



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Monday, November 4, 2019
6:45PM**

I. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

A. Amended Bill No. 3260 - P.Z. 04-2019 13559 Olive Blvd. (McDonald's)

An ordinance repealing St. Louis County Ordinance 14,846 to establish a new “PC” Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road. (P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**

B. Bill No. 3263 - P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road)

An ordinance amending City of Chesterfield Ordinance 2170 to establish a new permitted use and revise development criteria for an existing “PC” Planned Commercial District with a “LPA” Landmark and Preservation Area procedure for 0.22 acres located on the south side of Old Chesterfield Road, east of Baxter Road (P.Z. 12-2019 Burkhardt Place [16626 Old Chesterfield Rd] – 17T310412). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

C. Next Meeting – November 6, 2019 (5:30pm)

II. Finance and Administration Committee – Chairperson Michael Moore, Ward III

III. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

IV. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

V. Report from the City Administrator & Other Items Requiring Action by City Council – Mike Geisel

A. Liquor License Requests (Voice Vote)

- Lit Cigar Lounge St. Louis
- Stefanina's Pizzeria

B. Budget Adjustment – Insurance Proceeds (Roll Call Vote)

VI. Other Legislation

- A. Bill No. 3264 - Downtown Chesterfield - Vacation of Easement** An ordinance partially vacating a 6-foot-wide permanent roadway, improvement, maintenance, utility, sidewalk, and sewer easement (PRIMUSSE) as recorded in Book 354, Page 865 of the St. Louis County records, located in adjusted Lots A and B of Wildhorse as recorded in Plat Book 367, Page 100 of the St. Louis County records City of Chesterfield, St. Louis County, Missouri. **(First & Second Readings) Department of Planning & Development Services recommends approval.**

VII. New Business – Mayor Bob Nation

VIII. Adjourn –

NOTE: *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3) 1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.



AGENDA
CHESTERFIELD CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Monday, November 4, 2019
7:00PM

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. City Council Meeting Minutes** – October 23, 2019
- VI. INTRODUCTORY REMARKS (items not requiring action by City Council)** – Mayor Bob Nation
 - A. Wednesday, November 6, 2019** – Planning & Public Works Committee (5:30pm)
 - B. Wednesday, November 13, 2019** – Planning Commission (7pm)
 - C. Monday, November 18, 2019** – Next City Council Meeting (7pm)
- VII. COMMUNICATIONS AND PETITIONS**
- VIII. APPOINTMENTS** – Mayor Bob Nation
- IX. STANDING COMMITTEE OF COUNCIL COMMITTEE REPORTS & ASSOCIATED LEGISLATION**

A. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

1. Amended Bill No. 3260 - P.Z. 04-2019 13559 Olive Blvd. (McDonald's)
An ordinance repealing St. Louis County Ordinance 14,846 to establish a new "PC" Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road. (P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**

2. Bill No. 3263 - P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road) An ordinance amending City of Chesterfield Ordinance 2170 to establish a new permitted use and revise development criteria for an existing "PC" Planned Commercial District with a "LPA" Landmark and Preservation Area procedure for 0.22 acres located on the south side of Old Chesterfield Road, east of Baxter Road (P.Z. 12-2019 Burkhardt Place [16626 Old Chesterfield Rd] – 17T310412). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

3. Next Meeting – November 6, 2019 (5:30pm)

B. Finance and Administration Committee – Chairperson Michael Moore, Ward III

C. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

D. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

X. REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL – Mike Geisel

A. Liquor License Requests (Voice Vote)

- Lit Cigar Lounge St. Louis
- Stefanina's Pizzeria

B. Budget Adjustment – Insurance Proceeds (Roll Call Vote)

XI. OTHER LEGISLATION

A. Bill No. 3264 - Downtown Chesterfield – Vacation of Easement

An ordinance partially vacating a 6 foot wide permanent roadway, improvement, maintenance, utility, sidewalk, and sewer easement (PRIMUSSE) as recorded in Book 354, Page 865 of the St. Louis County records, located in adjusted Lots A and B of Wildhorse as recorded in Plat

XII. UNFINISHED BUSINESS – Mayor Bob Nation

XIII. NEW BUSINESS – Mayor Bob Nation

XIV. ADJOURNMENT

NOTE: *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3) 1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.

AGENDA REVIEW – Monday 11/04/2019 – 6:45 PM

An AGENDA REVIEW meeting has been scheduled to start at **6:45 pm, on Monday, November 4, 2019.**

Please let me know, ASAP, if you will be unable to attend this meeting.



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 690 CHESTERFIELD PARKWAY WEST

OCTOBER 23, 2019

The meeting was called to order at 7 p.m.

Mayor Bob Nation led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Bob Nation
Councilmember Mary Monachella
Councilmember Barbara McGuinness
Councilmember Ben Keathley
Councilmember Mary Ann Mastorakos
Councilmember Dan Hurt
Councilmember Michael Moore
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the October 7, 2019 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the October 7, 2019 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced that the next meeting of City Council is scheduled for Monday, November 4, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Ms. Jo Ann Smith, 13546 Coliseum Drive, spoke in support of the green sheet amendments for Bill No. 3260 (P.Z. 04-2019 13559 Olive Blvd. [McDonald's]).

Mr. Bob Polk, Engineer representing McDonald's, requested reconsideration of green sheet amendments requiring fencing and removal of the existing pole sign.

Mr. Dan Gross, 110 N. Carpenter Street, Chicago, Illinois, stated that he was available to answer questions pertaining to Bill No. 3260 (P.Z. 04-2019 13559 Olive Blvd. [McDonald's]).

Mr. Michael Kane, 1292 Still House Creek Road, noted his concern with events over the weekend that created congestion and safety concerns on Burkhardt Place. Additionally, he mentioned that construction on the roadway (Burkhardt Place) has presented safety concerns.

Ms. Goldi Kray, 14342 Lake Tahoe Drive, spoke about concerns with a merger of St. Louis City and County and the status of the Board of Freeholder process.

Ms. Deanna Scheve, 14367 Rainy Lake Drive, expressed concern about a merger of St. Louis City and County and the status of the Board of Freeholder process.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Bill No. 3260	Repeals St. Louis County Ordinance 14,846 to establish a new "PC" Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road (P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471) (First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended. Green Sheet Amendments recommended by PPW Committee
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Councilmember Mary Ann Mastorakos, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3260. Councilmember Mastorakos made a motion, seconded by Councilmember Ohley, to incorporate the green sheet amendments as recommended by the Planning and Public Works Committee. A voice vote was taken on the motion to amend with an affirmative result (Councilmember DeCampi voted “No”) and the motion to amend was declared passed. A voice vote was then taken on the motion for first reading, as amended, with an affirmative result (Councilmember DeCampi voted “No”) and the motion was declared passed. Bill No. 3260 was read for the first time.

Councilmember Mastorakos made a motion, seconded by Councilmember Monachella, to approve Public Works Policy No. 40 – Damage to Mailboxes, establishing procedures for the repair/replacement of mailboxes damaged by street trees or City operations. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Mastorakos made a motion, seconded by Councilmember Hurt, to approve Public Works Policy No. 41 – Water on Sidewalks, establishing procedures for addressing instances of water ponding on sidewalks for more than 48 hours after a rain event. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Mastorakos announced that the next meeting of this Committee is scheduled for Thursday, October 24, at 5:30 p.m.

Finance and Administration Committee

Councilmember Michael Moore, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee is scheduled for Tuesday, October 29, at 5:30 p.m., as a Committee of the Whole. This is the final of three scheduled Budget Workshop meetings.

Parks, Recreation & Arts Committee

Councilmember Tom DeCampi, Chairperson of the Parks, Recreation & Arts Committee, indicated that he had no report this evening.

Public Health & Safety Committee

Councilmember Mary Monachella, Chairperson of the Public Health & Safety Committee, indicated that she had no report this evening.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel was out of town and Director of Planning and Development Services Justin Wyse reported that Staff is recommending award of a contract for the 2019 Crack Sealing Project. Based upon review of information provided

by Director of Public Works/City Engineer Jim Eckrich, Mr. Wyse joined with him in recommending authorization for the City Administrator to execute a contract with Sweetens Concrete Services, LLC in an amount not to exceed \$70,000. The 2019 budget provides \$80,000 in the Capital Projects Fund for this project. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve this recommendation. A roll call vote was taken with the following results: Ayes – McGuinness, Monachella, Hurt, DeCampi, Keathley, Moore, Mastorakos and Ohley. Nays – None. Whereupon Mayor Nation declared the motion passed.

Director of Planning and Development Services Justin Wyse reported that Desi Vibes, 13722 Olive Blvd. (formerly Screen Savers) has requested a new liquor license for retail sale of all kinds of liquor by the drink, to be consumed on premise, packaged, and Sunday sales. Mr. Wyse reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Keathley made a motion, seconded by Councilmember Mastorakos, to approve issuance of a new liquor license to Desi Vibes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Wyse announced that the ticketed amphitheater event on Saturday, October 3, which featured Cody Johnson was the City's first sellout concert. As a result of the concert's success in ticket sales, a budget amendment is needed, increasing event revenues by \$28,229 and increasing contractual expenses by only \$22,583, effectively increasing the City's profit on this event by \$5,645. Councilmember Ohley made a motion, seconded by Councilmember Monachella, to approve this budget amendment. A roll call vote was taken with the following results: Ayes – Hurt, Ohley, Moore, Monachella, DeCampi, McGuinness, Mastorakos and Keathley. Nays – None. Whereupon Mayor Nation declared the motion passed.

OTHER LEGISLATION

Bill No. 3261	Provides for the approval of a Boundary Adjustment Plat for one tract totaling 8.2 acres, zoned "UC" Urban Core District (18S110148) (First & Second Readings) Department of Planning & Development Services recommends approval
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Councilmember Hurt made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3261. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3261 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Moore, for the second reading of Bill No. 3261. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3261 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3261 with the following results: Ayes – Ohley, Mastorakos, Keathley, DeCampi, McGuinness, Monachella, Hurt

and Moore. Nays – None. Whereupon Mayor Nation declared Bill No. 3261 approved, passed it and it became **ORDINANCE NO. 3066.**

Bill No. 3262 Vacates a portion of two ten-foot wide easements on Lots 3, 4, and 5 of Wild Horse Heights Subdivision as recorded in Book 319, Page 7 of the St. Louis County records, City of Chesterfield, St. Louis County, Missouri **(First & Second Readings) Department of Planning & Development Services recommends approval**

Councilmember Hurt made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3262. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3262 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Moore, for the second reading of Bill No. 3262. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3262 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3262 with the following results: Ayes – Keathley, Moore, McGuinness, Monachella, Hurt, Ohley, Mastorakos and DeCampi. Nays – None. Whereupon Mayor Nation declared Bill No. 3262 approved, passed it and it became **ORDINANCE NO. 3067.**

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:02 p.m.

Mayor Bob Nation

ATTEST:

Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

- A. Wednesday, November 6, 2019** – Planning & Public Works Committee (5:30pm)
- B. Wednesday, November 13, 2019** – Planning Commission (7pm)
- C. Monday, November 18, 2019** – Next City Council Meeting (7pm)

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Mastorakos

Vice Chair: Councilmember Hurt

The Planning and Public Works Committee has the following action items for the November 4, 2019 City Council Meeting.

Amended Bill No. 3260 - P.Z. 04-2019 13559 Olive Blvd. (McDonald's)

An ordinance repealing St. Louis County Ordinance 14,846 to establish a new "PC" Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Road. (P.Z. 04-2019 13559 Olive Blvd [McDonald's] – 16Q241471).

(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.

Bill No. 3263 - P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road)

An ordinance amending City of Chesterfield Ordinance 2170 to establish a new permitted use and revise development criteria for an existing "PC" Planned Commercial District with a "LPA" Landmark and Preservation Area procedure for 0.22 acres located on the south side of Old Chesterfield Road, east of Baxter Road (P.Z. 12-2019 Burkhardt Place [16626 Old Chesterfield Rd] – 17T310412).

(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.

NEXT MEETING

The next meeting of the Planning & Public Works Committee is scheduled for **Wednesday, November 6, 2019.**

If you have any questions, please contact Director of Planning and Development Services Justin Wyse, or me prior to Monday's meeting.

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning & Development Services

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, October 24, 2019



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, October 24, 2019 in Conference Room 101.

In attendance were: **Chair Mary Ann Mastorakos** (Ward II), **Councilmember Mary Monachella** (Ward I), **Councilmember Dan Hurt** (Ward III), and **Councilmember Tom DeCampi** (Ward IV).

Also in attendance were: Councilmember Michael Moore (Ward III); Councilmember Michelle Ohley, (Ward IV); Planning Commission Chair Merrell Hansen; Justin Wyse, Director of Planning & Development Services; Annisa Kumerow, Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the October 10, 2019 Committee Meeting Summary

Councilmember Mastorakos made a motion to approve the Meeting Summary of October 10, 2019. The motion was seconded by Councilmember DeCampi and passed by a voice vote of 4-0.

II. UNFINISHED BUSINESS - None

III. NEW BUSINESS

- A. **P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road)**: A request to amend Ordinance 2170 to add coffee shop as a permitted use for 0.22 acres of land within an existing "PC" Planned Commercial District with a "LPA" Overlay located south of Old Chesterfield Road and north of Santa Maria Drive (17T310412). (Ward 2).

STAFF PRESENTATION

Annisa Kumerow, Planner, stated that the petitioner is requesting to add "coffee shop" as a permitted use. The proposed use will be contained within the existing structure and no exterior modifications are proposed with this petition. Also, as a part of this request, Staff has recommended updating development criteria in the Attachment A.

As there are no physical changes to the existing development, the most recently approved Amended Site Development Plan will serve as the Preliminary Plan.

A Public Hearing was held on September 23, 2019 where no issues were raised. At the October 16, 2019 Planning Commission meeting, the request was unanimously approved.

Councilmember Hurt made a motion to forward P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road) to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning Commission, will be needed for the November 4, 2019 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road).]

B. Vehicle Discussion

Councilmember DeCampi stated that his rationale has always been to replace vehicles when maintenance costs exceed the value of the vehicle. Based on this philosophy, he is requesting maintenance records on the vehicles that are slated for replacement next year. He stated that he is familiar with asset replacement in his line of work where the rationale for replacement is to determine how much is being spent on maintenance. His goal is to make sure that something is not being done simply because “we have always done it this way.”

Replacement factors were discussed in relation to police vehicles, public works vehicles and the City’s general pool vehicles. The Committee also discussed the City’s current and proposed maintenance tracking software.

As the Committee was not clear on the methodology for vehicle replacement, it was requested that Jim Eckrich, Director of Public Works/City Engineer, elaborate on the process at the next budget workshop meeting.

IV. OTHER – None.

V. ADJOURNMENT

The meeting adjourned at 6:12 p.m.

AN ORDINANCE REPEALING ST. LOUIS COUNTY ORDINANCE 14,846 TO ESTABLISH A NEW “PC” PLANNED COMMERCIAL DISTRICT FOR A .86 ACRE TRACT OF LAND LOCATED NORTH OF OLIVE BLVD., WEST OF ITS INTERSECTION WITH NORTH WOODS MILL ROAD. (P.Z. 04-2019 13559 OLIVE BLVD [MCDONALD’S] – 16Q241471).

WHEREAS, the petitioner, McDonald’s USA, LLC, has requested a zoning map amendment from the current C8 - Planned Commercial District to a PC – Planned Commercial District for a .86 acre tract of land located north of Olive Blvd., west of its intersection with North Woods Mill Rd; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 8, 2019; and,

WHEREAS, the Planning Commission having considered said request, recommended approval of the amendment by a vote of 8-0; and

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the request with five amendments by a vote of 3-0; and,

WHEREAS, the City Council, having considered said request, voted to approve the change of zoning request.

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 “PC” Planned Commercial District designation for a .86 acre tract located north of Olive Blvd., west of its intersection with North Woods Mill Rd and as described as follows:

A Tract of land being part of Lot 1, Share 1, Partition of Missouri Stevens Estate in U.S. Survey 207, Township 46 North, Range 5 East of the Fifth Principal Meridian, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the point of intersection of the eastern line of Forum West Section One, as per plat recorded in Plat Book 126, Page 90 of the St. Louis County Records, with the northern right of way line of Olive Blvd.; thence along the eastern and southern lines of said Forum West Section One, North 9 degrees 27 minutes 41 seconds West 158.20 feet and North 62 degrees 25 minutes 09 seconds East 194.86 feet; thence leaving said lines of Forum West Section One, South 9 degrees 27 minutes 46 seconds East 241.67 feet to a point on the aforesaid right of way of Olive Blvd.; thence along said right of way line South 82 degrees 23 minutes 42 seconds West 7.08 feet to a point

on a curve to the right, whose Chord bears North 83 degrees 9 minutes 27 seconds East 48.69' feet from the last described point; thence along the arc of said curve 48.70 feet; thence North 89 degrees 34 minutes 20 seconds West 125.61 feet; thence South 69 degrees 9 minutes 41 seconds West 5.85 feet to the point of beginning and containing 37,313 square feet or 0.86 acres more or less.

Exempting the following parcel; Commencing at the northwesterly corner of a tract described in Book 7755 Page 1660; Thence, S09 27'41"E 138.57 Feet; Thence N80 32'19"E 15.59 Feet, to the point of beginning; Thence, N81 48'19"E 10.00 Feet; Thence, S08 30'07"E 21.66 Feet; Thence S89 34'20"W, 10.13 Feet; Thence, N08 30'07"W, 20.14 Feet; to the point of beginning. Containing 220 square feet, more or less.

Also exempting the following parcel; Commencing at the northwesterly corner of a tract described in Book 7755 Page 1660; Thence, N62 25'09"E, 37.14 Feet; Thence, S27 34'51"E, 26.44 Feet, to the point of Beginning; Thence, S46 28'39"E, 15.00 Feet; Thence, S43 31'21"W, 15.00 Feet; Thence, N46 28'39"W, 15.00 Feet; Thence, N43 31'21"E, 15.00 Feet; to the point of beginning. Containing 225 square feet, more or less.

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 and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the "Attachment A" and the preliminary development plan indicated as "Attachment B" which is attached hereto as and made part of.

Section 3. The City Council, pursuant to the petition filed by McDonald's USA, LLC in P.Z. 04-2019, requesting the rezoning 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 8th day of July 2019, 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 _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 10/23/2019

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 “PC” Planned Commercial District shall be:
 - a. Restaurant-fast-food
2. Hours of Operation.
 - a. Use shall have restricted hours of operation from Monday – Saturday 5:30 AM to 11:00 PM and Sunday 6:00 AM to 11:00 PM.
 - b. All deliveries and trash pick-ups shall be limited to the hours from 7:00 AM to 10:00 PM.

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

1. Floor Area
 - a. Total building floor area shall not exceed 2,900 square feet.
2. Height
 - a. The maximum height including parapets and other similar features, rooftop equipment, and lighting structures of all buildings shall not exceed twenty-two (22) feet.
3. Building Requirements
 - a. A minimum of thirty-five percent (35%) open space is required for this development.

C. SETBACKS

1. Structure Setbacks

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

- a. Eighteen (18) feet from the southern boundary of the “PC” District.

- b. Sixty (60) feet from the eastern boundaries of the “PC” District.
- c. Fifty (50) feet from the western boundaries of the “PC” District.
- d. Sixty Five (65) feet from the northern boundary of the “PC” District.

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. Ten (10) feet from the southern boundary of the “PC” District.
- b. Five (5) feet from the eastern boundaries of the “PC” District.
- c. Seventeen (17) feet from the western boundaries of the “PC” District.
- d. Twenty-Five (25) feet from the northern boundary of the “PC” District.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep Olive Blvd. clear of mud and debris at all times.
- 3. Provide adequate off-street stabilized parking area(s] for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- 4. 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.
- 5. No construction-related parking shall be permitted within the Olive Blvd right-of-way or on any existing roadways. All construction-related parking shall be confined to the development unless a parking agreement can be obtained with a surrounding property owner.
- 6. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. The development should adhere to the following landscape buffer requirements.
 - a. Ten (10) feet from the southern boundary of the “PC” District.
 - b. Five (5) feet from the eastern boundaries of the “PC” District.
 - c. Seventeen (17) feet from the western boundaries of the “PC” District.
 - d. Twenty Five (25) feet from the northern boundary of the “PC” District.
3. A six foot tall screening fence shall be installed along the full width of the northern property line of this development. The fence shall be of a color and design to blend into the surroundings and the final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.
4. A six foot tall screening fence shall be installed along the western property line of this development for a distance of approximately 140 feet from the northern property line. The fence shall be of a color and design to blend into the surroundings and the final location, material, and elevation shall be approved by the City of Chesterfield as part of the Site Development Plan review. The required fencing shall not be in lieu of landscaping, but shall be designed to enhance the required buffer.

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 a Landscaping and Ornamental Entrance Monument or Identification Signage construction, if proposed, shall be reviewed by the City of Chesterfield, and MoDOT, for sight distance considerations and approved prior to installation or construction.

3. Prior to approval of plans that necessitate modification of the minimum setbacks from residential properties, confirmation that the existing, non-conforming pole sign will be removed is required. Final occupancy for these improvements, including occupancy for renovation of the existing structure, shall not be granted until signage is in compliance with the UDC.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. Non-security lighting shall not be on earlier than 30 minutes prior to opening, as defined in Section I.A.2.
3. Non-security lighting shall not be on past 11:30 p.m.

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 Amended Site Development Plan.
3. A screening fence is required on the north side of the trash enclosure for an approximate length of 30 ft with the location as depicted on the Preliminary Development Plan.

I. ACCESS/ACCESS MANAGEMENT

1. A cross access easement shall be dedicated to the property to the east to allow for future vehicular and pedestrian cross access. The location of the cross access easement shall be as recommended by the Developer's Traffic Engineer, shall meet City Access Management requirements, and shall be shown on the Amended Site Development Plan. This cross-access easement must be secured prior to Improvement Plan approval.
2. Cross-Access shall be provided to all adjacent property lines.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Olive Blvd. frontage. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within MODOT right-of-way, if permitted by that agency, or on private property within a 6 foot wide Sidewalk, Maintenance and Utility Easement dedicated to the City of Chesterfield.
2. Construct improvements as required by the Missouri Department of Transportation and the City of Chesterfield, as directed by the City.
3. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation and the City of Chesterfield.
4. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. 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.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. The scope of the study shall include internal and external circulation, the inclusion of any parking modification request, and shall evaluate the point of future cross-access if the development to the east should re-develop.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed, the Mayor, or any two (2) City Council members from any Ward may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than seventy-two (72) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

1. Formal MSD review, approval and permits are required prior to construction.
2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system
3. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
4. Emergency overflow routes to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
5. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.

N. SANITARY SEWER

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
2. A sampling manhole will be required with this development.

O. GEOTECHNICAL REPORT

1. Prior to Amended 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. 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 Code shall be required where applicable.
3. Prior to any record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
4. The developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.

II. COMMENCEMENT OF CONSTRUCTION

- A.** Substantial construction shall commence within two (2) years of approval of the Amended Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

III. 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 open space 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 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 the Missouri 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.

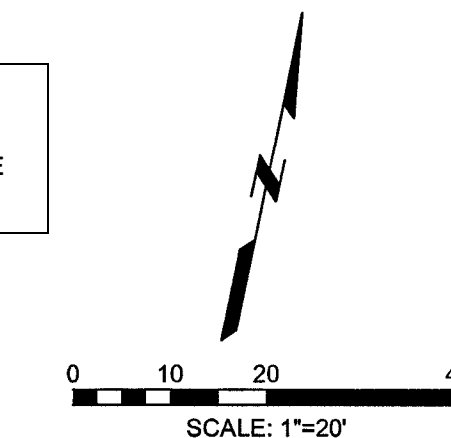
IV. RECORDING

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

- A.** 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.
- 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.

CITY OF CHESTERFIELD
PLANNED DISTRICT ORDINANCE
ATTACHMENT B



Open space. A provision for common open space shall be provided in the district at a minimum of thirty-five percent (35%) of the total site acreage. Open space should be integrated into the development to provide aesthetic, recreational, or other public benefit.

Setbacks.

No structure shall be permitted within thirty-five (35) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

No parking area, internal drive, loading space, or structure shall be permitted within twenty-five (25) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

All other setbacks shall be established by the conditions of the planned district ordinance.

Hours of operation. The hours of operation, including hours open to the public and hours for the loading and unloading of deliveries, shall be established in the planned district ordinance.

MSD Formal review and approval will be required prior to any permits for construction.

A sampling manhole will be required by MSD.

Monarch Fire Protection District has no comments at this time.

SYMBOLS

LIGHT STANDARD

STREET LIGHT

SIGN

ANTENNA

BOLLARD

HANDICAP STALL MARKER

FIBER OPTIC CABLE MARKER

MAIL BOX

ROCK

TRAFFIC SIGNAL

LEGEND

ABBREVIATIONS

(TR)	TO REMAIN
ASPH	ASPHALT
BLDG	BUILDING
COR	CORNER
CONC	CONCRETE
CO	CLEANOUT
DB	DEED BOOK
FL	FLOW LINE
MH	MANHOLE
PB	PLAT BOOK
PG	PAGE
PB	PLAT BOOK
P.O.B.	POINT OF BEGINNING
P.U.M.I.	PRIVATE, UNDER MSD INSPEC.
R.O.W.	RIGHT-OF-WAY
SF	SQUARE FEET
ST	STORM
TC	TOP OF CONCRETE/CURB
BC	BOTTOM OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
TYP	TYPICAL
UTIL	UTILITY
W	WIDE
N	NORTH
S	SOUTH
E	EAST
W	WEST
SA	SANITARY
ME	MATCH EXISTING
G	GUTTER

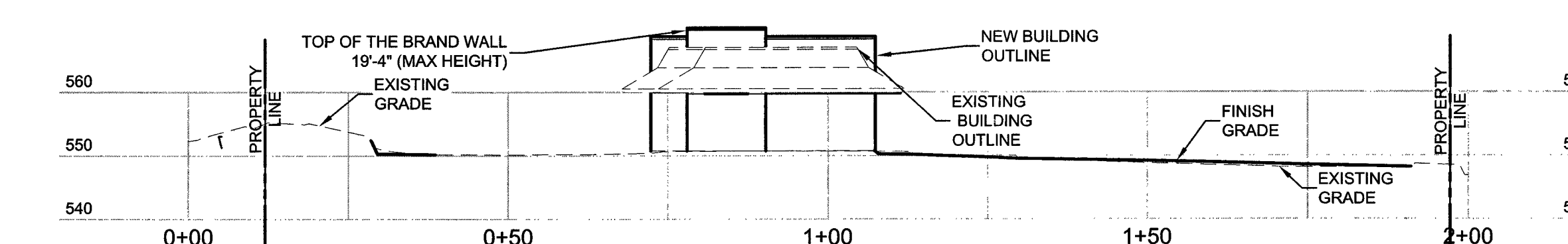
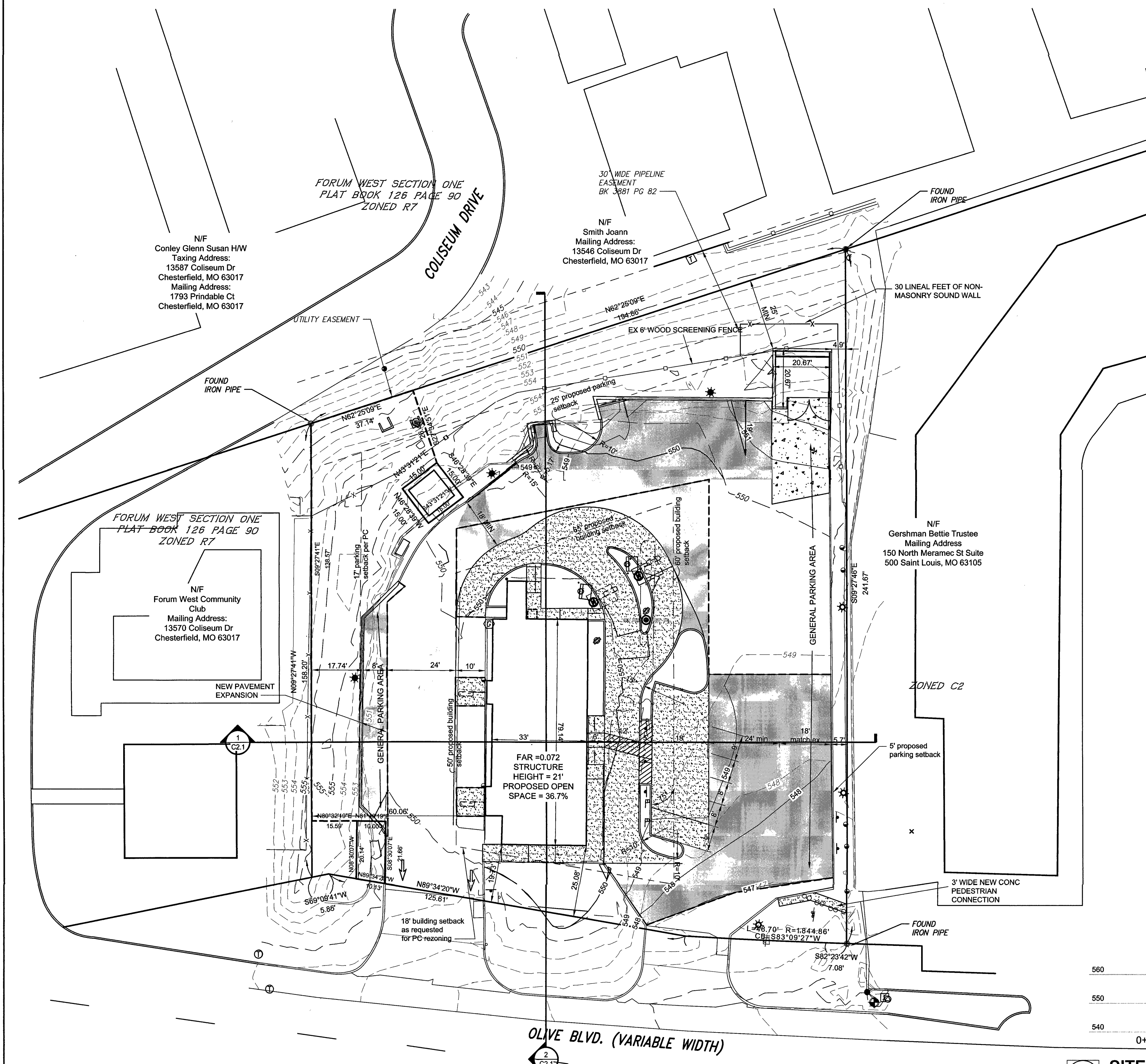
LINEWORK

EX FENCE

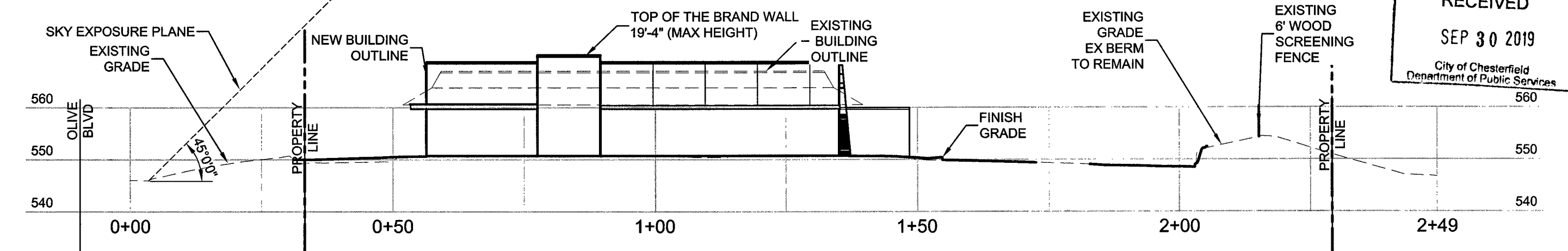
EX CONTOUR 5' INTERVAL

EX CONTOUR 1' INTERVAL

FINISH CONTOUR



1 SITE SECTION (EAST-WEST)
Scale: 1"=20'



2 SITE SECTION (NORTH-SOUTH)
Scale: 1"=20'

ISSUE REF	BY	DATE	DESCRIPTION
	JPB	1-15-19	CITY COMMENTS
	JPB	5-20-19	CITY COMMENTS
	JPB	8-14-19	PARKING COUNT

ROBERT E. POLK & ASSOCIATES, INC.
10801 WASH. BLVD., SUITE 400, OVERLAND PARK, KS 66210
ADDRESS 18559 OLIVE BLVD CHESTERFIELD MO 63017

PLAN APPROVAL	SIGNATURE (2 REQUIRED)	DATE
REGIONAL MGR.		
CONST. MGR.		
PROJECT MANAGER		
REAL ESTATE MGR.		
CONTRACTOR		
OWNER		

STATUS	DATE	BY
PRELIMINARY	11-1-18	FG
FINAL PLAN	-	FG
AS-CONST.		

PDP-1
PRELIMINARY DEVELOPMENT
PLAN

FG JOB NO 0180691.00

Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services

Date: November 4, 2019

RE: **P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road)** A request to amend Ordinance 2170 to add coffee shop as a permitted use for 0.22 acres of land within an existing “PC” Planned Commercial District with a “LPA” Overlay located south of Old Chesterfield Road and north of Santa Maria Drive (17T310412)(Ward 2).

Summary

Janie Struckman, property owner, is requesting a text amendment to City of Chesterfield Ordinance 2170 with respect to permitted uses for 16626 Old Chesterfield Road of the Burkhardt Place subdivision. This amendment would add a new permitted use for the existing “PC” Planned Commercial District with a “LPA” Landmark and Preservation Area Overlay on 0.22 acres of land located south of Old Chesterfield Road and north of Santa Maria Drive.

The request is to add “coffee shop” as a permitted use and update the development criteria in the existing Attachment A to reflect updated references and criteria utilized by the City. As no physical changes to the existing development are proposed, the most recently approved and recorded Amended Site Development Plan serves as the Preliminary Development Plan.

A Public Hearing was held on September 23, 2019, and there were no issues raised by the Planning Commission pertaining to this petition.

On October 16, 2019 this petition was next brought before the Planning Commission. Planning Commission made a motion to approve P.Z. 12-2019 Burkhardt Place (16626 Old Chesterfield Road) and the motion passed by a vote of 7-0.

On October 24, 2019 the Planning and Public Works Committee met and discussed the petition. A motion to recommend approval was passed by a vote of 4-0.

Attachments: Attachment A
Preliminary Development Plan



Figure 1: Subject Site Aerial

AN ORDINANCE AMENDING CITY OF CHESTERFIELD ORDINANCE 2170 TO ESTABLISH A NEW PERMITTED USE AND REVISE DEVELOPMENT CRITERIA FOR AN EXISTING “PC” PLANNED COMMERCIAL DISTRICT WITH A “LPA” LANDMARK AND PRESERVATION AREA PROCEDURE FOR 0.22 ACRES LOCATED ON THE SOUTH SIDE OF OLD CHESTERFIELD ROAD, EAST OF BAXTER ROAD (P.Z. 12-2019 BURKHARDT PLACE [16626 OLD CHESTERFIELD RD] – 17T310412).

WHEREAS, the petitioner, Janie Struckman, has requested a text amendment to City of Chesterfield Ordinance 2170 to establish a new permitted use and revise development criteria for an existing “PC” Planned Commercial District with a “LPA” Landmark and Preservation Area Procedure for 0.22 acres located on the south side of Old Chesterfield Road, east of Baxter Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on September 23, 2019; and,

WHEREAS, the Planning Commission having considered said request, recommended approval of the amendment by a vote of 7-0; and

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the amendment by a vote of 4-0; and,

WHEREAS, the City Council, having considered said request, voted to approve the change of zoning 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 Ordinance 2170 is hereby amended for 0.22 acre tract of land located south of Old Chesterfield Road and east of Baxter Road, as described as follows:

A TRACT OF LAND IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF CHESTERFIELD AIRPORT ROAD, 60 FEET WIDE, (FORMERLY OLIVE STREET ROAD), AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE SOUTH LINE OF CHESTERFIELD AIRPORT ROAD NORTH 70 DEGREES 47 MINUTES 00 SECONDS WEST A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE ALONG THE WEST LINE OF SAID LOT 2 AND ITS CONTINUATION SOUTHWARDLY SOUTH 19 DEGREES 13 MINUTES 00 SECONDS WEST A DISTANCE OF 182.58 FEET TO THE NORTH LINE OF SANTA MARIA ROAD, 40 FEET WIDE, FORMERLY WILD HORSE ROAD; THENCE EAST ALONG SAID NORTH LINE OF SANTA MARIA ROAD NORTH 87 DEGREES 44 MINUTES 00 SECONDS EAST, A DISTANCE

OF 134.92 FEET, TO THE MOST EASTERN CORNER OF SAID LOT 12; THENCE ALONG THE NORTH LINE OF SAID LOT 12, NORTH 75 DEGREES 28 MINUTES 00 SECONDS WEST, A DISTANCE OF 75.80 FEET TO THE SOUTH EAST CORNER OF SAID LOT 2; THENCE ALONG THE EAST LINE OF SAID LOT 2 NORTH, 19 DEGREES 13 MINUTES, 00 SECONDS EAST A DISTANCE OF 139.36 FEET TO THE POINT OF BEGINNING.

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 and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the “Attachment A” and the preliminary plan indicated as “Attachment B” which is attached hereto as and made part of.

Section 3. The City Council, pursuant to the petition filed by Janie Struckman in P.Z. 12-2019, requesting the text 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 23rd day of September 2019, 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 _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 11/04/2019

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 permitted in this “PC” Planned Commercial District with a Landmark and Preservation Area (LPA) procedure shall be:
 - a. Coffee shop;
 - b. Offices or office buildings;
 - c. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
2. The above uses in this “PC” Planned Commercial District with a Landmark and Preservation Area (LPA) procedure shall be restricted as follows:
 - a. The uses permitted shall be contained within the existing house and one (1) outbuilding.
3. Hours of Operation.
 - a. Hours of operation for this “PC” Planned Commercial District with a Landmark and Preservation Area (LPA) procedure shall not be restricted.

B. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

1. Floor Area
 - a. The maximum footprint of the structures shall not exceed that of the existing structures. The square footage allocated for each use shall be based on the development’s ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.

2. Height

- a. The maximum height of the structures shall not exceed that of the existing structures.

3. Building Requirements

- a. A minimum of forty-five percent (45%) open space is required for this development.
- b. This development shall have a maximum F.A.R. of twenty-five percent (25%).

C. SETBACKS

1. Structure Setbacks

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

- a. Thirty-eight (38) feet from the right-of-way of Old Chesterfield Road.
- b. Fifteen (15) feet from the southern property line with bearing S87°44'00"W.
- c. Two (2) feet from the western boundary line with bearing N19°13'00"E.
- d. Nine (9) feet from the eastern property line with bearing N19°13'00"E.

2. Parking Setbacks

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

- a. Two (2) parking spaces located north of the main building. Fourteen (14) feet from the right-of-way of Old Chesterfield Road and twenty (20) feet from the eastern property line with bearing N19°13'00"E.
- b. Five (5) parking spaces shall be located south of the structure, fifteen (15) feet from the southern property line with bearing S87°44'00"W.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code, with the exception that the total number of parking spaces required shall be seven (7) spaces.

2. All parking, loading, and internal drive areas shall be of a surface as approved by the Planning Commission on the Site Development Plan. Consideration should be given to utilizing a paver block system, or other alternative, that is conducive to a more pleasing visual appearance from Old Chesterfield Road. These areas will not be permitted to be gravel.
3. Parking lots shall not be used as streets.
4. Construction Parking
 - a. Adequate on-site parking for construction related vehicles and equipment shall be provided. No parking shall be permitted on the Old Chesterfield Road right-of-way
 - b. If existing City maintained streets are to be used as construction access to this site, prior to approval of a grading permit or improvement plans, or any construction related traffic or delivery of any construction equipment to the site, the following items must be addressed:
 - i. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.
 - ii. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
 - iii. An appropriate bond must be submitted, as approved by the City of Chesterfield, to ensure that any damage to existing pavement is repaired. Repair of damage to existing streets will not be included in the subdivision escrow; a separate bond must be established.
 - iv. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load per 60,000 gross vehicle weight and that no tri-axle trucks are to be used. Weight tickets may be used to determine conformance with this requirement.
 - v. Additional protective measures as deemed necessary by the Department of Public Works may also be required.
 - c. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions. The streets surrounding this development and any street

sued for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.

E. LANDSCAPE AND TREE REQUIREMENTS

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

F. SIGN REQUIREMENTS

1. Signage shall be permitted in accordance with the regulations of the City of Chesterfield Code.
2. All signage is subject to review by the Planning Commission for compatibility with the existing historic area.
3. All lighting for said signage shall be situated to avoid casting light directly on any public right of way or adjoining property and shall adhere to the requirements set forth in the City of Chesterfield Lighting Ordinance.
4. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
5. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield for sight distance considerations and approved prior to installation or construction.
6. The location of all signs shall be as approved by the Planning Commission on the Site Development Plan.
7. This development shall be permitted one (1) freestanding business or project identification sign. All permanent freestanding and identification signs shall have landscaping. Landscaping shall be as approved by the Planning Commission on the Site Development Plan.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. The location of all lighting standards shall be as approved by the Planning Commission on the Site Development Plan.

3. Except for required street lighting, no source of illumination will be so situated that light is cast on any public right-of-way or adjoining property.

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.
3. Screening for mechanical equipment shall be reviewed by the Planning Commission.
4. The developer shall submit architectural elevations and building materials. Architectural information is to be reviewed by the Architectural Review Board prior to submission to the Planning Commission as directed by the City of Chesterfield.

I. ACCESS/ACCESS MANAGEMENT

1. Access to Old Chesterfield Road shall be restricted to the existing entrance as directed by the City of Chesterfield.
2. 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 parcels as directed by the City of Chesterfield.
3. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be the required sight distance as directed by the City of Chesterfield.
4. Provide a sidewalk conforming to St. Louis County ADA standards adjacent to Old Chesterfield Road 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 Old Chesterfield Road, as required by the City of Chesterfield.
2. Improve Old Chesterfield Road to one half of a seventy (70) foot right-of-way as directed by the City of Chesterfield.
3. 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.
4. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right-of-way.
5. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield. 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.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto public right of way. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed, the Mayor, or any two (2) City Council members from any Ward may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than seventy-two (72)

hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

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. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s). The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the 100-year high water.
3. Detention of differential runoff of storm water is required by providing 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.

N. SANITARY SEWER

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

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 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. If any work is proposed in, near or above the natural watercourse through this site, a hydrologic/hydraulic study evaluating the impacts of the proposed work shall be provided as directed by the City of Chesterfield Department of Public Works. Said study shall evaluate impacts on the entire length of stream, and any maintenance requirements. Appropriate permits and approvals from other agencies shall also be provided.
2. Sleeves for future telecommunication services are required to be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.
3. All utilities will be installed underground.
4. 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 Code shall be required where applicable.
5. 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. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS

- A.** Within eighteen (18) months from the date of approval of the preliminary development plan by the City Council and prior to issuance of any building or occupancy permit, the petitioner shall submit to the Planning Commission for its review and approval a Site Development Plan. Where due cause is shown by the petitioner, this time interval 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 City Council may extend the period to commence construction for two (2) additional years.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

1. The location and size of all proposed structures, including free-standing business signs.
2. Existing and proposed contours at two (2) foot intervals.
3. Location and size of all parking area.
4. Roadways and driveways on and adjacent to the property in question, including required roadway right-of-way dedication and pavement widening.
5. The design, location and size of all proposed lighting, fences and trash areas.
6. A landscape plan including, but not limited to, the location, size and general type of all plan and other material to be used and retained in accordance with the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
7. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
8. Outboundary plat and legal description of property.
9. Density calculations.
10. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
11. Provide open space percentage for overall development including separate percentage for each lot on the plan.
12. Provide Floor Area Ratio (F.A.R.).
13. A note indicating all utilities will be installed underground.
14. A note indicating signage approval is separate process.
15. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.

16. Specific structure and parking setbacks along all roadways and property lines.
17. Indicate location of all existing and proposed freestanding monument signs.
18. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
19. Floodplain boundaries.
20. 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.
21. 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.
22. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
23. 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.
24. Address trees and landscaping in accordance with the City of Chesterfield Code.
25. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
26. 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.
27. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
28. Compliance with Sky Exposure Plane.

29. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

Traffic Generation Assessment

1. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Chesterfield Village Road Trust Fund (No. 554). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
General Retail	\$2,319.85/parking space
High Turnover Sit Down Restaurant	\$2,319.85/parking space
Drive-In Fast Food	\$4,639.87/parking space

(Parking Space as required by the site-specific ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Transportation.

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Transportation and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

2. As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development shall be retained in the appropriate trust fund.
3. Traffic Generation Assessment contributions shall be deposited with Saint Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to the issuance of

building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

4. The amount of all required contributions, if not submitted by January 1, 2020, shall be adjusted on that date and on the first January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.

VI.RECORDING

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

VII.ENFORCEMENT

- A.** 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.
- 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.

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember Moore

Vice-Chair: Councilmember Keathley

The next meeting of the Finance and Administration Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Finance Director Jeannette Kelly prior to Monday's meeting.

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember DeCampi

Vice Chair: Councilmember Hurt

The next Parks, Recreation and Arts meeting is scheduled for Monday, November 4th, prior to Monday's Council meeting. Any action items coming out of that committee will not be reviewed until the next meeting of City Council in order to publish an agenda and create the necessary reports.

If you have any questions or require additional information, please contact Director of Parks, Recreation and Arts, Tom McCarthy or me prior to Monday's meeting.

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember Monachella

Vice Chair: Michael Moore

The next meeting of the Public Health and Safety Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Chief Ray Johnson or me prior Monday's meeting.

REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL

Liquor License Request – Lit Cigar Lounge St. Louis(Voice Vote)

17073 N Outer 40 Rd #F07 has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, packaged and Sunday sales. Mr. Bryan Snyder is the Managing Officer. This application was reviewed and approved by both The Police Department and the Planning & Development Services Department. With City Council approval of the Monday, November 4, 2019 City Council meeting, I will immediately issue this license.

Liquor License Request – Stefanina’s Pizzeria Voice Vote)

103 Chesterfield Towne Centre (new ownership) has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, packaged and Sunday sales. Ms. Tricia Taylor is the Managing Officer. This application was reviewed and approved by both The Police Department and the Planning & Development Services Department. With City Council approval of the Monday, November 4, 2019 City Council meeting, I will immediately issue this license.

Budget Adjustment – Insurance Proceeds (Roll Call Vote)

Enclosed within your packet is a budget amendment, reflecting the insurance proceeds from a police vehicle that was involved in an accident and the City vehicle was “totaled”. While not relevant to the financial transaction, it should be noted that the City vehicle was parked, on the side of the road out of the traffic lane, at which time a passing motorist rear-ended the vehicle causing significant damage. The City has received the \$26,124.21 insurance payout and will replace the 2018 model with a new 2019 model patrol vehicle. Accordingly, the net cost to the City will be \$6,674.79 purchased through the state bid process. It should also be obvious, but clearly this 2018 model vehicle is not one of the Police vehicles scheduled for replacement in 2020. Although I consider this a routine, housekeeping transaction, it is important to stress that our policies, procedures and processes do not allow us to simply “net out” the transaction, resulting in a \$6,674.79 transaction. We are required to increase the revenue side of our ledger by the full amount of the insurance proceeds, and increase the expense side of the ledger by the full cost of the replacement vehicle.

If you have any questions or require additional information, please contact me prior to Monday’s meeting.



MEMORANDUM

DATE: October 25, 2019

TO: Mike Geisel
City Administrator

FROM: Andrea Majoros, Business Assistance Coordinator

SUBJECT: **LIQUOR LICENSE REQUEST – LIT CIGAR LOUNGE ST. LOUIS**

LIT CIGAR LOUNGE ST. LOUIS, 17073 N OUTER 40 RD #F07, has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise + packaged and Sunday sales.

Mr. Bryan Snyder is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Planning/Development Services Division of the Department of Public Services.

With City Council approval at the Monday, November 4, 2019 City Council meeting, I will immediately issue this license.



MEMORANDUM

DATE: October 22, 2019

TO: Mike Geisel
City Administrator

FROM: Andrea Majoros, Business Assistance Coordinator

SUBJECT: **LIQUOR LICENSE REQUEST - STEFANINA'S PIZZERIA**

STEFANINA'S PIZZERIA, 103 Chesterfield Towne Centre (new ownership), has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise + packaged and Sunday sales.

Ms. Tricia Taylor is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Planning/Development Services Division of the Department of Public Services.

With City Council approval at the Monday, November 4, 2019 City Council meeting, I will immediately issue this license.

Transfer Request No. PD1 Transfer No. _____

City of Chesterfield Budgetary Transfer of Funds Request

Transfer From:

Account Number	Account Name	Amount
_____	<u>GENERAL FUND - FUND RESERVES</u>	<u>\$6,691.79</u>
_____	_____	_____
_____	_____	_____
	TOTAL	<u>\$6,691.79</u>

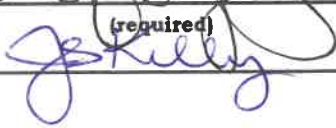
Transfer TO:

Account Number	Account Name	Amount
<u>121-000-4920</u>	<u>INSURANCE REIMBURSEMENT</u>	<u>(\$26,124.21)</u>
<u>121-041-5460</u>	<u>AUTOMOBILES & TRUCKS</u>	<u>\$32,816.00</u>
_____	_____	_____
	TOTAL	<u>\$6,691.79</u>

EXPLANATION:

to replace a police vehicle that was involved in a 10-50 on July 14, 2019. The vehicle (PD-21 a 2018 Ford Explorer) was determined to be a complete loss as a result of the crash. According to the appraiser conducting the inspection of the vehicle post-crash, the loss has been determined to be \$26,124.21 (This amount includes \$23,066.00 for the vehicle and \$ 3058.21 for the equipment contained within the vehicle at the time of the crash.)
The cost to replace the vehicle with a 2019 Dodge Durango Is \$ 32,816.00

APPROVALS:

Requested By: _____ **Date:** _____
Department Head:  **Date:** 10/22/19
Finance Director:  **Date:** 10/22/19
City Administrator: _____ **Date:** _____

Approved by City Council on **Date:** _____

Transfers up to \$2,500 can be transferred (within object level) with approval of Director of Finance.
Transfers up to \$5,000 can be transferred (within object level) with approval of the City Administrator.
Transfers in excess of \$5,000 or between Departments or Funds require approval by City Council.



Chesterfield Police Memorandum



Date: October 15, 2019
To: Michael Geisel, City Administrator
From: Chief Ray Johnson
RE: Replacement police vehicle

The purpose of this memo is to request authorization to purchase a vehicle to replace the police vehicle that was involved in a 10-50 on July 14, 2019. The vehicle (PD-21 a 2018, Ford Explorer) was determined to be a total loss as a result of the crash. According to the appraiser which conducted the inspection of the vehicle post-crash, the loss has been determined to be \$26,124.21 (This amount includes \$23,066.00 for the vehicle and \$ 3058.21 for the equipment contained within the vehicle at the time of the crash.)

I have attached a sales quote that I received from Lou Fusz Ford that lists the cost to replace the vehicle with a one year newer model 2019 Dodge Durango as \$ 32,816.00.

I am requesting that approval be given to create a purchase order for the purchase of the vehicle and that the appropriate budget transfer or budget amendment be made to Police Department account 121-041-5460 to cover the cost of the purchase.

LOU FUSZ CHRYSLER JEEP DODGE RAM FIAT
3480 HIGHWAY K
O FALLON, MO 633688138

Priced Order Confirmation (POC)

Date Printed:	2019-10-15 1:42 PM	VIN:	1C4SDJFT1KC764946	Quantity:	01
Estimated Ship Date:	2019-04-11 12:59 AM	VON:	43526728	Status:	KZ - Released by plant and invoiced
Date Ordered:	2019-03-15 6:43 PM	Ordered By:	S01012F	FAN 1:	00DDK Dealer / Police Inventory
				FAN 2:	
				Client Code:	
				Bid Number:	TB9206
				PO Number:	

Sold to:	Ship to:
LOU FUSZ CHRYSLER JEEP DODGE RAM FIAT (42283)	LOU FUSZ CHRYSLER JEEP DODGE RAM FIAT (42283)
3480 HIGHWAY K	3480 HIGHWAY K
O FALLON, MO 633688138	O FALLON, MO 633688138

Vehicle: 2019 DURANGO PURSUIT AWD (WDEE75)

	Sales Code	Description	MSRP(USD)
Model:	WDEE75	DURANGO PURSUIT AWD	34,370
Package:	22Z	Customer Preferred Package 22Z	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0
Paint/Seat/Trim:	PW7	White Knuckle Clear Coat	0
	APA	Monotone Paint	0
	*H7	Cloth Low-Back Bucket Seats	0
	-X9	Black	0
Options:	ADL	Skid Plate Group	295
	AHX	Trailer Tow Group IV	845
	NAS	50 State Emissions	0
	TBP	Full Size Spare Tire	0
	3AH	Price Protection - Code H	0
	4FM	Fleet Option Editor	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG1	7.5 Additional Gallons of Gas	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB9206	Government Incentives	0
Destination Fee:			1,395

Total Price: 39,900 .

Order Type: Fleet
Scheduling Priority: 1-Sold Order

PSP Month/Week:
Build Priority: 01

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

OTHER LEGISLATION

Bill No. 3264 - Downtown Chesterfield – Vacation of Easement

An ordinance partially vacating a 6-foot-wide permanent roadway, improvement, maintenance, utility, sidewalk, and sewer easement (PRIMUSSE) as recorded in Book 354, Page 865 of the St. Louis County records, located in adjusted Lots A and B of Wildhorse as recorded in Plat Book 367, Page 100 of the St. Louis County records City of Chesterfield, St. Louis County, Missouri. **(First & Second Readings)**
Department of Planning & Development Services recommends approval.

UNFINISHED BUSINESS

There are no unfinished action items scheduled on the agenda for this meeting.

If you have any questions or require additional information, please contact me prior to Monday's meeting.

NEW BUSINESS

There are no new business action items on the agenda for this meeting.

If you have any questions or require additional information, please contact me prior to Monday's meeting.



Memorandum

Department of Planning & Development Services

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services **JW**

Date: November 4, 2019

RE: **Downtown Chesterfield, Category C (Wildhorse) VOE:** A petition for a partial vacation of a PRIMUSSE located in adjusted Lots A and B of Wildhorse as recorded in plat book 367, page 100 of the St. Louis County records City of Chesterfield, St. Louis County, Missouri.

Stock and Associates Consulting Engineers, Inc., on behalf of Chesterfield Village Inc. is requesting the partial vacation of a 6 foot wide permanent roadway, improvement, maintenance, utility, sidewalk, and sewer easement (PRIMUSSE) dedicated to the City of Chesterfield located on the subject property. All utility companies were made aware that the vacation will take place.

The easement is no longer necessary as a larger PRIMUSSE encompassing the same area was recorded in July of 2019.

Attached to the legislation, please find a copy of the Exhibits A and B which show and describe the easement to be vacated.

Attachments: Legislation
Exhibit "A"
Exhibit "B"

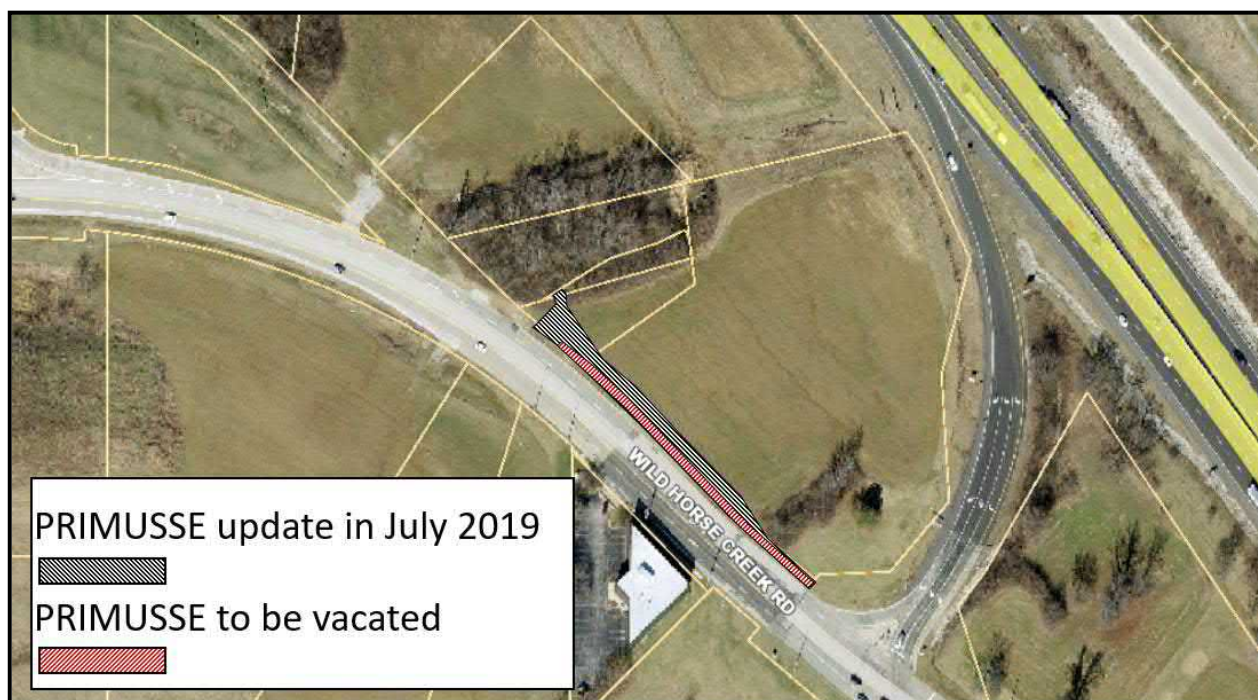


Figure 1. Aerial Photograph

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE PARTIALLY VACATING A 6 FOOT WIDE PERMANENT ROADWAY, IMPROVEMENT, MAINTENANCE, UTILITY, SIDEWALK, AND SEWER EASEMENT (PRIMUSSE) AS RECORDED IN BOOK 354, PAGE 865 OF THE ST. LOUIS COUNTY RECORDS, LOCATED IN ADJUSTED LOTS A AND B OF WILDHORSE AS RECORDED IN PLAT BOOK 367, PAGE 100 OF THE ST. LOUIS COUNTY RECORDS CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

WHEREAS, a petition has been filed by Stock and Associates Consulting Engineers, Inc., requesting the City to partially vacate an easement on said tract of land; and,

WHEREAS, Chesterfield Village Inc. owns the property on which the easement is located and has requested to vacate the easement; and,

WHEREAS, the Department of Planning and Development Services has reviewed the petition and has determined that said petition meets all applicable regulations and determined that the vacation will have no adverse effect on the City of Chesterfield.

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

Section 1. The City Council of the City of Chesterfield hereby approves the easement vacation located in adjusted Lots A and B of Wildhorse in Chesterfield as depicted in "Exhibit A" and described in "Exhibit B", which are attached hereto and made part of hereof; and

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the vacation of this easement by affixing their signatures and the Official Seal of the City of Chesterfield to a Certificate of Approval as required on said documents. The petitioner is required and directed to record these easement vacations with the Saint Louis County Recorder of Deeds Office; and

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

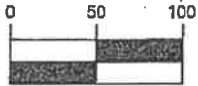
FIRST READING HELD: 11/04/2019

RECEIVED

JUL 15 2019

City of Chesterfield
Department of Public Services

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

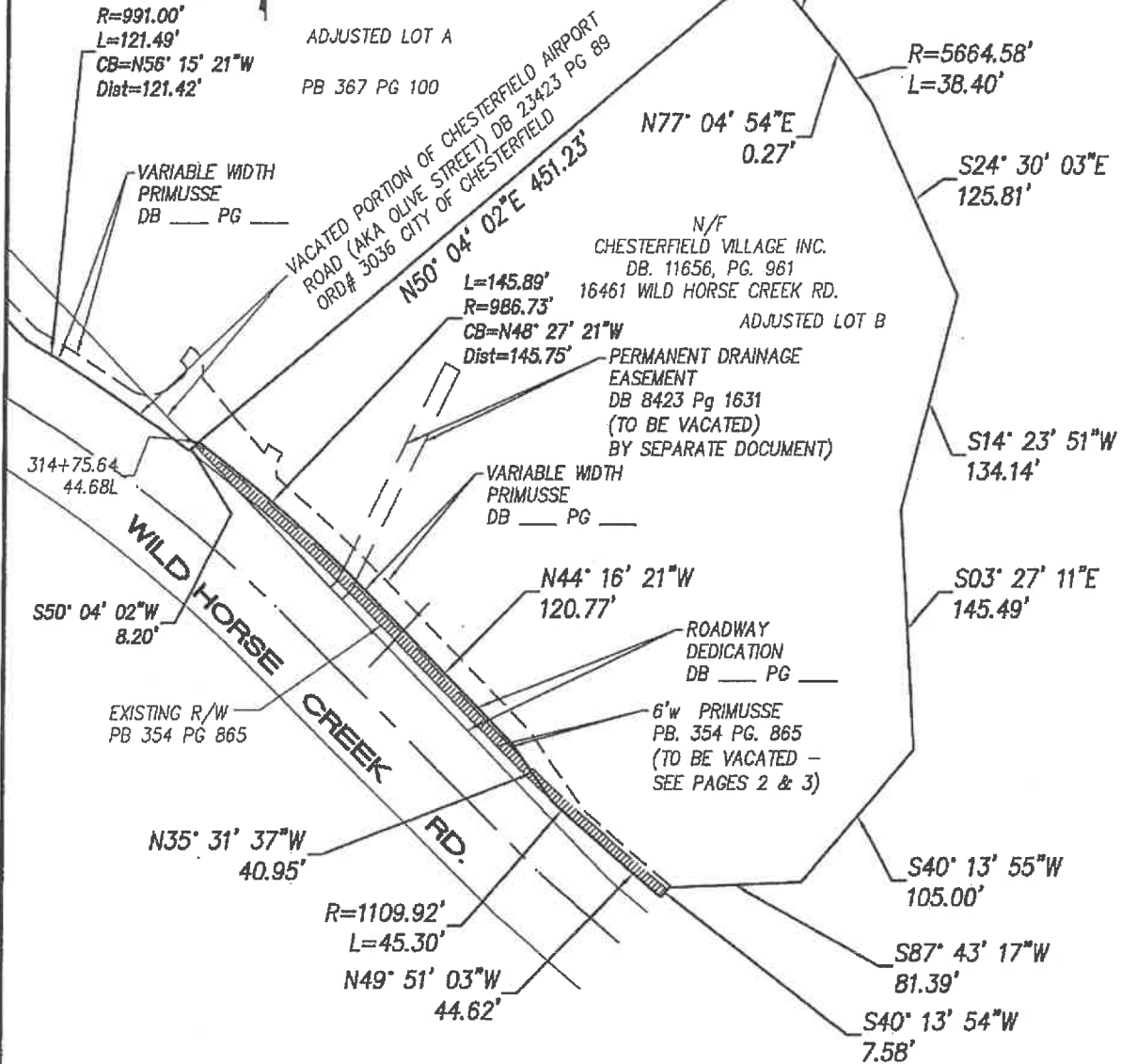


EXHIBIT "A" 1 OF 3

P.R.I.M.U.S.S.E. VACATION EXHIBIT

A TRACT OF LAND BEING PART OF ADJUSTED LOTS A AND B OF
WILDHORSE AS RECORDED IN PB. 367. PG. 100, LOCATED IN U.S. SURVEY
123, T 45 N, R 4 E OF THE 5TH PRINCIPAL MERIDIAN, CITY OF
CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

7/11/2019

6283\SURVEY\EXHIBITS\VACATION-CHESTERFIELD.DWG

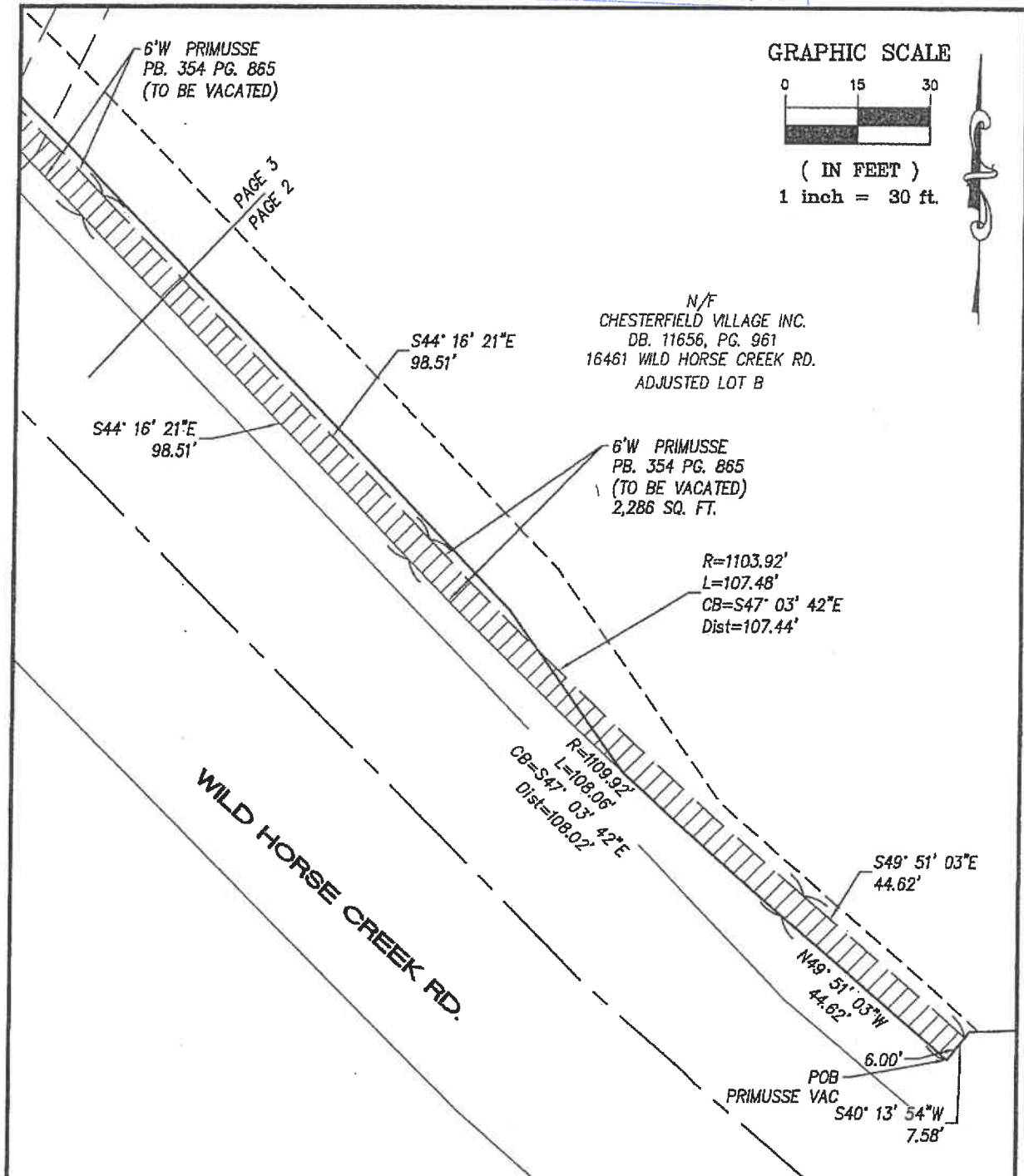


EXHIBIT "A" 2 OF 3

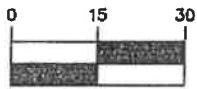
P.R.I.M.U.S.S.E. VACATION EXHIBIT

A TRACT OF LAND BEING PART OF ADJUSTED LOTS A AND B OF
WILDHORSE AS RECORDED IN PB. 367. PG. 100, LOCATED IN U.S. SURVEY
123, T 45 N, R 4 E OF THE 5TH PRINCIPAL MERIDIAN, CITY OF
CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

7/11/2019

6283\SURVEY\EXHIBITS\VACATION-CHESTERFIELD.DWG

GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.

RECEIVED

JUL 15 2019

City of Chesterfield
Department of Public Services

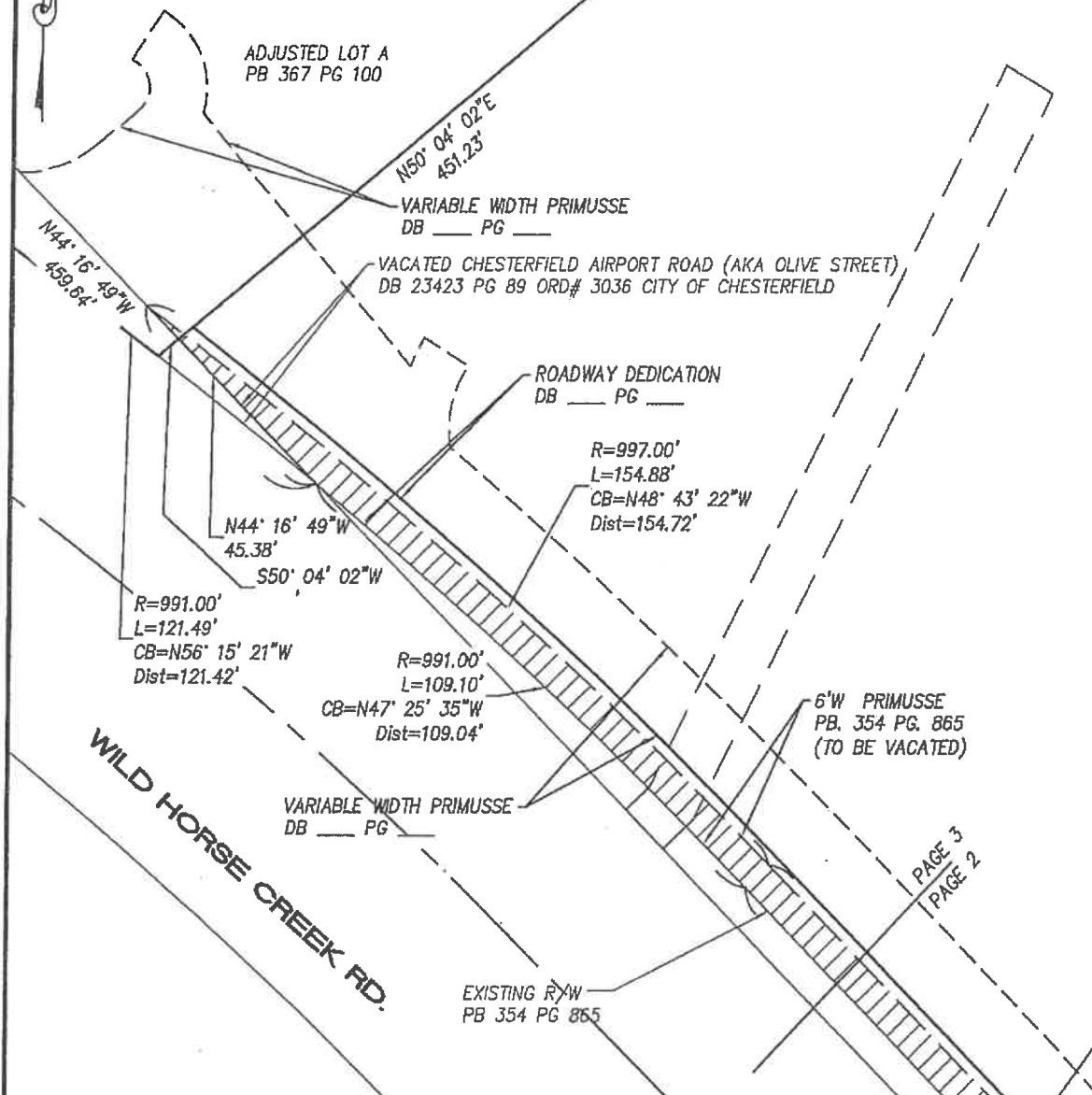


EXHIBIT "A" 3 OF 3

P.R.I.M.U.S.S.E. VACATION EXHIBIT

A TRACT OF LAND BEING PART OF ADJUSTED LOTS A AND B OF
WILDHORSE AS RECORDED IN PB. 367. PG. 100, LOCATED IN U.S. SURVEY
123, T 45 N, R 4 E OF THE 5TH PRINCIPAL MERIDIAN, CITY OF
CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

TO THE CITY COUNCIL OF THE CITY OF CHESTERFIELD

STATE OF MISSOURI

PETITION OF VACATION OF EASEMENT

UNDER SECTION 02-11 OF THE UNIFIED DEVELOPMENT CODE

Petitioner, Chesterfield Village Inc., states to the City Council of the City of Chesterfield, State of Missouri that:

- 1. They are the owners of fee simple of the following described parcel of real estate situated in the City of Chesterfield, County of St. Louis, State of Missouri, containing approximately 2,286 square foot of ground as shown on an attached plat, marked as Exhibit "A" and incorporated herein by reference and more particularly described as:

- 2. Petitioner desires to have a portion of a easement situated in the City of Chesterfield, Missouri, vacated. The portion of the easement, to be vacated, is shown on an attached plat, marked as Exhibit "A," incorporated herein by reference. The easement to be vacated is shown hatched on Exhibit "A."

- 3. The easement shown on the attached plat, marked on Exhibit "A" and also described as follows:

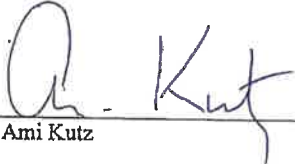
PRIMUSSE Description (Plat Book 354 Page 865)

A 6 foot wide Permanent Roadway, Improvement, Maintenance, Utility, Sidewalk and Sewer Easement as shown on Wild Horse Creek Road Dedication Plat as recorded in Plat Book 354 Page 865, located in Adjusted Lots A and B of Wildhorse as recorded in Plat Book 367 Page 100, both in the St. Louis County Records and being more particularly described as follows:

Beginning at the southeast corner of above said Adjusted Lot B, said point being on the northeast right of way line of Wild Horse Creek Road, variable width, as established by above said Roadway Dedication Plat; thence the following courses and distance along the northeast line of said Wild Horse Creek Road: North 49 degrees 51 minutes 03 seconds West, 44.62 feet, to a point, said point being on a curve to the right having a radius of 1109.92 feet; along said curve with arc distance of 108.06 feet, and a chord which bears North 47 degrees 03 minutes 42 seconds West, 108.02 feet; thence North 44 degrees 16 minutes 21 seconds West, 98.51 feet to a point, said point being on a curve to the left having a radius of 991.00 feet; and along said curve with arc distance of 109.10 feet, and a chord which bears North 47 degrees 25 minutes 35 seconds West, 109.04 feet, to the north line of vacated Chesterfield Airport Road by Deed Book 23423 Page 89 of the St. Louis County records; thence along the north line of said vacated road, North 44 degrees 16 minutes 49 seconds West, 45.38 feet, to a point, said point being on a curve to the right having a radius of 997.00 feet; thence the following courses and distances along the northeast line of said Permanent Roadway, Improvement, Maintenance, Utility, Sidewalk and Sewer Easement: along said curve with arc distance of 154.88 feet, and a chord which bears South 48 degrees 43 minutes 22 seconds East, 154.72 feet; thence South 44 degrees 16 minutes 21 seconds East, 98.51 feet to the beginning of a curve to the left having a radius of 1103.92; thence along said curve with arc distance of 107.48 feet, and a chord which bears South 47 degrees 03 minutes 42 seconds East, 107.44 feet; thence South 49 degrees 51 minutes 03 seconds East, 44.62 feet to the southeast line of said Adjusted Lot B; thence South 40 degrees 13 minutes 54 seconds West, along the southeast line of said Adjusted Lot B 6.00 feet to the Point of Beginning and containing 2,286 Square feet or 0.052 acres more or less.

4. Petitioners are the owners in fee simple of all of the property which is bordering on the portion of the easement which the petitioner desires to vacate, and that, if the City Council of the City of Chesterfield vacates the portion of that easement, then the vacated portion shall vest in the petitioner.
5. The portion of easement which Petitioners desire to vacate is adjoined or abutted by the property which is owned by the petitioners in fee simple, and none of the adjoining property to the portion of the easement which will be vacated is owned by anyone other than the Petitioners.
6. The portion of the easement that is to be vacated is not being used by anyone due to the fact that there are other easements available and are being used. Further, the portion of the easement which shall remain will adequately serve such property.
7. The vacation herein petitioned for is in the interest of the public necessity, convenience and general welfare, and will not interfere with the best interest of the public use.

WHEREOF, Petitioner prays that the City Council of the City of Chesterfield, Missouri, vacate the portion of the easement as set forth in detail in this petition and Petitioners further pray that the portion of the easement to be vacated as herein described shall revert to the Petitioners who are the owner in fee simple of the adjoining and abutting property and ordain such further orders as may be property to accomplish vacation prayed.

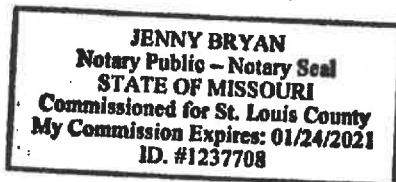

By Ami Kutz

Chesterfield Village Inc.

STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

On this 15 day of July, 2019, before me personally appeared Ami Kutz, who, being duly sworn, did say that he is the VP of Chesterfield Village Inc. a corporation of the State of Missouri, and that said instrument was signed in behalf of said partnership, by authority of its Board of Directors and said Ami Kutz acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first written above.




Notary Public

My Term Expires:

1-24-21