

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-8” PEU RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT PROCEDURE, “R-5” RESIDENCE DISTRICT, “FPR-5” RESIDENCE DISTRICT, “R-6A” PEU RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT PROCEDURE, “C-8” PLANNED COMMERCIAL DISTRICT, “NU” NON-URBAN DISTRICT AND “M-3” PLANNED INDUSTRIAL DISTRICT TO “PC & R” PLANNED COMMERCIAL & RESIDENTIAL DISTRICT FOR A 98.10 ACRE TRACT OF LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 40/I-64 AND CHESTERFIELD PARKWAY WEST (P.Z. 45-2007 DOWNTOWN CHESTERFIELD – CHESTERFIELD VILLAGE INC.)**

**WHEREAS**, the petitioner, Chesterfield Village Inc., has requested a change in zoning from an “R-8” PEU Residence District with a Planned Environmental Unit Procedure, “R-5” Residence District, “FPR-5” Residence District, “R-6A” PEU Residence District with a Planned Environmental Unit Procedure, “C-8” Planned Commercial District, “NU” Non-Urban District and “M-3” Planned Industrial District to “PC & R” Planned Commercial & Residential District for a 98.10 acre tract of land located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West.; and,

**WHEREAS**, the Planning Commission held a public hearing on November 15, 2007 to consider the matter; and,

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

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

**Section 1.** The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a “PC & R” Planned Commercial & Residential District for a 98.10 acre tract of land located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West and described as follows:

#### **PROPERTY DESCRIPTION**

##### **Area 1**

A tract of land being part of U.S. Surveys 123, 415 and 2031 and part of Lot C120 of “Chesterfield Village Area A Phase One Plat Two” in Township 45 North – Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Southwest corner of property described in the deed to Chesterfield Village, Inc. recorded in Book 6881 page 1745 of the St. Louis County Records; thence Northwardly along the West line of said Chesterfield Village, Inc. property being also the East line of property described in the deed to Richard B. Godwin recorded in Book 12444 page 731 of the St. Louis County Records North 00 degrees 02 minutes 30

seconds East 307.86 feet to a point on the South line of Relocated Wildhorse Creek Road of varying width as shown on the "Wild Horse Creek Road Dedication Plat" recorded in Plat Book 354 pages 865 and 866 of the St. Louis County Records; thence Eastwardly along said South line the following courses and distances: along a curve to the left, whose radius point bears North 19 degrees 51 minutes 11 seconds West 991.00 feet from the last mentioned point, a distance of 19.25 feet, North 79 degrees 48 minutes 05 seconds East 84.71 feet, along a curve to the right, whose radius point bears South 15 degrees 42 minutes 05 seconds East 907.00 feet from the last mentioned point, a distance of 320.45 feet, North 04 degrees 32 minutes 30 seconds East 12.00 feet, along a curve to the right, whose radius point bears South 04 degrees 32 minutes 30 seconds West 919.00 feet from the last mentioned point, a distance of 623.36 feet to a point on the West line of property described in the deed to Chesterfield Airport Road Group Partnership recorded in Book 8296 page 1439 of the St. Louis County Records; thence Southwardly along said West line South 00 degrees 38 minutes 59 seconds West 323.47 feet to a point; thence North 45 degrees 14 minutes 46 seconds East 232.33 feet to a point on the Southwest line of Chesterfield Airport Road of varying width; thence along the right-of-way line of Chesterfield Airport Road the following courses and distances: along a curve to the left, whose radius point bears North 41 degrees 26 minutes 45 seconds East 1181.92 feet from the last mentioned point, a distance of 25.00 feet, South 49 degrees 45 minutes 58 seconds East 4.14 feet, South 44 degrees 11 minutes 16 seconds East 3.70 feet, South 49 seconds 40 minutes 42 seconds East 36.63 feet, South 40 degrees 19 minutes 18 seconds West 20.00 feet, South 49 degrees 40 minutes 42 seconds East 112.45 feet, along a curve to the left, whose radius point bears North 40 degrees 19 minutes 18 seconds East 1959.86 feet from the last mentioned point, a distance of 301.05 feet, South 58 degrees 28 minutes 42 seconds East 163.68 feet, along a curve to the left, whose radius point bears North 31 degrees 31 minutes 18 seconds East 1959.86 feet from the last mentioned point, a distance of 84.78 feet and South 17 degrees 45 minutes 50 seconds East 135.94 feet to a point on the West line of Chesterfield Village Parkway 73 feet wide; thence Southwardly along said West line along a curve to the left, whose radius point bears South 65 degrees 36 minutes 56 seconds East 1186.50 feet from the last mentioned point, a distance of 296.65 feet, South 10 degrees 03 minutes 33 seconds West 1252.38 feet and South 55 degrees 03 minutes 33 seconds West 35.36 feet to a point on the right-of-way of Burkhardt Place; thence along the right-of-way of Burkhardt Place the following courses and distances: North 79 degrees 56 minutes 27 seconds West 15.00 feet, South 10 degrees 03 minutes 33 seconds West 4.00 feet, along a curve to the right, whose radius point bears North 10 degrees 04 minutes 13 seconds East 289.23 feet from the last mentioned point, a distance of 244.78 feet, North 31 degrees 26 minutes 20 seconds West 472.64 feet and along a curve to the left, whose radius point bears South 58 degrees 33 minutes 40 seconds West 568.00 feet from the last mentioned point, a distance of 351.80 feet, along a curve to the left, whose radius point bears South 23 degrees 04 minutes 25 seconds West 818.00 feet from the last mentioned point, a distance of 281.27 feet to a point; thence North 03 degrees 22 minutes 22 seconds East 8.50 feet to a point; thence along a curve to the left, whose radius point bears South 03 degrees 22 minutes 22 seconds West 826.50 feet from the last mentioned point, a distance of 244.40 feet to a point; thence South 76 degrees 25 minutes 47 seconds West 99.72 feet to a point; thence along a curve to the right, whose radius point bears North 13 degrees 34 minutes 13 seconds West 345.00 feet from the last mentioned point, a distance of 697.80 feet to a point; thence along a curve to the left, whose radius point bears North 77 degrees 41 minutes 01 seconds West 985.00 feet from the last mentioned point, a distance of 900.59 feet to a point; thence along a curve to the right,

whose radius point bears North 49 degrees 55 minutes 50 seconds East 345.00 feet from the last mentioned point, a distance of 294.85 feet to a point; thence North 08 degrees 53 minutes 55 seconds East 9.88 feet to a point; thence along a curve to the right, whose radius point bears South 81 degrees 06 minutes 05 seconds East 84.61 feet from the last mentioned point, a distance of 89.04 feet to a point; on the West line of aforesaid Godwin property; thence Southwardly along said West line South 06 degrees 56 minutes 30 seconds West 255.38 feet to a point; thence South 89 degrees 53 minutes 36 seconds East 583.09 feet to the point of beginning and containing 74.36 acres according to calculations by Volz Inc. during December 2006.

## **Area 2**

A tract of land in U.S. Surveys 123 and 2031, Township 45 North – Range 4 East, in the City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the intersection of the West line of property of Chesterfield Village, Inc., as described in the deed recorded in Book 6881 page 1745 of the St. Louis County Records with the North line of Relocated Wild Horse Creek Road, as shown on the "Wild Horse Creek Road Dedication Plat" recorded in Plat Book 354 pages 865 and 866 of the St. Louis County Records; thence Northwardly along said East line North 00 degrees 02 minutes 30 seconds East 551.26 feet to a point on the Southwest line of Chesterfield Airport Road (formerly Olive Street Road); thence South 57 degrees 18 minutes 34 seconds East 191.41 feet to a point; thence South 55 degrees 38 minutes 57 seconds East 90.12 feet to a point; thence along a curve to the left, whose radius point bears South 59 degrees 01 minutes 58 seconds West 602.96 feet from the last mentioned point, a distance of 85.20 feet to a point on the centerline of said Chesterfield Airport Road; thence along said centerline South 55 degrees 38 minutes 57 seconds East 312.75 feet to a point on the West line of U.S. Survey 123; thence Northwardly along said West line North 00 degrees 05 minutes 18 seconds East 888.55 feet to a point on the Southwest right of way line of Missouri Interstate Highway 64 (State Highway Route 40 T.R.) of varying width; thence South 42 degrees 03 minutes 01 seconds East 271.15 feet to a point; thence South 42 degrees 13 minutes 47 seconds East 477.80 feet to a point; thence South 40 degrees 02 minutes 17 seconds East 336.56 feet to a point; thence South 37 degrees 12 minutes 27 seconds East 198.40 feet to a point; thence South 35 degrees 44 minutes 14 seconds East 128.95 feet to a point; thence South 76 degrees 41 minutes 55 seconds West 16.52 feet to a point; thence South 34 degrees 43 minutes 14 seconds East 34.68 feet to a point; thence South 24 degrees 25 minutes 24 seconds East 129.32 feet to a point; thence South 14 degrees 28 minutes 56 seconds West 134.14 feet to a point; thence South 03 degrees 22 minutes 08 seconds East 145.49 feet to a point; thence South 40 degrees 19 minutes 00 seconds West 105.00 feet to a point; thence South 87 degrees 48 minutes 22 seconds West 81.39 feet to a point; thence South 40 degrees 19 minutes 00 seconds West 20.00 feet to a point; thence North 49 degrees 40 minutes 43 seconds West 33.82 feet to a point; thence North 44 degrees 11 minutes 16 seconds West 327.23 feet to a point; thence along a curve to the left, whose radius point bears South 39 degrees 30 minutes 15 seconds West 991.00 feet from the last mentioned point, a distance of 118.97 feet to a point; thence North 77 degrees 09 minutes 59 seconds East 51.40 feet to a point on the North line of property of Chesterfield Village, Inc. as described in the deed recorded in Book 14336 page 2705 of the St. Louis County Records; thence Eastwardly along said North line North 61 degrees 01 minutes 19

seconds East 68.88 feet, North 62 degrees 47 minutes 13 seconds East 24.33 feet, North 75 degrees 05 minutes 24 seconds East 59.17 feet and North 67 degrees 06 minutes 31 seconds East 26.83 feet to a point on the East line of property of Theodore J. Loeffler and wife as described in the deed recorded in Book 6672 page 1193 of the St. Louis County Records; thence Northwardly along said East line North 06 degrees 30 minutes 29 seconds West 53.70 feet to a point; thence South 77 degrees 09 minutes 59 seconds West 296.16 feet to a point on the centerline of aforesaid Wildhorse Creek Road; thence along said centerline South 44 degrees 11 minutes 16 seconds East 67.40 feet to a point; thence along a curve to the left, whose radius point bears South 30 degrees 19 minutes 17 seconds West 991.00 feet from the last mentioned point, a distance of 878.76 feet to the point of beginning and containing 20.83 acres according to calculations by Volz Inc. during December 2006.

### **Area 3**

A tract of land in U.S. Survey 123, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as:

Beginning at a point on the Southwest right-of-way line of U.S. Highway 40, said point being distant North 33 degrees 47 minutes 31 seconds West 41.56 feet from the South line of said U.S. Survey 123, said point also being perpendicular distant North 53 degrees 04 minutes 08 seconds West 85.00 feet from the centerline of Chesterfield Parkway; thence Southwestwardly along the Northwest right-of-way line of said Chesterfield Parkway South 36 degrees 55 minutes 52 seconds West 59.27 feet to the said South line of U.S. Survey 123; thence West along said South line of U.S. Survey 123 South 77 degrees 39 minutes 53 seconds West 110.86 feet to the North right-of-way line of Chesterfield Airport Road, 100 feet wide; thence Westwardly along said North right-of-way line of Chesterfield Airport Road, 100 feet wide, along a curve to the right, whose radius point bears North 29 degrees 47 minutes 51 seconds East 1859.86 feet from the last mentioned point, a distance of 55.96 feet, North 58 degrees 28 minutes 42 seconds West 163.68 feet and along a curve to the right, whose radius point bears North 31 degrees 31 minutes 18 seconds East 1859.86 feet from the last mentioned point, a distance of 117.66 feet to the limited access line of Ramp "A"; thence along the said limited access line of Ramp "A" the following courses and distances: North 18 degrees 05 minutes 04 seconds West 139.51 feet, North 38 degrees 44 minutes 47 seconds East 50.00 feet and North 29 degrees 35 minutes 23 seconds East 237.00 feet to the aforesaid Southwest right-of-way line of U.S. Highway 40; thence Southeastwardly along said Southwest right-of-way line of U.S. Highway 40 South 33 degrees 47 minutes 31 seconds East 584.07 feet to the point of beginning and containing 2.91 acres.

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

**Section 3.** The City Council, pursuant to the petition filed by Chesterfield Village Inc, in P.Z. 45-2007, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 15th day of November, 2007, does hereby adopt this

ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

**Section 4.** This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FIRST READING HELD: 3/3/08

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**

The commercial and residential uses allowed in this Planned Commercial and Residential ("PC&R") District shall be:

#### RETAIL COMMERCIAL USES:

1. Barber shops and beauty parlors.
2. Bookstores.
3. Financial institutions.
4. Restaurants, fast food (with no drive through).
5. Restaurants, sit down (with no drive through).
6. Rental and leasing of new and used automobiles and necessary outdoor storage of said vehicles.
7. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
8. Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
9. Stores, shops, markets, service facilities, in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises. Service Facilities to include establishments providing services, as opposed to products, to the general public for personal, business or household use, including finance, real estate and insurance, personal service, educational, and social services.

#### OFFICE COMMERCIAL USES:

1. Animal hospitals and veterinary clinics.
2. Broadcasting studios for radio and television.
3. Hospitals.

4. Medical and dental offices.
5. Offices or office buildings.

#### RESIDENTIAL USES:

Residential uses may be integrated vertically or horizontally with commercial uses. When integrated vertically with commercial uses, dwelling units shall be above the commercial uses; such dwelling units shall be multiple-family.

1. Dwellings, single-family.
2. Dwellings, two-family.
3. Dwellings, multiple-family, row houses, and other group-house arrangements of attached or detached buildings.
4. Home occupations.

#### CIVIC USES:

1. Auditoriums, religious facilities, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
2. Child care centers, nursery schools, and day nurseries.
3. Colleges and universities.
4. Museums.
5. Police, fire, and postal stations.
6. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
7. Schools, public or private kindergarten, elementary, secondary, and collegiate.

#### LODGING USES:

1. Hotels.

#### PARKING USES:

1. Parking areas, including garages, for automobiles, but not including any sales of automobiles or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

#### PARK AND RECREATIONAL USES:

1. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, tennis courts, gymnasiums, and indoor theaters.
2. Parks, parkways, and playgrounds, public or private not-for-profit.

The above uses allowed in this Planned Commercial and Residential ("PC&R") District shall be restricted as follows:

1. The fishing tackle and bait shop use shall be located adjacent to the lake. This may be a primary or ancillary use located in either a building or a kiosk. If this is used as a primary use, only one such use shall be permitted in this District.

#### ANCILLARY USES:

All plans for screening these facilities shall be submitted to the Department of Planning and Public Works for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning and Public Works.

1. Associated work and storage areas required by a business, firm, or service to carry on business operations.
2. Automatic vending facilities for:
  - (i) Ice and solid carbon dioxide (dry ice);
  - (ii) Beverages;
  - (iii) Confections.
3. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
4. Dry cleaning drop-off and pick-up stations.
5. Film drop-off and pick-up stations.
6. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
  - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
  - (ii) Placed underground; or
  - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.



7. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
8. Satellite dishes.

**DENSITY LIMITATIONS:**

2. The cumulative gross floor area for Retail Commercial Uses, Office Commercial Uses, Civic Uses and Lodging Uses in this District shall be limited to not more than 1,700,000 square feet.
3. The maximum number of residential units allowable within this District shall be 1,000 units.

**B. CATEGORY STANDARDS**

1. **CATEGORY A – Urban “Main Street” Development Pattern**

Building placement:

- Build-to Line location: as defined by the streetscape shown in Exhibit 1.
- Space between buildings: attached or 6-15 feet if detached.
- Extra space between buildings is permitted for major walkways connecting to parking or open space, as approved on the Site Development Section Plan.

Building volume:

- Minimum building height: 25 feet.
- Maximum building height: 150 feet.

Building floor heights:

- First story height shall be 12-25 feet.
- Upper story height shall be 8-18 feet.

Building’s street facade:

- Construct at least 65% of a street facade to the build-to line.
- Only 50% of a street facade must be constructed to the build-to line if the extra space creates wider public sidewalks or courtyard space.

Projecting facade elements:

- Awnings & canopies: permitted
- Balconies: permitted
- Colonnades & arcades: permitted
- Stoops: prohibited
- Front porches: prohibited
- Bay windows: permitted on upper stories

Outdoor space:

- Courtyard: permitted (open to public if next to sidewalk)
- Frontyard: prohibited
- Rearyard: permitted

- Sideyard: permitted (to allow access from back of lot)

Building function:

- Retail commercial: required on first story; permitted on upper stories
- Office commercial: permitted on upper stories
- Residential: permitted on upper stories
- Civic: permitted
- Lodging: permitted
- Parking Structures: permitted - ground floor retail commercial required along street frontage
- Park & Recreation: permitted

2. CATEGORY B –Urban Mixed Use Development Pattern

Building placement:

- Build-to Line location: as defined by the streetscape shown in Exhibit 1.
- Space between buildings: attached or 6-15 feet if detached.

Building volume:

- Minimum building height: 25 feet.
- Maximum building height: 150 feet.

Building floor heights:

- First story height shall be 12-25 feet.
- Upper story height shall be 8-18 feet.

Building's street facade:

- Construct at least 65% of a street facade to the build-to line.
- Only 50% of a street facade must be constructed to the build-to line if the extra space creates wider public sidewalks or courtyard space.

Projecting facade elements:

- Awnings & canopies: permitted
- Balconies: permitted
- Colonnades & arcades: permitted
- Stoops: permitted
- Front porches: permitted
- Bay windows: permitted on upper stories

Outdoor space:

- Courtyard: permitted
- Frontyard: permitted
- Rearyard: permitted
- Sideyard: permitted

Building function:

- Retail commercial: permitted
- Office commercial: permitted

- Residential: permitted
- Civic: permitted
- Lodging: permitted
- Parking Structures: permitted - ground floor retail commercial or office commercial required along street frontage
- Park & Recreation: permitted

3. CATEGORY C – Highway Frontage Outlots (Portion of District north of relocated Wild Horse Creek Road)

Building placement:

- Build-to Line location: as defined by the streetscape shown in Exhibit 1.
- Space between buildings: 15-30 feet if detached.

Building volume:

- Minimum building height: 25 feet.
- Maximum building height: 150 feet.

Building floor heights:

- First story height shall be 12-25 feet.
- Upper story height shall be 8-18 feet.

Projecting facade elements:

- Awnings & canopies: permitted
- Balconies: permitted
- Colonnades & arcades: permitted
- Stoops: prohibited
- Front porches: prohibited
- Bay windows: permitted on upper stories

Outdoor space:

- Courtyard: permitted (open to public if next to sidewalk)
- Frontyard: permitted
- Rearyard: permitted
- Sideyard: permitted

Building function:

- Retail commercial: permitted
- Office commercial: permitted
- Residential: permitted
- Civic: permitted
- Lodging: permitted
- Parking Structures: permitted - ground floor retail commercial or office commercial required along street frontage
- Park & Recreation: permitted

### **C. PARKING AND LOADING REQUIREMENTS**

1. Required parking for this District shall be determined globally and shall not be calculated on an individual site basis; and shall be calculated as follows:
  - a. Portion of District north of relocated Wild Horse Creek Road: Required parking shall be calculated cumulatively based upon the sum of the square footage of individual land uses at the rate required by the City of Chesterfield Code, except that the required parking shall be provided at not less than 90% of the aforescribed calculation.
  - b. Portion of District south of relocated Wild Horse Creek Road and north of Burkhardt Place: Required parking shall be calculated based upon the sum of the square footage of individual land uses at the rate required by the City of Chesterfield Code, except that the required parking shall be provided at not less than 70% of the aforescribed calculation.
  - c. No Site Development Plan, Site Development Concept Plan or Site Development Section Plan shall be approved which will result in parking provided at less than the amount set forth in prior paragraphs.
2. Construction Parking
  - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
  - b. 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.
3. Parking lots shall not be used as streets.
4. On street parking allowed as shown on Exhibit 1.

### **D. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code with the following exception:
  - a. The required landscape buffer along Chesterfield Parkway and Chesterfield Airport Road will be based on the

approved streetscape and street cross-sections as shown on Exhibit 1.

2. Individual landscape plans shall be coordinated and consistent with an overall master landscape concept for the PC & R District. These plans should enhance the pedestrian experience, complement architectural features, provide shade and screen utility areas.

#### **E. SIGN REQUIREMENTS**

1. Sign packages shall be required for each Site Development Section plan in this development. Each individual sign package shall be reviewed and approved by the City of Chesterfield Planning Commission.
2. Individual sign packages shall be coordinated and consistent with an overall master signage concept for the PC & R District.
3. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield for sight distance considerations prior to installation or construction.

#### **F. LIGHT REQUIREMENTS**

1. Provide a lighting plan in accordance with the City of Chesterfield Code.
2. Individual lighting plans including fixture types shall be consistent with an overall lighting fixture plan for the PC & R District. The proposed lighting fixture plan must provide for consistent and complimentary fixture designs and styles throughout the District and with the standards already established in Chesterfield Village.

#### **G. ARCHITECTURAL REQUIREMENTS**

1. The developer shall submit a design package including but not limited to, architectural elevations, colored renderings and building materials. The proposed package shall give consideration to creating a visually-appealing development pattern consistent with the intent and purpose of this PC&R District. Architectural information is to be reviewed by the Architectural Review Board and is subject to approval by the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.

3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure with materials that match the adjacent structures and complimented by adequate landscaping as approved on the Landscape Plan.
4. Mechanical equipment will be adequately screened.

#### **H. ACCESS/ACCESS MANAGEMENT**

1. Street and drives related to this development shall be designed and located as directed by the Department of Planning and Public Works.
2. The location of streets and access points shall be determined by individual Site Development Section Plans within the PC & R District.
3. Any improvements within MoDOT's right of way will require a permit. The entrance geometrics and drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards.

#### **I. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Obtain approvals from the Department of Public Works, the St. Louis County Department of Highways and Traffic and/or the Missouri Department of Transportation as applicable.
2. Internal streets and sidewalks shall be constructed in accordance with the street sections approved with this PC&R District as shown on Exhibit 1.
3. St. Louis County Department of Highways and Traffic reserves the right to determine road improvements and TGA fees until Concept Review plans are submitted.
4. Pedestrian circulation to be approved by the City of Chesterfield.

#### **J. TRAFFIC STUDY**

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 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.

#### **K. POWER OF REVIEW**

The City Council shall have automatic power of review of site plans for the subject development. The City Council will then take appropriate action relative to the proposal.

#### **L. STORMWATER**

1. 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.
2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty (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.
3. Detention may be required for the entire project site such that the release rates will not exceed the allowable release rates for the post developed peak flow of the 2-year and 100-year, 24 hour storm event. Stormwater must be discharged at an adequate natural discharge point. Wetland mitigation will not be allowable within the detention basin.
4. Treatment for water quality and channel protection, in accordance with MSD regulations dated February 2006, shall be required.
5. A flood plain (hydraulic study) study may be required.
6. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right of way.
7. All drainage detention storage facilities shall be placed outside of the City of Chesterfield Planning and Zoning setbacks, or 15 feet from the new or existing right of way line, whichever is greater.

#### **M. SANITARY SEWER.**

1. Provide public sewer service for the site including sanitary force mains, gravity lines and/or regional pump stations, in accordance with MSD and City of Chesterfield regulations.

2. Extension of public sanitary sewer lines will be necessary to serve this site and proper easements may be required. Private sanitary sewer laterals may not cross property lines.
3. Upgrade or replacement of existing downstream storm sewers and outfalls may be required.
4. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.
5. Encroachments over easements will not be allowed.
6. Formal plan submittal and approval will be required by the MSD prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

#### **N. GEOTECHNICAL REPORT.**

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning and Public Works. 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.

#### **O. SUPPLEMENTATION, MODIFICATION, OR ALTERATION OF A CATEGORY STANDARD.**

Upon application from a petitioner, any performance standard provided in this Attachment "A" or required by any other District regulation or Ordinance of the City may be supplemented, modified, or altered in a Site Development Plan or Site Development Section Plan provided such supplement, modification, or alteration will further the purpose and intent of the PC & R District. A public hearing is not required in the process and recommendation by Planning Commission will be forwarded to City Council for final approval.

#### **P. MISCELLANEOUS**

1. All new or on-site relocated utilities within the District will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.
3. Kiosks are allowed in the District provided they do not impede pedestrian traffic on the sidewalk and meet ADA accessibility requirements. Kiosks can be an arrangement of mobile units, fixed units, or a mixture of both joined together to form a structure



not to exceed 100 sq. feet. Uses within the kiosk will be the approved uses in this Attachment A. Locations and numbers of kiosks shall be as approved on the Site Development Concept Plan or Site Development Plan for the District.

4. Loading docks, overhead doors and service entries will be permitted only on the side or rear of a tenant space. Deliveries shall be made on the side or rear of a tenant space with the exception of designated on street delivery and loading areas as approved on the Site Development Plan or the Site Development Concept and Site Development Sections plans.

## **II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS**

- A. The developer shall submit a Site Development Concept Plan for the entire District within four (4) years of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan as provided for in Paragraph A in this section, the petitioner may submit a Site Development Plan for the entire District within four (4) years of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will require a new public hearing on any plan submittal.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

## **III. COMMENCEMENT OF CONSTRUCTION**

- A. Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.
- C. Failure to comply with these construction requirements will result in the expiration of plan approval and will require a new public hearing and new plan approval.

#### **IV. GENERAL CRITERIA**

The intent and purpose of the PC & R District is to have a mix of Commercial and Residential Uses within the District. At the time of the submittal of the Site Development Concept Plan or the Site Development Plan, a proposed standard for assuring the mix shall be submitted and approval of the above plans shall be contingent on approval of the mix standard by a majority vote of the City Council. Council's vote on the mix standard may proceed concurrently with Council approval of the above plans. The mix standard shall be consistent with the purpose and intent of the P C & R District which is to create a diverse residential and commercial mixed use environment in which residential and commercial uses can be integrated pursuant to a "downtown" concept that encourages creative and coordinated design and architectural styles, efficient and effective pedestrian circulation, and where people can choose to live, work, eat, shop, enjoy cultural amenities and recreate. Such standard shall be considered a Performance Standard as that term is used in the Planned Commercial and Residential District provisions in the Zoning Code of the City of Chesterfield. Such provisions specifically authorize the supplementation of the Performance Standards in this Attachment "A" when approving the Plan.

#### **A. SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS**

1. Any site development concept plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a master landscape concept plan in accordance with the City of Chesterfield Code.
3. Include a lighting plan in accordance with the City of Chesterfield Code.
4. Include a master signage concept plan for the District.
5. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Spirit of St. Louis Airport and the Missouri Department of Transportation.

#### **B. SITE DEVELOPMENT PLAN/ SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS**

The Site Development Plan/ Site Development Section Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet. Provide a key plan sheet at a scale necessary to include the entire development with north oriented vertically to the top of the sheet.
2. Outboundary plat and legal description of property.

3. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
4. A note indicating all utilities will be installed underground.
5. A note indicating signage approval is separate process.
6. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
7. Specific structure and parking setbacks along all roadways and property lines.
8. Indicate location of all existing and proposed freestanding monument signs.
9. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
10. Floodplain boundaries.
11. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
12. 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.
13. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
14. Depict existing and proposed contours at intervals of not more than two (2) foot, and extending 150 feet beyond the limits of the site as directed.
15. Address trees and landscaping in accordance with the City of Chesterfield Code.
16. Provide a lighting plan in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional

Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

19. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Provide proposed hours of operation and delivery.

## **VII. RECORDING**

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

## **VIII. ENFORCEMENT**

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Concept Plan and Site Development Section Plans 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 agencies and the City of Chesterfield.
- 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 interpreted to carry out the overall intent of this Attachment A.