

BILL NO. 2606

ORDINANCE NO. 2431

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "M-3" PLANNED INDUSTRIAL DISTRICT TO A "PI" PLANNED INDUSTRIAL DISTRICT FOR A 1.283 ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF CHESTERFIELD INDUSTRIAL BOULEVARD AND EDISON AVENUE (P.Z. 43-2007 Chesterfield Industrial Park Lot 8 {Mr. & Mrs. Frederick Marten})

WHEREAS, the petitioners, Mr. & Mrs. Frederick Marten, have requested a change in zoning from an "M-3" Planned Industrial District to a "PI" Planned Industrial District for a 1.283 acre tract of land located at the southeast corner of Chesterfield Industrial Boulevard and Edison Avenue; and,

WHEREAS, the Planning Commission held a public hearing regarding the said request on November 15th, 2007; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the rezoning request.

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

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a "PI" Planned Industrial District for a 1.283 acre tract of land located at the southeast corner of Chesterfield Industrial Boulevard and Edison Avenue and described as follows:

A tract of land being Lot 8 of the "Amended Plat of Lots 8 through 17 of the Resubdivision of Lot 1 of Chesterfield Industrial Park," in U.S. Survey 1010, Township 45 North, Range 3 and 4 East of the City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northeast corner of said Lot 8; said point being also a point in the South line of Edison Avenue, 75 feet wide; thence Southwardly along the East line of said Lot 8 South 04 degrees 10 minutes 43 seconds East 214.47 feet to the Southeast corner thereof; thence Westwardly along the South line of said Lot 8 South 81 degrees 40 minutes 45 seconds West 262.62 feet to a point in the East line of Chesterfield Industrial Boulevard, 40 feet wide; thence Northwardly along said East line of Chesterfield Industrial Boulevard North 08 degrees 19 minutes 15 seconds West 180.98 feet along a curve to the right, having a radius of 20 feet, a distance of 32.42 feet to a point in

aforesaid South line of Edison Avenue, 75 feet wide; thence Eastwardly along said South line North 78 degrees 48 minutes 59 seconds East 259.43 feet to the point of beginning and containing 1.282 acres according to calculations by Volz, Inc. on October 10, 2007.

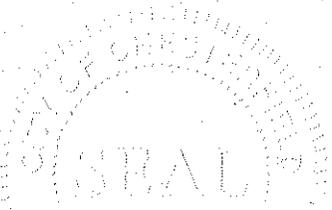
Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment "A", which is attached hereto and, made a part of.

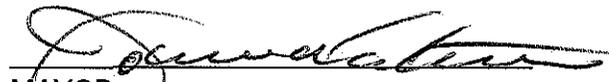
Section 3. The City Council, pursuant to the petition filed by Mr. and Mrs. Frederick Marten, in P.Z. 43-2007, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 15th day of November, 2007, 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 1003.410 of the Zoning Ordinance of the City of Chesterfield.

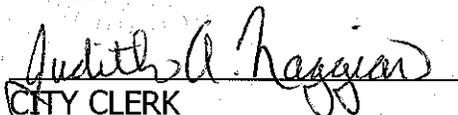
Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 4th day of February, 2008.




MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: 01/23/2008

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. Business, professional, and technical training schools.
 - b. Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gasses or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, and rendering;
 - (iii) Sulpher plants, rubber reclamation plants, or cement plants, and
 - (iv) Steel mills, foundries, or smelters.
 - c. Offices or office buildings.
 - d. 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.
 - e. Police, fire, and postal stations.
 - f. Public utility facilities.
 - g. Research facilities, professional, and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
 - h. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
 - i. Warehousing, storage, or wholesaling of manufactured commodities excluding:
 - (i) Live animals;
 - (ii) Explosives, and
 - (iii) Flammable gasses and liquids.
 - j. Welding, sheet metal, and black smith shops.

- k. Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

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

1. HEIGHT

- a. The maximum height for all buildings and structures (including towers and antennas) shall be sixty (60) feet.

2. BUILDING REQUIREMENTS

- a. Outdoor storage shall be limited to sixty percent (60%) of each lot and shall be screened from adjoining properties with landscaping and/or sight proof fences as approved by the Planning Commission.

C. SETBACKS

1. STRUCTURE SETBACKS

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

- a. Twenty (20) feet from the Chesterfield Industrial Boulevard right of way.
- b. Thirty (30) feet from the Edison Avenue right of way.
- c. Ten (10) feet from all other property 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. Fifteen (15) feet from all roadway rights-of-way.
- b. Five (5) feet from all other property lines.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Wheel stops shall be provided where necessary to insure that parked vehicles will not encroach on landscaped areas or sidewalks.
3. No parking shall be permitted on Edison Avenue.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. A minimum of thirty percent (30%) of land area of the entire development shall remain as open space, devoid of buildings and paving.

F. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

G. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the

Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development shall be restricted to the existing entrances until such time as a substantial improvement is made to the building or the site layout. At that time the access to Chesterfield Industrial Park Boulevard shall be restricted to one commercial entrance which should be located as close to the southern lot line as possible as directed by the City of Chesterfield.
2. No direct access to Edison Avenue will be permitted.
3. Provide cross access easements as needed for future access between the subject site and the property to the south as directed by the City of Chesterfield.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide any additional right-of-way and construct any improvements to Chesterfield Industrial Boulevard and Edison Avenue, as directed by the City of Chesterfield.
2. Provide cross access easements as needed for future access between the subject site and the property to the south as directed by the City of Chesterfield.

M. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than 24 hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

N. STORMWATER

1. The Chesterfield Valley Master Storm Water Plan has a ten (10) foot flat bottom ditch with 3:1 side slopes which is currently constructed along the eastern side of the site from Edison Avenue to the south property line. This channel is required to remain as constructed and the property owner is responsible for the maintenance of the required storm water improvements and coordination with the owners of the properties affected by maintenance of the required improvements.
2. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to the paving of any driveways or parking areas.

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 depicted 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. 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.

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, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. 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, dimensions, and 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, and significant natural features, such as wooded areas and rock formations, 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, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

VII. RECORDING

Within 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.

VIII. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Section 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.