

AN ORDINANCE REPELAING ST. LOUIS COUNTY ORDINANCE 11,920 AND CITY OF CHESTERFIELD ORDINANCES 1722 AND 1823 TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN AREA COVERED BY TWO "C-8" PLANNED COMMERCIAL DISTRICTS AND TWO "PC" PLANNED COMMERCIAL DISTRICTS TO A SINGLE "UC" URBAN CORE DISTRICT FOR A 40.040 ACRE AREA OF LAND LOCATED NORTH OF CHESTERFIELD PARKWAY AND EAST OF ELBRIDGE PAYNE RD. (P.Z. 02-2012 MERCY HEALTH SYSTEMS {CHESTERFIELD VILLAGE SE QUADRANT} 19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171 AND 18S220061).

WHEREAS, Stock and Associates Consulting Engineers, Inc., on behalf of Mercy Health Systems, has requested a change in zoning for an area covered under two "C-8" Planned Commercial Districts and two "PC" Planned Commercial Districts to a single "UC" Urban District for a 40.040 acre tract of land north of Chesterfield Parkway, east of Elbridge Payne Rd.; and,

WHEREAS, a Public Hearing was held before the Planning Commission on March 12, 2012; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the change of zoning; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning with amendments to the roadway improvement requirements; and,

WHEREAS, the City Council, having considered said request voted to approve the change of zoning request with the amendments recommended by the Planning and Public Works Committee.

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 Zoning Ordinance and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a "UC" Urban Core District for a 40.040 acre tract of land located north of Chesterfield Parkway and east of Elbridge Payne Rd. (19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171 and 18S220061) and as described as follows:

A tract of land being part of Lot 1 of Thomas K. Humphrey Estate Subdivision and part of Lot 1-B of the Resubdivision of Lot 1 of Elbridge Payne Office Park, according to the plat thereof as recorded in Plat Book

202 page 58 of the St. Louis County Records, located in part of U.S. Survey 2002, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, being more particularly described as follows:

BEGINNING at a found 3/4 inch iron pipe marking the intersection of the West line of above said Lot 1 of Thomas K. Humphrey Estate Subdivision and said eastern right-of-way line of Missouri Route "D" Relocated and Missouri Route "AA" (340), also being the located on the west line of a tract of land as conveyed to Chesterfield Center Corporation, by instrument recorded in Book 12820 Page 2049 of the St. Louis County records; thence along said eastern right-of-way line the following courses and distances: North 42 degrees 27 minutes 06 seconds East, 313.14 feet, North 67 degrees 45 minutes 17 seconds East, 170.00 feet, North 39 degrees 41 minutes 17 seconds East, 125.00 feet, North 84 degrees 28 minutes 27 seconds East, 914.80 feet; South 70 degrees 04 minutes 45 seconds East, 100.00 feet and South 67 degrees 12 minutes 53 seconds East, 74.15 feet the northwestern corner of a tract of land as conveyed to MLake 5, LLC by instrument recorded in Book 18847, Page 1469 of above said records; thence along the western line of said MLake 5, LLC tract, South 00 degrees 22 minutes 30 seconds West, 1006.73 feet to the northern right-of-way line of Chesterfield Parkway East, variable width; thence along said northern right-of-way line, South 72 degrees 24 minutes 10 seconds West, 978.31 feet to a point of curvature to the right; along said curve having a radius of 2831.79 feet, an arc length of 289.93 feet, and a chord which bears South 75 degrees 20 minutes 09 seconds West, 289.81 feet; North 17 degrees 30 minutes 03 seconds West, 17.33 feet; South 72 degrees 31 minutes 02 seconds West, 246.65 feet to the beginning of a curve to the right; thence along said curve having a radius of 98.50 feet, an arc length of 174.70 feet, and a chord which bears North 54 degrees 35 minutes 41 seconds West, 152.69 feet to a point of tangency, said point also being located on the eastern right-of-way line of Eldridge Payne Road, variable width; thence along said eastern right-of-way line North 03 degrees 47 minutes 05 seconds West, 113.29 feet to the beginning of a curve to the left; thence along said curve having a radius of 290.50 feet, an arc length of 28.24 feet, and a chord which bears North 06 degrees 38 minutes 15 seconds West, 28.23 feet to the Northwest corner of above said Lot 1-B; thence along the northern line of Lot 1-B the following courses and distances: North 80 degrees 34 minutes 45 seconds East, 46.02 feet; North 72 degrees 30 minutes 01 seconds East, 200.00 feet; North 17 degrees 29 minutes 59 seconds West, 107.00 feet and North 72 degrees 30 minutes 01 seconds East, 61.00 feet to the Northeast corner of said Lot 1-B, said point also being located on the western line of a tract of land as conveyed to Chesterfield Village, Inc. by instrument recorded in Book 11234, page 4 of above said records; thence along said western line North 17 degrees 30 minutes 03 seconds West, 262.99 feet to

the northwestern corner of said Chesterfield Village, Inc. tract, said point also being the southwestern corner of above said Chesterfield Center Corporation tract; thence along the west line of said Chesterfield Center Corporation tract, North 17 degrees 30 minutes 03 seconds West, 364.70 feet to the Point of Beginning and containing 1,744,145 square feet or 40.040 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on January 24, 2012.

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 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 Doster Ullom LLC in P.Z. 02-2012, requesting the 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 12th day of March 2012, 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 _____, 2012

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____