materials to be used.

- i. All other preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

5. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Building Setbacks

- a. No building shall be located within the following setbacks:
 - (1) Ninety-five (95) feet of the new dedicated right-of-way of Long Road.
 - (2) Ten (10) feet from the north, south and west property limits of this “C-8” development. Air conditioning units, properly screened or designed are allowed within the setbacks from the west property limit.
 - (2) All other setbacks shall be as approved by the Planning Commission on the Site Development Plan.
 - (4) Accessory structures (i.e., gasoline pumps, trash enclosures, boundary walls, and/or retaining walls, signs, fences, detention structures, light standards, and canopies, etc.) shall be permitted within the ninety-five (95) foot building setback from Long Road, but shall not be allowed within twenty (20) feet of the new right-of-way for Long Road.
 - (5) A deck maintaining a four (4) foot setback is permitted to be constructed along the rear of the structures, subject to the following conditions:
 - (a) The continuous deck is required to be six (6) feet wide all across the building;
 - (b) In conjunction with the continuous deck, a minimum four (4) foot wide walkway must be maintained, with no intrusions except for the swing of the doors;
 - (b) The ends of the continuous deck are to open with access to the ground;
 - (d) A railing conforming to the applicable building code is required along the western edge of the continuous deck. Instead of a railing, a wooden privacy fence, maximum height six (6) feet is permitted along the western edge of the continuous deck;
 - (e) The continuous deck area can not be used for storage of any items;
 - (f) To accommodate the continuous deck, all exterior door widths shall be reduced to 36 inches and the doors must have closers and hinges that allow a 180 degree swing of the door;

- (f) All doors opening onto the continuous deck must be able to open 180 degrees at all times; and,
- (h) The deck must receive approval from the City of Chesterfield, the Chesterfield Fire Protection District and St. Louis County Department of Public Works prior to construction; and
- (i) Prior to approval from the City of Chesterfield for construction of the deck, review and approval of the drainage configuration for the entire site is required by the City of Chesterfield Department of Public Works. The drainage improvements shall be constructed per the approved plans prior to final construction approval by St. Louis County.

(6) **A one (1) foot building setback shall be maintained from the western property line for the tenant unit at 105 Long Road.**

Parking Setbacks

- b. No parking stall, loading space, internal drive, or roadway, excluding points of ingress and egress, shall be located within the following setbacks:
 - (1) Ten (10) feet of the new dedicated right-of-way of Long Road.
 - (2) Ten (10) feet of the west limits of this “C-8” development.
 - (3) Five (5) feet of the north and south limits of this “C-8” development.

Parking and Loading Requirements

- c. Parking and loading requirements shall be as specified in Section 1003.165 Off-Street Parking and Loading Regulations of the City of Chesterfield Zoning Ordinance.

Access

- d. Access to the development from Long Road shall be limited to two (2) driveways to be located as directed by the St. Louis County Department of Highways and Traffic.
 - (1) The northern-most driveway to this development shall be limited to one (1) driveway to be located as near the midpoint of the development as possible, as directed by the St. Louis County Department of Highways and Traffic, and the City of Chesterfield.
 - (2) The southern-most driveway to this development shall be limited to one (1) driveway to be located as near the southern property line as possible, as directed by the St. Louis County Department of Highways and Traffic.
 - (3) The driveways shall be designed and constructed to be compatible with the ultimate improvements to Long Road as described in Item 5.g. below.

- e. Provide connecting driveways, pavement surfaces, and cross access easement and temporary slope construction license, or other appropriate legal instrument or agreement guaranteeing permanent access between the proposed “C-8” portion, and the proposed amended “C-8” portion of this site, as directed by the City of Chesterfield. The developer will be required to provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and the adjacent property to the south.

Road Improvements

- f. Improve Long Road to one-half of an eight (80) foot right-of-way with required ten (10) foot roadway improvement, maintenance, storm drainage and utility easement, and one-half of sixty (60) foot pavement with a ten (10) foot wide stabilized shoulder, including all storm drainage facilities, as directed by the Department of Highways and Traffic.
- g. Implementation of the above conditions will occur as part of a construction contract awarded by St. Louis County to widen and signalize the intersection of Chesterfield Airport Road and Long Road. The developer will be required to dedicate the right-of-way, provide the necessary Temporary Slope and Construction License and easements, and deposit a cash escrow with St. Louis County for the Long Road widening required above. The developer shall also be required to grade and construct his on-site improvements to be compatible with the ultimate roadway improvements.

Landscape Requirements

- h.. Building and parking setbacks and curb islands at the ends of parking rows shall be landscaped, as approved by the Planning Commission on the approved Site Development Plan.
- i. All new landscaping materials shall meet the following criteria:
 - (1) Deciduous Trees – one and one-half (1-1/2) inch minimum caliper.
 - (2) Evergreen Trees - four (4) feet minimum height.
 - (3) Shrubs - eighteen (18) inch minimum diameter.

Lighting Requirements

- j. Maximum height of light standard shall exceed twenty-four (24) feet in height and the location of light standards shall be as approved by the Planning Commission on the Site Development Plan. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of Section 1005.320 Street and Parking Area Lighting of the City of Chesterfield Subdivision Ordinance.

Sign Requirements

- k. Sign regulations for this “C-8” development shall be as set forth as specified in Section 1003.168 of the City of Chesterfield Zoning Ordinance, with signage limited

to one (1) freestanding sign at a maximum outline area of fifty (50) square feet.

Miscellaneous Conditions

- l. All exterior trash areas shall be enclosed by a six (6) foot high sight-proof fence. All rooftop mechanical equipment and ground level air conditioning units shall be adequately screened by sight-proof fencing, or so designed as to be visually compatible with the exterior of the structure, as approved by the Planning Commission.
- m. Handicapped parking design features shall comply with Section 512.4 of the St. Louis County Building Code.
- n. Typical building elevations indicating type of construction and façade shall be submitted as part of the Site Development Plan, to be reviewed by the Planning commission.
- o. Temporary signs and advertising signs shall not be permitted within this development.
- p. There shall be no outdoor runs for animals associated with any use within this development.

6. SITE DEVELOPMENT FEES

Chesterfield Valley Road Trust Fund

- a. The developer shall deposit in the Chesterfield Valley Road Trust Fund, to be held by the Director of Administration, St. Louis County, funds necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Roadway Improvement Plan on file with the St. Louis County Department of Highways and Traffic. The amount of the developer’s contribution to this fund shall be computed on the basis of the following:

Commercial	\$	1.22/Sq. Ft
Office	\$	0.87/Sq. Ft.
Industrial	\$	2,955.97/Acre

The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner’s trust fund contribution. 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.

Water Services

- b. Prior to approval of a Site Development Plan, the developer shall place into an escrow account with the St. Louis County Director of Administration, a sum of \$390.19 per acre for the total area of this “C-8” Planned Commercial District to be used solely for the purpose of installing a primary water line to serve the Chesterfield

Valley area. If said funds are not placed into escrow by January 1, 1990, said amount shall be increased in accordance with a construction cost index, as determined by the St. Louis County Department of Highways and Traffic.

Stormwater Improvements

- c. The developer shall deposit into the Chesterfield Valley Stormwater Trust Fund, to be held by the Director of Administration, St. Louis County, funds necessary to help defray the cost of engineering and construction improvements for the collection and disposal of stormwater from 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 developer's contribution to this fund will be computed on the basis of \$1231.29 for each gross acre of land area within the petition. Said amount of this required contribution, if not submitted by January 1, 1990, shall be increased in accordance with a construction cost index, as determined by the St. Louis County Department of Highways and Traffic. Contributions, as required above, shall be deposited with the Director of Administration, St. Louis County, prior to the issuance of any building permit for this development.

Sanitary Sewer Services

- d. Prior to issuance of any building permit for the subject development, the developer shall place into an escrow account with the Metropolitan St. Louis Sewer District, a sum of \$3,500 per acre for the total area within this development for the purpose of developing a sanitary sewer system to serve the Chesterfield Valley area. In those instances where the developer has built an on-site treatment, or has been authorized to extend a sewer line (not including laterals) off of the site to connect with another authorized off-site facility within the Chesterfield Valley area, the cost of off-site sewer line, any pumping station, or on-site treatment plant shall be credited against the \$3,500 per acre impact fee for this "C-8" Planned Commercial District.

7. VERIFICATION PRIOR TO APPROVAL

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater Requirements

- a. Submit to the Department of Planning, a preliminary engineering plan approved by the Department of Public Works, MSD, and the St. Louis County Department of Highways and Traffic, showing that adequate handling of stormwater drainage is provided.
 - (1) The developer is required to provide adequate stormwater systems in accordance with St. Louis County, City of Chesterfield, and MSD standards, and in accordance with the Master Plan for management of stormwater within Chesterfield Valley.
 - (2) All stormwater shall be discharged at an adequate natural discharge point by means of bleeder ditches and/or construction of portions of the main channel,

as outlined in the Chesterfield Valley Master Drainage Plan, or by other means that may be approved by the Department of Public Works and the St. Louis County Department of Highways and Traffic. This may require extensive off-site storm sewer ditch work.

- (3) Detention of differential runoff of stormwater is at the discretion of MSD and the City of Chesterfield. If required by MSD and/or the City of Chesterfield, it shall be provided in permanent detention facilities, such as: dry reservoirs, ponds or another acceptable alternative. The detention basin shall be completed and in operation prior to paving of any driveways or parking areas.

Roadway Improvements and Curb Cuts

- b. Provide verification of approval by the St. Louis County Department of Highways and Traffic of the size and location of proposed curb cuts and roadway improvements.

8. RECORDING

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

9. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the Site Development Plan, and prior to issuance of any building permit, the following requirements shall be met:

Trust Fund Contribution

- a. The amount of the above cash escrow for the Long Road widening may be deducted by the developer from his obligation to the Chesterfield Valley Road Trust Fund. The amount of the above cash escrow shall not exceed his obligation to the Chesterfield Valley Road Trust Fund.
- b. Trust fund credit will be given where the utility is located on private easement and payment is required of the developer to relocate or adjust said utility, unless the relocation or adjustment is due solely to on-site development.
- c. Trust fund contribution shall be deposited with St. Louis County through standard escrow procedure prior to the issuance of building permits. The trust fund contribution shall be deposited with St. Louis County in the form of a cash escrow.

Landscape Escrow

- d. If the estimated cost of new landscaping indicated on the Site Development Plan, as required by the Planning Commission, exceeds an estimated cost of one thousand (\$1,000) dollars, as determined by a plant nursery, the developer shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

Notification of Public Works

- e. Prior to issuance of foundation or building permits, all approvals from the Department of Planning, the St. Louis County Department of Highways and Traffic, the Department of Public Works, and the Metropolitan St. Louis Sewer District, must be received by the Department of Planning.

10. VERIFICATION PRIOR TO OCCUPANCY PERMIT

Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

11. GENERAL DEVELOPMENT CONDITIONS

- a. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted. Interim stormwater drainage control in the form of siltation control measures is required.
- b. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion.
- c. The developer, his assigns or heirs, shall be responsible for the maintenance of all on-site stormwater improvements, including primary channel(s) and bleeder ditches, and proportional participation in maintenance of major off-site installation such as pumping stations and flood gates, until such responsibility is accepted by the Metropolitan St. Louis Sewer District.
- d. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices, and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.
- e. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the conditions whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- f. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City of Chesterfield Departments or Commissions.
- g. The Zoning Enforcement Officer of the City of Chesterfield, Missouri, shall enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield Planning Commission.

New in Section 5 – SITE DEVELOPMENT PLAN CRITERIA

Section 5.q – SITE DEVELOPMENT PLAN CRITERIA – MISCELLANEOUS CONDITIONS

The north side of the walk-in cooler behind unit 105 Long Road shall be screened with evergreen trees so it cannot be seen from Chesterfield Airport Road