

RESOLUTION #92

RESOLUTION AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE BY GRANTING A CONDITIONAL USE PERMIT IN THE "NU" NON-URBAN DISTRICT AND "FPNU" FLOOD PLAIN NON-URBAN DISTRICT FOR A TRACT OF LAND ON THE NORTH SIDE OF NORTH OUTER FORTY ROAD, APPROXIMATELY 1,000 FEET EAST OF BOONES CROSSING (P.Z. 3-90 DEAN R. FRANKIEWICZ).

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

1. The City of Chesterfield Zoning Ordinance and the official Zoning District Maps, which are a part thereof, are amended by establishing a Conditional Use Permit in the "NU" Non-Urban District and the "FPNU" Flood Plain Non-Urban District for a 40 acre tract of land on the north side of North Outer Forty Road, approximately 1,000 feet east of Boones Crossing, described as follows:

A tract of land being part of Lots 8 and 9 of Herman Ficke Estate in U.S. Survey 2031, Township 45 North - Range 4 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at the intersection of the North line of State Highway Route 40TR, as established by Cause No. 290860 recorded in Book 6343, Page 824 of the St. Louis County Records, with the West line of said Lot 8 of Herman Ficke Estate; thence along said West line of Lot 8 of Herman Ficke Estate North 00 degrees 12 minutes 29 seconds East 2841.47 feet to the South bank of the Missouri River as located in 1944; thence along said South bank of the Missouri River as located in 1944 South 87 degrees 03 minutes 53 seconds East 626.81 feet to the East line of said Lot 9 of Herman Ficke Estate, being also the West line of property conveyed to Peter and Mathilda Willi by deed recorded in Book 1480, Page 530 of the St. Louis County Records; thence along said East line of Lot 9 of Herman Ficke Estate, being also said West line of Willi property South 00 degrees 51 minutes 00 seconds West 2871.14 feet to the aforementioned North line of State Highway Route 40TR; thence along said North line of State Highway Route 40TR North 84 degrees 05 minutes 21 seconds East 596.89 feet to the point of beginning and containing 40.0 acres according to calculations by Volz Engineering & Surveying, Inc. on November 30, 1989.

2. The Conditional Use Permit is subject to all of the specific conditions as recommended by the Planning Commission in its recommendation to the City Council which are set out in Attachment "A" which is attached hereto and made a part hereof.

3. This Resolution shall be in full force and effect from and after its passage and approval.

Adopted this 6TH day of AUGUST, 1990.

Jack Leonard
MAYOR

ATTEST:

Marta L. DeMay
CITY CLERK

CITY OF CHESTERFIELD
MEMORANDUM

PTED
CONDITIONS
18' HIGH
FENCE

DATE: July 19, 1990
TO: City Council
FROM: Jerry Duepner, Director of Planning/
Economic Development 90
SUBJECT: P.Z. 3-90 Dean R. Frankiewicz

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At the July 18, 1990 meeting of the Planning and Economic Development Committee, the Committee voted unanimously to approve a Conditional Use Permit for an illuminated miniature golf course and driving range, and a non-illuminated executive golf course, and one (1) clubhouse structure, with accessory parking and uses. Included in this approval was the modified condition that all onsite fencing shall not exceed eighteen (18) feet in height. A two-thirds (2/3) vote by the Council is required to approve the modified condition relative to fencing. A simple majority vote is required for approval of the Conditional Use Permit.

/sl

Attachment

[PZ3-90M.J19]

ATTACHMENT A

7/19/90

1. PERMITTED USES

This Conditional Use Permit shall authorize an illuminated miniature golf course and practice driving tees, a non-illuminated executive golf course, and one (1) clubhouse structure, with accessory parking and uses.

2. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months from the effective date of this Conditional Use Permit and prior to the issuance of any building permit, the petitioner shall submit to the Planning Commission for its review and approval a Site Development Plan. Said Site Development Plan shall include, but not be limited to, the following:

- a. The location and size of all proposed structures.
- b. Existing and proposed contours at one (1) foot intervals.
- c. Location and size of all parking areas.
- d. Roadways and driveways on and adjacent to the property in question.
- e. The design, location, and size of all proposed lighting, fences, signs, and trash areas.
- f. A landscape plan, including, but not limited to, the location, size and general type of all plant and other material to be used and the location of all existing vegetation to remain.
- g. Building exteriors, including material, color and texture, which shall blend with the surrounding area. The architectural elevations shall be as approved by the Planning Commission.

3. SITE DEVELOPMENT PLAN DESIGN CRITERIA

Setbacks and Parking

- a. No building shall be located within the following setbacks:
 - (1) Fifty (50) feet of the South limits of this C.U.P. development.
 - (2) Twenty (20) feet of all other limits of this C.U.P. development.

- b. All parking requirements shall be in accordance with Section 1003.165 Off-Street Parking Regulations of the Zoning Ordinance. All driveways and parking areas shall be constructed of a dust-free material.

Access

- c. Access to the development shall be limited to one (1) driveway as directed by the Missouri Highway and Transportation Department, the City of Chesterfield, and the Chesterfield-Monarch Levee District.

Road Improvements and Sidewalks

- d. Conform to the requirements of the Missouri Highway and Transportation Department regarding North Outer Forty Drive, including resurfacing of the roadway in front of the site.

Landscape Requirements

- e. Existing vegetation shall be retained within perimeter setbacks to the maximum extent possible. New trees shall be planted on the site's perimeter, as approved by the Planning Commission on the site development plan.
- f. Building and parking area setbacks shall be adequately landscaped as approved by the Planning Commission on the Site Development Plan.
- g. All new deciduous trees shall be a minimum of two (2) inches in caliper. All new evergreen trees shall be a minimum of four (4) feet in height and all shrubs shall have a minimum diameter of eighteen (18) inches.

Lighting Requirements

- h. Light standards within this C.U.P. shall not exceed sixteen (16) feet in height in the parking lot area and twenty-four (24) feet in height in the area of the driving tees and miniature golf course. The location, type, and height of all other outdoor lighting shall be as approved by the Planning Commission on the Site Development Plan. No illumination source shall be so situated as to cast light on adjoining properties.

Miscellaneous Conditions

- i. All exterior trash areas shall be enclosed with a six (6) foot high sight-proof fence.

- j. All rooftop mechanical equipment shall be screened.
- k. All onsite fencing shall not exceed eighteen (18) feet in height.

4. VERIFICATION PRIOR TO SITE DEVELOPMENT PLAN APPROVAL

Prior to the approval of the Site Development Plan the petitioner shall:

Stormwater

- a. Submit to the Planning Commission a preliminary engineering plan approved by the Department of Public Works showing that adequate handling of the stormwater drainage of the site is provided.
 - (1) The developer is required to provide adequate stormwater systems in accordance with City of Chesterfield Standards.
 - (2) All stormwater shall be discharged at an adequate natural discharge point.
 - (3) Detention of differential runoff of stormwater is required by providing permanent detention facilities, such as: dry reservoirs, ponds, or other acceptable alternative.

Sanitary Sewers

- b. Verify approval from MSD and the Department of Public Works, of the handling of sanitary sewage at this development.

Road Improvements and Curb Cuts

- c. Provide verification of approval by the Missouri Highway and Transportation Department of the location of proposed curb cuts, areas of new dedication, and roadway improvement.

Wetlands

- d. Provide wetlands approval from the U.S. Army Corps of Engineers and any other appropriate authorities, prior to Commission review of the site development plan.
- e. Verification of approval of access to this site over the levee shall be provided by the Chesterfield-Monarch Levee District.

Geotechnical Report

Provide a Geotechnical Report covering development and grading required by improvements involved with this site. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development plan and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

5. RECORDING

Within sixty (60) days of approval of the Site Development Plan by the Department of Planning, a copy of the conditions and legal description of this permit shall be recorded with the St. Louis County Recorder of Deeds.

6. VERIFICATION PRIOR TO BUILDING PERMITS

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

Landscape Bonds or Escrows

- a. If the estimated cost of required landscaping is in excess of \$1,000 the developer shall furnish a two (2) year landscape bond in amount to guarantee the installation of all landscaping required on the Site Development Plan. Said bond shall be based on costs determined by a plant nursery and approved by the Department of Planning/Economic Development.

Notification to the Department of Public Works

- b. Prior to the issuance of foundation or building permits, all approvals from the Department of Public Works, the Metropolitan St. Louis Sewer District, the Missouri Highway and Transportation Department and the Chesterfield-Monarch Levee District must be received by the Department of Planning/Economic Development.

Road Improvements

- c. Prior to the issuance of occupancy permits, improvements to North Outer Forty Road must be completed.

7. GENERAL DEVELOPMENT CONDITIONS

- a. 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.
- b. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas should 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.
- c. A grading permit is required prior to any grading on the site. No change in watershed shall be permitted.
- d. Interim stormwater drainage control in the form of siltation control measures are required.
- e. As the tract abuts a roadway under the jurisdiction of the Missouri Highway and Transportation Department, sidewalks along the tract must be placed in a public easement outside of the State right-of-way. Maintenance of sidewalks along State highways must be the responsibility of the property owners.
- f. The existence of private roadways within the development requires disclosure by the developer of responsibility for street maintenance in accordance with the provisions of Section 1005.265 of Chesterfield's Subdivision Ordinance.
- g. 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.
- h. Failure to comply with any or all the conditions of this permit shall be adequate cause for revocation of permits by issuing Chesterfield Departments or Commissions.
- i. The Zoning Enforcement Officer of Chesterfield, Missouri, shall enforce the conditions of this permit in accord with the Site Development Plan approved by the Planning Commission.