

AN ORDINANCE REPEALING ST. LOUIS COUNTY ORDINANCE 6059 BY CHANGING THE DENSITY REQUIREMENTS IN A PLANNED ENVIRONMENTAL UNIT IN A "R1A" RESIDENCE DISTRICT, "R2" RESIDENCE DISTRICT, "R3" RESIDENCE DISTRICT, "R6" RESIDENCE DISTRICT, AND "R6A" RESIDENCE DISTRICT OF 158.2 ACRES IN SIZE LOCATED ALONG SCHOETTLER VALLEY DRIVE AT THE NORTH FROM US HIGHWAY 40/INTERSTATE 64 SOUTHWARD TO SQUIRES WAY DRIVE INCLUDING THE SUBDIVISIONS OF SCHOETTLER VALLEY APARTMENTS, WEST RIDGE ESTATES, SCHOETTLER VALLEY ESTATES, HIGHCROFT RIDGE SCHOOL, AND BRIDLE CREEK AND ALL THOSE LOTS WITHIN {Mlake 5, LLC}

WHEREAS, Mlake 5, LLC has requested an Ordinance Amendment in a Planned Environmental Unit of 158.2 acres in size located along Schoettler Valley Drive at the north from US Highway 40/Interstate 64 southward to Squires Way Drive, including the subdivisions of Schoettler Valley Apartments, West Ridge Estates, Schoettler Valley Estates, Highcroft Ridge School, and Bridle Creek and all those lots within; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 8, 2010; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the Ordinance Amendment; and,

WHEREAS, the City Council, having considered said request, voted to approve the Ordinance Amendment request.

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

Section 1. St. Louis County Ordinance 6059 is hereby repealed and replaced with a new ordinance the conditions of which are established in the Attachment A. The area for which this new ordinance applies is as follows:

A tract of land in Sections 10 and 15, Township 45 North, Range 4 East, in St. Louis County, Missouri, and located as follows:

Starting at a point (Plot Point H) in the East line of U.S. Survey at its intersection with the South right-of-way line of U.S. Highway 40 as described in Book 6120, Page 329 of the St. Louis County Records; thence South 0 degrees 39 minutes West 1041.29 feet; thence South 0 degrees 59 minutes West 975.27 feet; thence South 0 degrees 59 minutes West 527.08 feet (Plot Point E); thence South 32 degrees 5 minutes East 428.70 feet (Plot Point C); thence South 32 degree 05 minutes East 1479.30 feet; thence South 11 degrees 36 minutes West 403.57 feet (Plot Point D); thence South 50 degrees 55 minutes East 1298.95 feet; thence North 58 degrees 41 minutes East 825.23 feet (Plot Point A); thence North 32 degrees 51 minutes West 628.16 feet; thence North 5 degrees 54 minutes East 757.05 feet; thence North 73 degrees 37 minutes West 676.62 feet (Plot Point B); thence North 10 degrees 02

minutes East 964.68 feet; thence North 31 degrees 38 minutes West 550.00 feet; thence North 31 degrees 38 minutes West 25.0 feet (Plot Point G); thence North 58 degrees 22 minutes East 214.25 feet; thence North 32 degrees 04 minutes West 404.77 feet; thence South 58 degrees 20 minutes West 387.06 feet; thence North 4 degrees 17 minutes West 602.75 feet (Plot Point I); thence North 58 degrees 20 minutes East 803.33 feet; thence North 17 degrees 24 minutes East 35.07 feet; thence North 72 degrees 26 minutes West 2.77 feet; thence North 74 degrees 05 minutes West 50.19 feet; thence North 62 degrees 54 minutes West 515.63 feet; thence North 69 degrees 33 minutes West 0.20 feet (Plot Point J); thence South 58 degrees 20 minutes West 312.20 feet; thence South 72 degrees 40 minutes West 267.83 feet; thence South 85 degrees 25 minutes West 378.29 feet; thence North 4 degrees 35 minutes West 629.71 feet (Plot Point K); thence North 83 degrees 52 minutes 10 seconds West 86.05 feet; thence North 72 degrees 41 minutes 45 seconds West 200.25 feet; thence North 66 degrees 32 minutes 51 seconds West 125.81 feet (Plot Point H) to the point of beginning.

Excepting Therefrom a 1.00 acre cemetery tract described as follows:

Beginning at a point which bears the following courses and distances from the intersection of the line between U.S. Surveys 1978 and 1890 with said East line of tract conveyed by Deed Book 678, Page 446; South 58 degrees 41 minutes West 825.23 feet to a point; thence North 50 degrees 55 minutes West 446.10 feet to a point; thence North 14 degrees 39 minutes East 801.89 feet to said point of beginning; thence North 14 degrees 38 minutes East 51.11 feet to a point; thence North 21 degrees 56 minutes West 267.24 feet to a point; thence North 80 degrees 51 minutes West 85.00 feet to a point; thence South 5 degrees 27 minutes West 280.34 feet to a point thence South 80 degrees 51 minutes East 200.00 feet to the point of beginning.

Containing 158.2 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 Mlake 5, LLC, in P.Z. 10-2010, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 8th day of November, 2010, 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 _____, 2011.

ACTING MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

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 "R1A", "R2", "R3", "R6", and "R6A" Planned Environment Unit (PEU) shall be:
 - a. A maximum of five-hundred and sixty (560) Residential Units. Of which, a maximum of three-hundred and three (303) may be utilized as Multi-Family Residential Units.

B. FLOOR AREA, HEIGHT, BUILDING AND STRUCTURE REQUIREMENTS

1. No building elevation of any dwelling structure or building accessory to a dwelling structure shall exceed four (4) stories or sixty (60) feet in height including any basement dwelling space.

C. SETBACKS

All setbacks shall be as approved by the City of Chesterfield and as shown on the Preliminary Plan.

D. PARKING AND LOADING REQUIREMENTS

1. Off-street parking spaces for this development shall be as required in the City of Chesterfield Code.
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.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield.

F. SIGN REQUIREMENTS

1. Ornamental Entrance monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Planning and Public Works, and/or Missouri Department of Transportation for sight distance considerations prior to installation or construction.
2. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

1. The developer 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.

I. ACCESS/ACCESS MANAGEMENT

1. Streets and drives related to this development shall be designed and located in conformance with Chesterfield Code.

2. Cross access shall be provided as required by the City of Chesterfield.

J. PUBLIC PRIVATE ROAD IMPROVEMENTS INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and The Missouri Department of Transportation. No gate installation will be permitted on public right of way.
2. 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.
3. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield. With the exception that minimum street length shall not apply to this subdivision.
4. If street grades in excess of 6 percent are desired, steep grade approval must be obtained. In no case shall slopes in excess of 12 percent be considered. Any request for steep street grades must include justification prepared, signed and sealed by a registered professional engineer and include plans, profiles, boring logs, cross-sections, etc in accordance with the Street Grade Design Policy. The justification should clearly indicate site conditions and alternatives considered. If steep grades are approved for this site, a disclosure statement shall be provided to all potential buyers and a note indicating that priority snow removal will not be given to this site shall be included on the Site Development Plan and Record Plat.
5. Any improvements within Missouri Department of Transportation's right of way will require permit. The entrance geometrics and drainage design shall be in accordance with Missouri Department of Transportation standards.
6. All roadway and related improvements in each plat or phase of the development shall be constructed prior to 60% occupancy of that plat or phase of development. All roadway and related

improvements in the overall development shall be completed prior to 85% occupancy of the overall development.

7. If roadways are designated to be private, these roadways shall remain private forever. Maintenance of private streets, including, but not limited to, snow removal, shall be the responsibility of the developer/subdivision. In conformance with Section 1005.265 of the Subdivision Ordinance, a disclosure statement shall be provided to all potential buyers.

In conformance with Section 1005.180 of the Subdivision Ordinance, the method for providing continuous maintenance of streets and appurtenant storm sewers shall be included in the trust indentures and the record plat.

8. Signage indicating that the streets are private and owners are responsible for maintenance shall be posted in conformance with Section 1005.180 of the Subdivision Ordinance. Said signage shall be posted within 30 days of the placement of the adjacent street pavement and maintained/replaced by the developer until such time as the subdivision trustees are residents of the subdivision, at which time the trustees shall be responsible.

K. POWER OF REVIEW

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

L. STORMWATER

1. The site shall be graded and storm sewer systems installed such that no surface stormwater runoff shall cross the site property line onto the adjacent properties, as directed by the City of Chesterfield.

2. Formal plan submittal and approval is required by MSD prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

M. SANITARY SEWERS

1. Formal plan submittal and approval is required by MSD prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

N. GEOTECHNICAL REPORT

1. 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 Planning & 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. MISCELLANEOUS

1. All utilities will be installed underground.

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

- A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.

- D.** Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E.** Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT 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, and significant natural features, such as wooded areas and rock formations, 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, the Spirit of St. Louis Airport and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.

V. 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.

VI. ENFORCEMENT

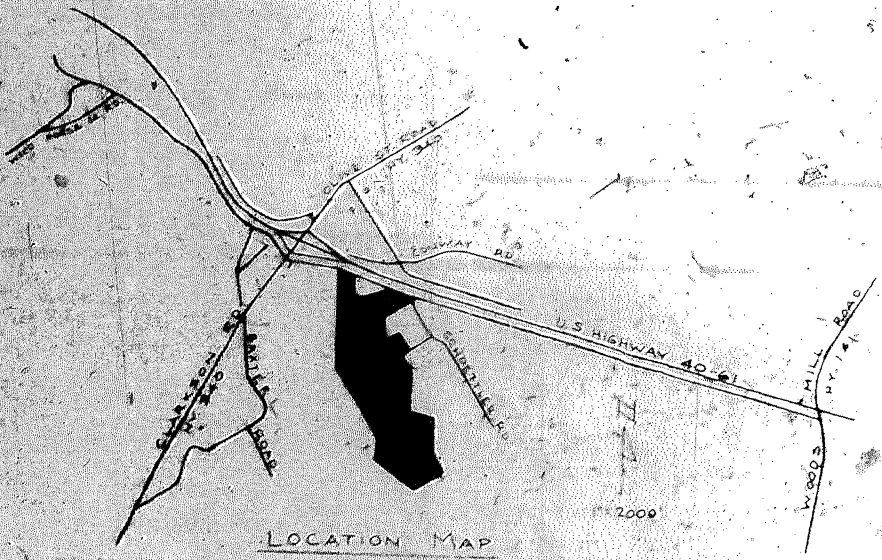
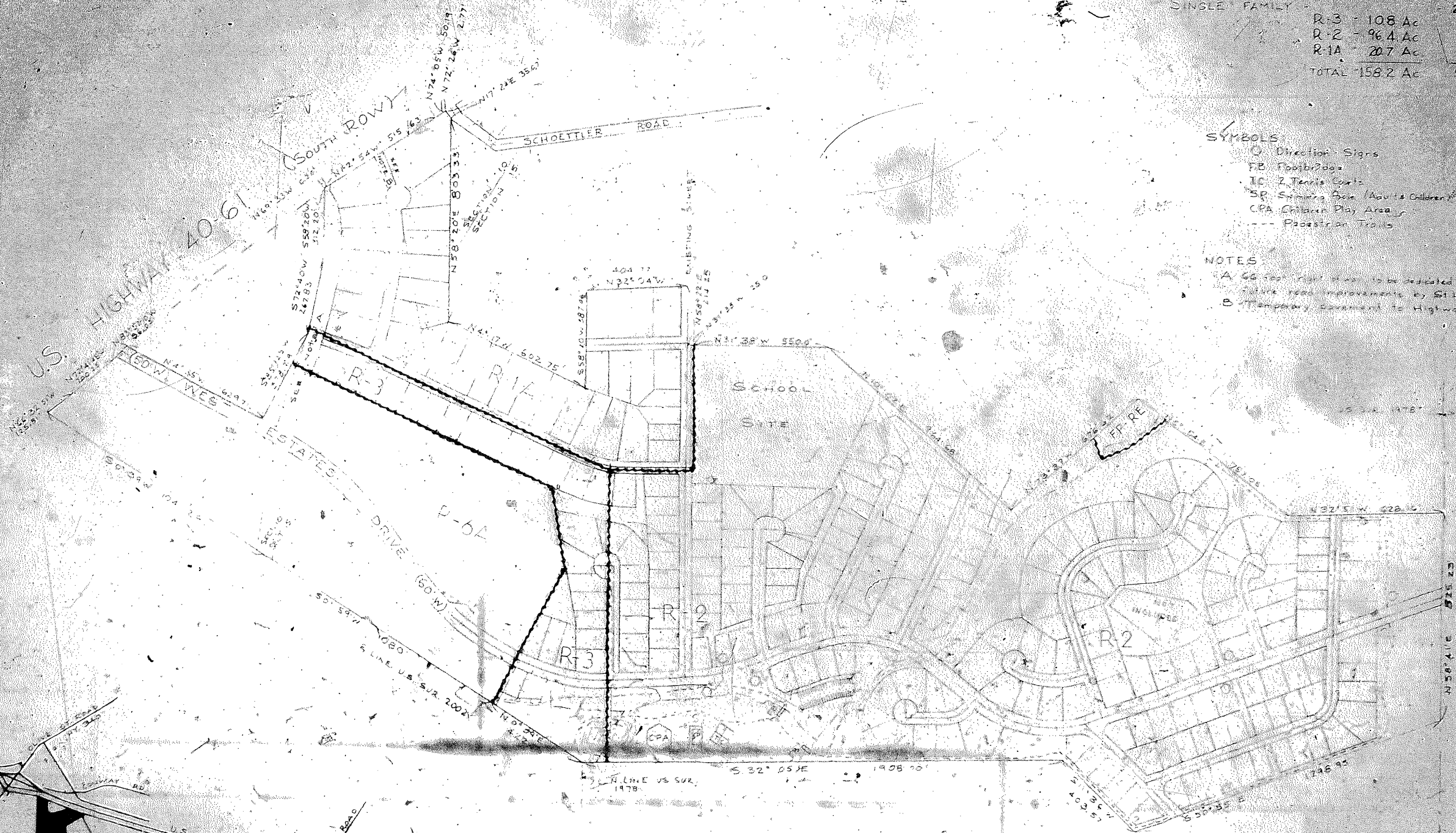
- A.** The City of Chesterfield Missouri will enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause 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.

SCALE 1" = 200'

MULTIPLE FAMILY - R-6A	30.3 Ac	300 UNITS
SINGLE FAMILY - R-3	108 Ac	260 LOTS
R-2	96.4 Ac	
R-1A	20.7 Ac	
TOTAL	158.2 Ac	560

- SYMBOLS**
- Direction Signs
 - FB Footbridge
 - TC 2 Tennis Courts
 - SP Swimming Pool (Adults/Children)
 - CPA Children Play Area
 - Pedestrian Trails

- NOTES**
- A 66-foot right-of-way to be dedicated by developer for future road improvements by St. Louis County.
 - B Temporary easement to Highway 40 Service Road



U.S. Survey 1978, Sections 10 and 15, T45N, R4E

**WEST RIDGE ESTATES
DEVELOPMENT PLAN**
Residence District - St. Louis County, Mo.
Planned Environment Unit Plan

3/3/72
RCP
3/3/72
HIS