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## PLANNING COMMISSION VOTE REPORT

**SUBJECT:** Change in Zoning Vote Report  
**MEETING DATE:** February 14, 2011  
**FROM:** Justin Wyse, AICP  
Project Planner  
**LOCATION:** 17655 Wildhorse Creek Road  
**PETITION:** P.Z. 12-2010 Chesterfield Senior Living (Plan Provisions, LLC.)

### PROPOSAL SUMMARY

Civil Engineering Design Consultants (CEDC), on behalf of Plan Provisions, LLC, is requesting a change in zoning to change from an “R-2” Residence District to a Planned Unit Development (“PUD”) District. The proposed request seeks to permit a senior living facility that would include assisted and independent living facilities as well as ancillary uses.

Staff has reviewed the PUD Narrative and Preliminary Plan submitted by the petitioner for the request. After review of the above mentioned items and the “PUD” District regulations, **Staff does not believe the proposed development of the senior living facility presented in P.Z. 12-2010 meets the requirements of the “PUD” District.**

### SITE AREA HISTORY

The subject site was originally zoned “NU” Non-Urban District by St. Louis County. In 2004 a request for a change in zoning to “PC” Planned Commercial District was submitted for the development of an office park. The request was denied in 2005. In 2006 a request for a change in zoning to “PC” Planned Commercial District with a “WH” Overlay was submitted to the City of Chesterfield. The request was approved and permitted the development of a neighborhood office development consisting of 30,000 square feet. To date, a site plan has not been submitted to the City of Chesterfield.

Grading on the site, starting in 2006, resulted in erosion issues on the railroad and golf course located at the bottom of the bluffs. In order to remediate the erosion issues, a grading permit was issued for the temporary stabilization of the site. The approved grading plan authorized the removal of a portion of the trees that have been removed from the site. However, the work resulted in the loss of additional trees that were not

approved to be removed on the site. According to the Tree Stand Delineation submitted in 2004, there were 4.2 acres of wooded areas on the subject site. The current Tree Stand Delineation shows a wooded area of 2.56 acres on the site for a loss of 1.64 acres (40%) of wooded area. The images on the next page show aerial photographs of the site in 2004 and 2010.

*2004 Aerial Photography*



*2010 Aerial Photography*



**SURROUNDING LAND USE AND ZONING**

The land use and zoning for the properties surrounding this parcel are as follows:

North: The property to the north is Spirit of St. Louis Airport (the Landings at Spirit Golf Club) and is zoned “M-3” Planned Industrial District.

South: The property to the south is the Wild Horse Child Care Center and is zoned “E-Half” Estate Half Acre District.

East: The property to the east is zoned “NU” Non-Urban District.

West: The property to the west is zoned “NU” Non-Urban District.



Aerial image of subject site and surrounding area



Looking west along the southern property line of the subject site



Looking north along the western property line of the subject site



Looking west across the subject site



Looking northwest across the subject site

## ZONING ANALYSIS

The "PUD" District seeks to:

*Encourage flexibility to the development standards of the zoning ordinance that result in exceptional design, character, and quality of new homogenous and mixed use developments; to promote the most appropriate use of land; to facilitate the provision of streets and utilities; and to preserve the natural and scenic features and open space.*

In reviewing a request for approval of a "PUD" District, the petitioner is required to demonstrate that they exceed the minimum requirements of the district regulations. Additionally, the "PUD" District regulations include *General Considerations* and *Design*

*Features* that are suggested by the City of Chesterfield in requesting this designation in order to help justify the granting of the designation.

USES

The petition seeks zoning entitlements to allow for the use of a senior living facility to be permitted on the subject site. The submitted PUD Narrative states that the following permitted uses are being requested for consideration for the subject site:

- (2)(d.) Group Residential Facilities
- (2)(e.) Group Living Facilities
- (2)(i.) Nursing Homes and Group Homes for the Elderly

Staff recommends that the *Group Residential Facilities* and *Group Living Facilities* uses be removed from the list of permitted uses for the site. The *Nursing Homes and Group Homes for the Elderly* encompasses both the independent and assisted living facilities as proposed in the PUD Narrative and presented at the Public Hearing before the City of Chesterfield Planning Commission. The Attachment A included with this report for your review excludes these uses.

The PUD Narrative also requests the following uses:

- 6.A.(1.) Barber or Beauty Shops
- 6.A.(2.) Day Care Centers, Child
- 6.A.(3.) Drug Stores and Pharmacy
- 6.A.(4.) Grocery, Neighborhood
- 6.A.(5.) Laundromat and Dry Cleaning Establishment
- 6.A.(6.) Newspaper Stands
- 6.A.(7.) Restaurants, Sit Down and/or Outdoor Customer Area

Staff is recommends that these uses be allowed as Ancillary Uses for the development and the Attachment A reflects this recommendation. The City of Chesterfield Zoning Ordinance includes the following definition for *Ancillary Use*:

*The purpose of this use is to serve the occupants and patrons of the principal permitted uses within the building. No separate access from the exterior building shall be permitted with respect to this use.*

DENSITY

The "PUD" District regulations state that the maximum density permitted within the "PUD" shall be based on the existing residential zoning permitted prior to enactment of

the "PUD" District. The subject site is currently zoned "PC" Planned Commercial District, thus no residential density is identified. As such, a petition to change the zoning of the subject site to a residential district was filed simultaneously (see P.Z. 11-2010). If P.Z. 11-2010 is approved as submitted, a maximum of 120 units for a senior living facility would be permitted on the subject site with the passage of a "PUD" District.

#### PROJECT DESIGN AND PHASING

The submitted Preliminary Plan depicts two buildings proposed for the site. Building 'A' would be a maximum of a three story building and would contain 33 independent living units. Building 'B' would be a maximum of a two story building and would contain 87 units. The PUD Narrative states that exterior of both of the buildings will be constructed as one phase. Initially, Building 'A' will be completely finished on both the interior and exterior of the structure. The exterior of Building 'B' will be constructed as part of the construction associated with Building 'A' and only the first floor will be finished on the interior. In the future, the petitioner will apply for an interior finish to complete the interior improvements to the second level of Building 'B'. It should be emphasized that the exterior of the proposed project will be completed as one phase for both buildings and only interior finish work will be completed on the second floor.

#### FLOOR AREA RATIO

The proposed development proposes a maximum floor area of 105,000 square feet for the two buildings. This is an increase from the floor area presented at the Public Hearing held before the City of Chesterfield Planning Commission on November 22, 2010. According to the petitioner, the 25% increase in floor area accounts for the full second floor of Building 'B' being constructed. The building footprints for the proposal have not changed since the Public Hearing.

The table below was compiled to compare many of the nearby developments with the proposed Chesterfield Senior Living Facility in comparing floor area to parcel area. This table compares the Floor Area Ratio of these developments using data available from the City of Chesterfield and St. Louis County records.

Development	Land Use	Total Floor Area	Total Acres	F.A.R.
Bowtie (west of Deep Forest Dr.)	Residential & Non-Residential	70,919	85.42	0.02
Chesterfield Elementary and Park	School	61,629	22.59	0.06
Full Gospel Church	Church	16,460	4.16	0.09
Gateway Academy	School	171,887	31.90	0.12
Greystone	Residential	650,005	108.85	0.14
Lawns of Distinction	Commercial	7,693	1.20	0.15
Miramonte	Residential	104,583	20.98	0.11
St. Thomas Evangelical Church of Gumbo	Church	3,709	18.35	0.005
Tara at Wildhorse	Residential	177,270	34.37	0.12
West County Christian Church	Church	40,431	14.81	0.06
Wildhorse	Residential	332,295	120.39	0.06
Wildhorse Creek Road Office	Residential	2,135	1.47	0.03
<i>Subject Site as Approved by City of Chesterfield Ordinance 2378*</i>	<i>Neighborhood Office</i>	<i>30,000</i>	<i>7.58</i>	<i>0.09</i>
<b>Proposed Chesterfield Senior Living</b>	<b>Senior Living</b>	<b>105,000</b>	<b>7.58</b>	<b>0.32</b>

\* Information based off approval, not based on constructed area

The proposed Chesterfield Senior Living request proposes a development with a F.A.R. far exceeding any of the nearby developments as evidenced by the previous table. While there are several large non-residential facilities in the area, these uses and structures are generally found on much larger parcels of ground.

Of the non-residential uses in the area (excluding the proposed development on the subject site), the average development is 50,302 square feet of building area on 15.5 acres of land. This results in an average F.A.R. of 0.08.

RECREATIONAL TRAIL

The submitted PUD Narrative states that a recreational trail will be provided on the site. This trail will provide a connection from the proposed loop street, along the eastern side of the development, down the bluffs, and connects back to the loop street along the

western portion of the development. A future connection will be provided that will allow for a connection to the Monarch Chesterfield Levee trail, providing a connection from the properties along Wildhorse Creek Road to the City and regional trail systems.

**The trail shown on the submitted Preliminary Plan does not appear to be constructible in accordance with accessibility guidelines.** As shown, the trail has slopes of up to 40%. In order to construct acceptable grades down the bluff, the trail design would be required to provide switchbacks. Construction of a trail that meets City requirements and accessibility guidelines will increase the amount of area and trees that will be disturbed.

While a connection from Wildhorse Creek Road to the Monarch Chesterfield Levee Trail is desired, care must be taken to ensure that an appropriate location for the construction, maintenance, and use of a connection is provided. Inappropriate location of a trail connection will increase costs for construction / maintenance and increase the disturbance to the natural features in order for the safe use of the facility.

The presented Attachment A provides regulations for the construction of the trail to help ensure that an accessible trail is provided. However, prior to any construction on this area, a geotechnical report will be required to ensure that the soil is suitable for the construction of this trail.

A location for a potential connection to the Chesterfield Monarch Levee Trail has not yet been determined by the City of Chesterfield. Therefore, the Attachment A requires the developer to submit a design and special cash escrow for the future construction of a connection to the levee trail.

#### BUFFERING

The "PUD" District regulations require a minimum of a 30 foot buffer along the perimeter of the district. As stated in the PUD Narrative, the proposed site design would allow for an increased buffer to be provided along the northern side of the property by protecting the bluff area. As such, Staff has included setbacks that seek to protect the northern portion of the property while not prohibiting construction of improvements related stormwater management, water quality, or trail construction.

#### ROADWAY IMPROVEMENTS / DEDICATION

An east-west loop road is planned for this area. As part of this proposal, the petitioner will be dedicating approximately half an acre of land for the construction of this roadway. Additionally, the petitioner will be required to construct a portion of this roadway. The east-west loop road will allow for access to be provided to the subject



site as well as various other properties in the area. This will limit the access points required off Wildhorse Creek Road, thus helping to preserve traffic conditions on Wildhorse Creek Road.

#### SIGNAGE

Signage has not been, and is not required to be, addressed by the petitioner for the subject site. However, in order to ensure that the character of the subject site and the area in general stays residential in character, Staff has included a requirement that a Sign Package be required for this development.

The Attachment A also includes a requirement that no off-site signage for this development is permitted. This would allow for the construction of a monument sign on the subject site, but would not permit a monument sign to be constructed along the frontage of Wildhorse Creek Road.

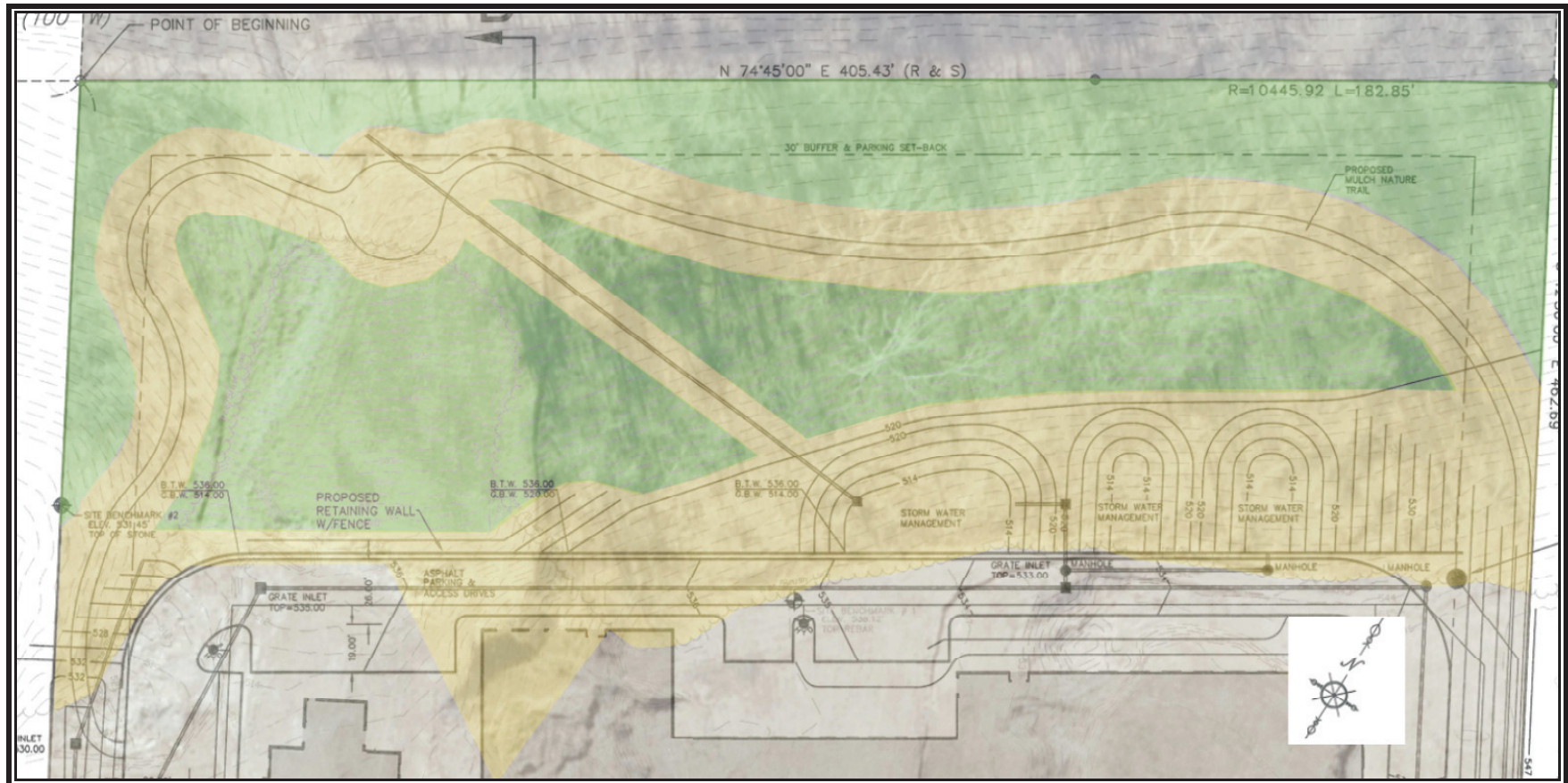
#### PRESERVATION OF THE BLUFFS

The PUD Narrative states that the proposed development preserves a significant portion of the bluff area. The PUD Narrative states that the buildings have been placed in a manner to minimize the impacts to the natural topography. According to the PUD Narrative, the project will, “minimize the impact to the natural site topography, while maintaining about two acres of woodlands on the north portion of the site.”

While the building and parking areas are generally located in an area to avoid disturbance to areas in excess of 20% slope, the inclusion of stormwater management improvements and the recreational trail will have significant impact on the existing slopes and wooded area on the subject site.

The Preliminary Plans shows a 22 foot tall retaining wall being constructed. This wall, as currently shown, provides a level surface for the parking and drive isle and assists with the construction of the stormwater improvements. While stormwater management will likely be required by MSD for this site, the location of the improvements on existing slopes greater than 20% is not required.

Staff has prepared sketches that seek to demonstrate the area of the bluffs that will be disturbed and the impact to the existing trees under the current proposal. These sketches, shown on Page 9 and Page 10 of this report, are intended to provide a visual explanation of the area of the bluff to be disturbed. It should be noted that the images are conceptual and based on an estimated area to be impacted based on the information provided on the Preliminary Plan. These sketches likely underestimate the impact as the proposed trail will need to be modified to provide an accessible facility.



Yellow = Disturbed Area  
Green = Undisturbed Area



Areas shown in green are existing trees along the bluff  
Areas shown in red represent area that would be disturbed and trees would likely be removed

#### LANDSCAPING

The City of Chesterfield Tree Preservation and Landscape Requirements provide regulations for the preservation of existing trees as well as the requirements for new plantings. This ordinance requires the preservation of 30% of the existing tree canopy on a site. Many trees were removed from this site previously, as discussed in the *Site Area History* section on pages 1 and 2 of this report. As such, future submission of a Tree Preservation Plan for the subject site will be required to preserve 30% of the tree canopy area as depicted on the Tree Stand Delineation submitted to the City of Chesterfield on January 19, 2005.

#### **COMPREHENSIVE PLAN ANALYSIS**

The Comprehensive Plan Land Use Map depicts the subject site as being located within the Wildhorse Creek Road Sub Area and delineates the subject site in the *Neighborhood Office* area. In addition to the general plan policies of the Comprehensive Plan, this area has specific policies that are identified. These policies include items such as the development of an internal roadway system, maintaining the character of the area, pedestrian circulation, preservation of natural areas and slopes, and others. Below are Plan Policies that relate to the request.

*Plan Policy 11.2: Maintenance of Wild Horse Creek Road Character - In an effort to maintain the scenic character of Wild Horse Creek Road, all development should be set back from the road and screened from view.*

The PUD Narrative highlights that the subject site is located approximately ten feet lower in elevation than Wildhorse Creek Road. The difference in elevation, the development of the child care center located between the subject site and Wildhorse Creek Road, and the approximately 400-500 foot setback of the subject site from Wildhorse Creek Road will help to minimize the visual impact of the proposed development.

*Plan Policy 11.6 Preservation of Slopes – Slopes in excess of twenty percent (20%) should not be developed.*

While the proposed development of the subject site, as depicted on the Preliminary Plan, generally does not include building or parking areas on the bluffs (where slopes exceed 20%), the inclusion of the retaining walls for stormwater improvements and the construction of the proposed recreational trail will disturb significant areas where slopes exceed 20%. Again it should be noted that stormwater management improvements will likely be required by MSD for this site. However, the improvements could be located on other portions of the property to minimize or eliminate the impact to the bluff.

*Plan Policy 11.8.1 Building Style - Architectural design shall be compatible with the developing character of the neighboring area. Design compatibility includes complementary building style, form, size, color and materials.*

While the area around the subject site is generally residential, there are several properties where large buildings are found. This includes Gateway Academy, Chesterfield Elementary School, West County Christian Church, and Full Gospel Church of St. Louis. As was discussed previously, the proposed development for the subject site far exceeds the floor area ratio for the area.

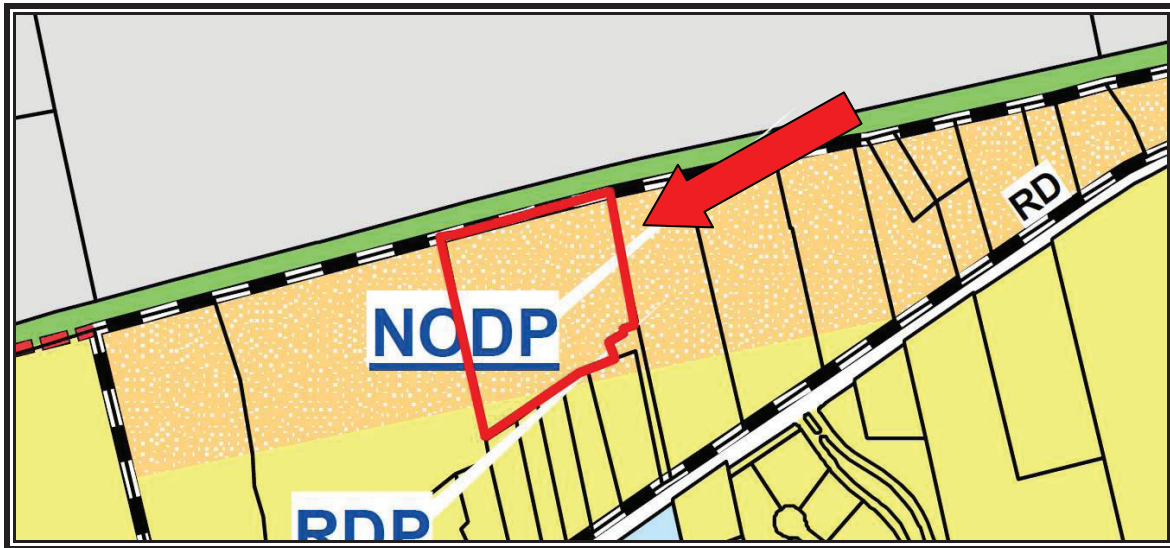
No information regarding the architectural design has been included with the proposal; however, the structure will be required to be reviewed by the Architectural Review Board prior to plan approval.

*Plan Policy 11.8.2 Open Space - Project design should emphasize open space and preservation of natural features. Open Space includes preserved natural features, grass areas, landscaped areas, water features or drainage ditches, sidewalks and plaza areas or seating; but specifically excludes any portion of a site covered by a building, any paved area for vehicular circulation or parking, and any outdoor storage areas.*

The subject site is proposing to provide approximately 60% open space for the site. The petitioner has also provided a calculation for the open space for the site if the bluff is excluded from the calculation. Removal of this area results in an open space of nearly 50%.

Proposed Use(s)

Appropriate uses for this area identified in Land Use Element of the Comprehensive Plan and include general, dental, and medical offices excluding surgical centers. While the Comprehensive Plan does not specifically recommend the requested use for this area, no conflicts between the requested use and the uses identified in the Comprehensive Plan are anticipated.



#### DEPARTMENT INPUT

The petitioner has submitted a Preliminary Plan and PUD Narrative in accordance with the regulations of Section 1003.187 of the City of Chesterfield Zoning Ordinance. Based on review of the Preliminary Plan, the PUD Narrative, and the project proposal presented to at the November 22, 2010 Public Hearing before the City of Chesterfield Planning Commission, ***Staff does not believe that the proposal meets the purpose or fulfills the intent of the "PUD" District regulations.*** This determination is based on the proposed impact to the bluffs, consistency of the development building mass with adjacent areas, and the uncertainty about construction feasibility and impact of the proposed trail.

There are several design features that the petitioner could include for the subject site that would provide a development that better fulfills the intent of the "PUD" District. These features would include, but not be limited to:

- No disturbance of the bluffs, preserving slopes over 20%;
- Reforestation of the bluff utilizing native species, utilizing an appropriate density;
- Provision of architectural features that promote the residential nature of the area; and/or
- Revision of the buildings to propose smaller buildings in an effort to maintain consistency with the existing building scale with the surrounding area.

**Approval for the development of a nursing home and group home for the elderly could be granted through a Conditional Use Permit (CUP) in the "R-2" Residence District (if**

the “R-2” designation is approved by the City of Chesterfield). This process, unlike the “PUD” process, does not require the intense efforts on the petitioner to demonstrate exceptional site design and features to justify the granting of the “PUD” District. The CUP procedure provides a review mechanism for the analysis and judgment of the consequences of each development.

## **ISSUES**

A Public Hearing was held on November 22, 2010. Several issues were identified at that time. The petitioner has provided a written response to the issues. The response is included for your review. Staff has no outstanding issues at this time.

## **REQUEST**

Staff has reviewed the requested change in zoning by CEDC, on behalf of Plan Provisions, LLC, and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on P.Z. 12-2010 Chesterfield Senior Living (Plan Provisions, LLC.).

The included Attachment A includes the recommendations that Staff has identified in this report for the Planning Commission’s review.

- If the petition for a change in zoning from “PC” to “R-2” is approved and the “PUD” District is approved by the City of Chesterfield, the Attachment A, Preliminary Plan, and PUD Narrative would be attached to the legislation approving the development.
- If the petition for a change in zoning from “PC” to “R-2” is approved and the request for a change in zoning to a “PUD” District is not approved, the subject site would be governed under the regulations in Section 1003.113 “R-2” Residence District of the City of Chesterfield Zoning Ordinance.
- If the petition for a change in zoning from “PC” to “R-2” is denied, no action would be necessary for the request for a change in zoning from “R-2” to “PUD” and the site would continue to be governed under the terms and conditions of City of Chesterfield Ordinance 2378.

## **Attachments**

1. Attachment A
2. Preliminary Plan
3. PUD Narrative
4. Petitioner Response to Issues Letter

## 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 PUD District shall be:
  - a. Nursing homes and group homes for the elderly;
2. The above uses in the PUD District shall be restricted as follows:
  - a. A maximum of 120 units shall be permitted in this development.
    - i) There shall be no more than 33 units for independent senior living.
3. Ancillary uses for the above referenced permitted uses shall be as follows:
  - a. Barber or beauty shops;
  - b. Day care centers, child;
  - c. Drugs stores and pharmacy;
  - d. Grocery, neighborhood
  - e. Laundromat and dry cleaning establishment; and
  - f. Restaurants, sit down and / or outdoor customer area.

#### **B. CONSISTENCY WITH PROPOSAL**

1. All uses, activities, general development pattern, and improvements to the site shall be in conformance with the PUD Narrative, the project as presented and approved by the City of Chesterfield City Council, and the approved Preliminary Plan attached hereto.

#### **C. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

1. Floor Area – Total building floor area shall not exceed 105,000 square feet.



2. Height –

- a. The maximum height of the Building A, exclusive of roof screening, shall not exceed 45 feet or three stories, whichever is less.
- b. The maximum height of the Building B, exclusive of roof screening, shall not exceed 30 feet or two stories, whichever is less.

3. Building Requirements

- a. A minimum of 60% openspace is required for this development.
- b. This development shall have no more than two buildings as depicted on the Preliminary Plan attached hereto.

**D. SETBACKS**

1. Structure Setbacks

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

- a. 30 feet from the right-of-way dedication on the southern boundary of the PUD District.
- b. 30 feet from the east and west boundary of the PUD District.
- c. 150 feet from the northern boundary of the PUD District.
- d. Retaining walls required for the construction of the recreational trail shall be permitted to be located no closer than 30 feet from the northern boundary of the PUD District, as directed by the City of Chesterfield.

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. 30 feet from the right-of-way dedication on the southern boundary of the PUD District.
- b. 30 feet from the east and west boundary of the PUD District.
- c. 150 feet from the northern boundary of the PUD District.

**E. PARKING AND LOADING REQUIREMENTS**

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.

2. Construction Parking
  - a. No construction parking shall be permitted within the east-west loop road right-of-way.
  - b. 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.
  - 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.
3. Parking lots shall not be used as streets.
4. No parking shall be permitted along the future loop road and the developer shall post signs accordingly. The parking restriction and requirement for signage shall be indicated on the Site Development and Improvement Plan. Signage shall be posted within thirty (30) days of the placement of street pavement.

#### **F. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. A PUD perimeter buffer will be required at a minimum of 30 feet in width. The perimeter buffer shall be composed of a combination of existing trees (where applicable), trees selected from the approved tree list from the City of Chesterfield Tree Preservation and Landscape Requirements, and any combination of low lying shrubbery or other vegetation not including grassy turf.
3. Street streets, in accordance with the City of Chesterfield Tree Preservation and Landscape Requirements Ordinance, shall be installed along the east west loop street.

#### **G. SIGN REQUIREMENTS**

1. A Sign Package, in adherence with the City Code, will be required for this development. The Sign Package is to be reviewed and approved by the City of Chesterfield Planning Commission.

2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield for sight distance considerations prior to installation or construction.
3. No off-site signage for this development shall be permitted.

#### **H. LIGHT REQUIREMENTS**

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

#### **I. 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.
3. Mechanical equipment shall be adequately screened by roofing or other materials as approved by the Planning Commission.

#### **J. ACCESS/ACCESS MANAGEMENT**

1. Access to the site shall be limited to two (2) entrances on to the east-west loop road. The east entrance should align with the drive on the approved site development plan for the Wildhorse Child Care Center.

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

1. Provide a minimum of a 40 foot right of way, with 10 foot minimum roadway improvement, maintenance, utility, drainage and sidewalk easement on the north side for the portion of the proposed east-west loop road. The right of way shall aligned with the dedicated right of way to the east and extend to the southern property line of the site to provide access to those properties in the future. Construct a 26 foot pavement with 7 foot shoulders on both sides with appurtenant storm drainage facilities and turn lanes as required by the Department of Planning and Public Works.
2. Cost of construction of the south half of the road and appurtenant storm drainage facilities west of the Wildhorse Child Care Center site shall be the responsibility of others. As directed by the City of Chesterfield, the developer shall either construct full-width improvements for a portion of the length of the

- east-west loop road which roughly equates to his cost of construction of one-half the entire length or construct the full-width improvements for the entire length and be reimbursed for costs in excess of his share.
3. All required roadway and related improvements east of the Wildhorse Child Care Center shall be constructed in a manner acceptable to the City of Chesterfield prior to the approval of any occupancy permits.
  4. All required roadway and related improvements west of the Wildhorse Child Care Center shall be constructed or guaranteed in a manner acceptable to the City of Chesterfield prior to the:
    - a. Issuance of an occupancy permit for the 85<sup>th</sup> unit, or
    - b. Issuance of building permits for the 100<sup>th</sup> unit, or
    - c. Five years from the passage of this ordinance approving the PUD District, whichever is sooner.
  5. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the north side of the east-west loop road as directed by the City of Chesterfield.
  6. Stub street signage, in conformance with Section 1005.180 of the Subdivision Ordinance, shall be posted within 30 days of the street pavement being placed.
  7. Street lights shall be installed and maintained by the developer along the east-west loop road, as directed by the City of Chesterfield.
  8. Be advised that the City of Chesterfield has adopted a City wide Bikeable Walkable Community Masterplan that was approved by City Council on 3/15/2010 by Resolution 302. Easements and sidewalk/trail improvements may be required at the time of development, as directed by the City of Chesterfield.
  9. Improve the existing ADA facilities at the signal per MoDOT compliance.
  10. Ingress and egress must conform to MoDOT's Access Management Guidelines and must be reviewed and approved by MoDOT. Any changes to the entrance geometrics and drainage design shall be in accordance with MoDOT standards and shall be reviewed and approved by MoDOT.
  11. Any work within MoDOT's right-of-way will require a MoDOT permit.

12. 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.
13. All drainage detention storage facilities shall be placed outside of the standard governmental agencies planning and zoning setbacks, or 15 feet from the new or existing right-of-way, whichever is greater.

#### **L. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and/or MoDOT. 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. 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 and/or the Missouri Department of Transportation.

#### **M. RECREATIONAL TRAIL**

1. A ten (10) foot wide recreational trail shall be constructed, at the developers cost, for this site in compliance the United States Access Board's guidelines for Outdoor Environments, as directed by the City of Chesterfield.
2. The recreational trail shall be constructed of a "firm and stable" surface in accordance with the United States Access Board guidelines for Outdoor Environments.
3. The recreational trail shall have a maximum of a 12.5% running slope and a maximum 5% cross slope in accordance with the United States Access Board guidelines for Outdoor Environments.
4. Design and a special cash escrow for the extension of the recreational trail to the northern property line at a location to be determined by the City of Chesterfield for a future connection to the Chesterfield Monarch Levee Trail will be required prior to improvement plan approval.

5. The developer shall be responsible for the care, maintenance, and operation of the trail. Within 45 days of a written demand by the City, a 30 foot wide easement for the recreational trail, in substantially the form as the easement attached as Exhibit 1, will be dedicated at no cost to the City. At this time, the City will assume full responsibility for the trail.

#### **N. 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.

#### **O. 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 an adequate piped system.
2. Grading and stormwater systems shall be designed so as to collect surface water from the areas tributary to the bluffs and convey that surface water to an adequate discharge point where extraordinary measures will be employed to dissipate energy, attenuate flows, and protect the slopes from degradation. No stormwater from these areas shall be allowed to flow to the undisturbed or reconstructed slopes, as directed by the Department of Planning and Public Works.
3. The adequacy of the existing downstream conditions shall be verified and upgraded if necessary as directed by the City of Chesterfield, Department of Planning and Public Works. Be advised, for this specific development, the downstream channels and structures must be analyzed using the MSD standard design storm.
4. Detention/retention, channel protection, and water quality measures are to be provided 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 developments or issuance of building permits exceeding sixty (60%) of the 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 all Site Development Plans.
5. Stormwater shall be controlled as required by the Chesterfield Valley Master Facility Plan.

6. Treatment may be required at this site for water quality and channel protection per MSD February 2006 (Chapter 4) Guidelines.

**P. SANITARY SEWER**

1. This project is in the Caulks Creek Surcharge area and “Wildhorse Creek Recoupment” Area. All associated fees shall be paid prior to plan approval or issuance of permits.
2. Formal plan submittal and approval is required by the District prior to the issuance of permits.

**Q. 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 and Public Works. The report shall verify the suitability of proposed grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, slope failures, 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.

**R. 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 of Chesterfield, Missouri Code shall be required where applicable.

**S. SPIRIT OF ST. LOUIS AIRPORT**

1. Prior to the approval of any site development plan, the developer shall provided, at the direction of the Spirit of St. Louis Airport, an avigation easement or other appropriate legal instrument or agreements to fully remise and release any right or cause of action which they, their successors and assigns may now have or which they may have in the future against the St. Louis County, its assessors and assigns, due to such noise, vibrations, fumes, dust, fuel particles and all other effects that may have been caused by the operation of aircraft landing at or taking off from, or operating at or on Spirit of St. Louis Airport.
2. The developer shall provide the following notes on the Site Development Plan:

- a. The avigation easement will be recorded along with the Site Development Plan. In addition, the avigation easement will be referenced on any individual plot plans.
- b. The developer shall disclose to prospective residents that this site is in close proximity to the Spirit of St. Louis Airport and is subject to occasional over flights. This note is intended to be a noise disclosure statement to any prospective residents.

## **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 CONCEPT PLAN**

- 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 Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

#### **B. 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 openspace 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 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.

**C. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS**

The 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.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. 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.
13. 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.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. 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.
16. Address trees and landscaping 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, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Highways and Traffic, and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

#### **V. TRUST FUND CONTRIBUTION**

Relative to this rezoning, we request that the following special conditions be met:

- A. The developer shall contribute a Traffic Generation Assessment (TGA) to the Eatherton-Kehrs Mill Rd Trust Fund established by ordinance Number 13,173. This contribution shall not exceed an amount established by multiplying the ordinance-required parking space by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Retirement Community	\$ 382.06 / Parking Space

(Parking Space as required by the site-specific ordinance or by section 1003.165 of the Saint Louis County Zoning Ordinance.)

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

As 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 Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- B. 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, should be retained in the appropriate trust fund.

- C. The amount of the required contribution, if not approved for construction by January 1, 2011, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.

## **VI. 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.

## **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.

# EXHIBIT 1

## PERMANENT HIKING, BIKING AND WALKING TRAIL EASEMENT

THIS INDENTURE, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between, \_\_\_\_\_, at \_\_\_\_\_, "Grantor"; and, **The City of Chesterfield**, a 3<sup>rd</sup> class city organized under the Statutes of the State of Missouri with offices at 690 West Chesterfield Parkway, Chesterfield, Missouri 63017 "Grantee".

WITNESSETH, that Grantor for and in consideration of the sum of One Dollar and No/100 (\$1.00) and other valuable considerations paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents, grant unto the Grantee a permanent easement to construct, repair, replace, improve, operate and maintain hiking, biking and walking trail improvements upon premises located:

17655 Wild Horse Creek Road: – Locator # 118V510138\*

Permanent Easement: 17655 Wild Horse Creek Road – \_\_\_\_\_ Square Feet

\* As more particularly described in Exhibit A, attached hereto and beginning at Page 3 and incorporated herein by reference.

The undersigned agrees not to obstruct or interfere with the normal use or maintenance of such recreational trail and appurtenances thereto, and further agrees that no structure, fixture, improvement, or other obstruction above or below ground that will interfere with the purposes aforesaid will be placed, erected, installed, or permitted on the above described easement.

TO HAVE AND TO HOLD said easement unto the City of Chesterfield, Missouri and to its assigns and successors forever.

This easement is being granted by Grantor to Grantee as a greenway system of trails or part of a dedicated system of trails and therefore Grantor is entitled to immunity from civil liability for certain injuries to person or property as more fully described in Section 258.100 of the Missouri Revised Statutes.

The Grantor does hereby covenant to the Grantee that they are lawfully seized and possessed of the fee ownership of the land and the real estate above described and that they have a good and lawful right to convey it, or any part thereof, that it is free from all encumbrances, and that they shall forever warrant and defend the title thereto against the lawful claims of all persons claiming by, through or under Grantor but none other.

IN WITNESS WHEREOF, the said Grantors have executed these presents the day and year first above written.

**OWNER/GRANTOR:**

\_\_\_\_\_  
**INSERT COMPANY**

**Date:** \_\_\_\_\_

**GRANTEE:**

\_\_\_\_\_  
**City Administrator  
City of Chesterfield, Missouri**

**Date:** \_\_\_\_\_

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2009, before me, the undersigned, a Notary Public, appeared \_\_\_\_\_, to me personally known, who, being by me duly sworn, he said that he is the fee owner of 16625 Old Chesterfield Road, Chesterfield, Missouri 63017, and that said instrument was signed in behalf of Owner and said instrument was executed for the purposes therein stated and signed as a free act and deed of \_\_\_\_\_.

Notary: \_\_\_\_\_

Date: \_\_\_\_\_

---

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

On this \_\_\_\_\_ day of \_\_\_\_\_, 2009 before me, the undersigned, a Notary Public, appeared \_\_\_\_\_, City Administrator of Chesterfield, Missouri to me personally known, who, being by me duly sworn, he said that he is the City Administrator of the City of Chesterfield, Missouri a body politic and corporate duly authorized, incorporated and existing under and by virtue of the laws of the State of Missouri, and that said instrument was signed in behalf of the City of Chesterfield by authority of its Board, and said official acknowledged said instrument was executed for the purposes therein stated and signed as a free act and deed of said City.

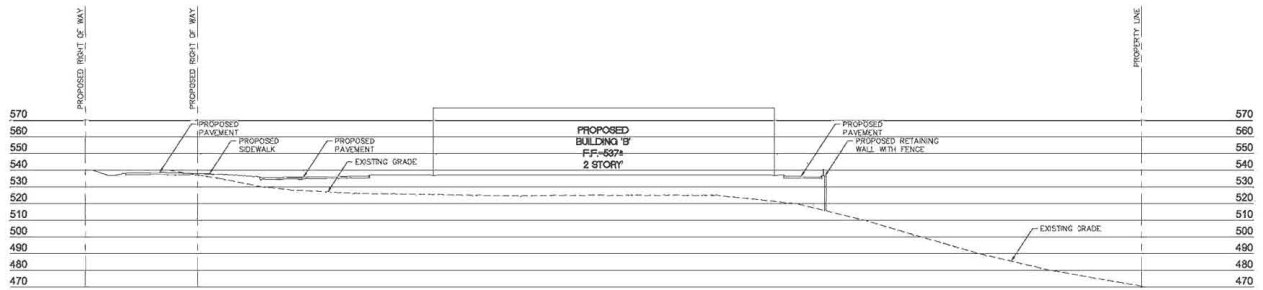
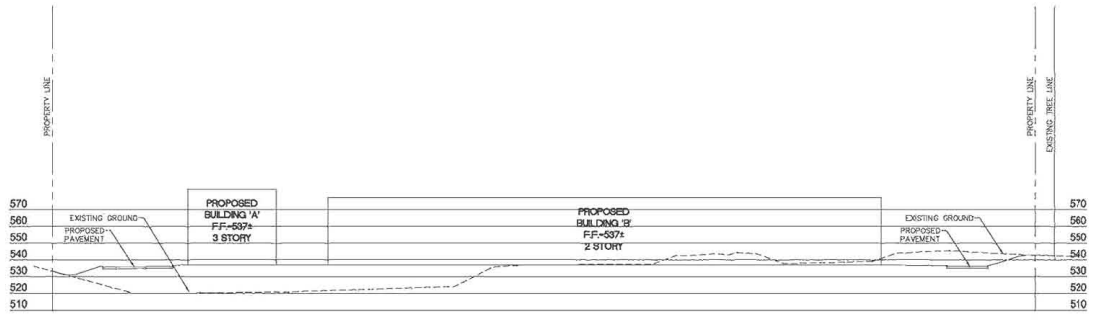
Notary: \_\_\_\_\_

Date: \_\_\_\_\_

- Attachments:  
Exhibit A – Legal Description  
Exhibit Plat







BRANDON A. HANCOCK, P.E., C.E.  
PROFESSIONAL ENGINEER  
KSCC LICENSE NO. 3028054874

**CEDC**  
CIVIL ENGINEERING  
DESIGN CONSULTANTS

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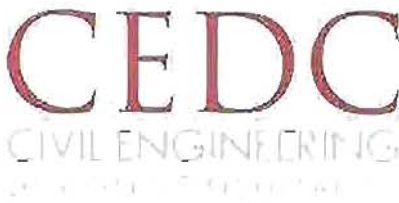
Preliminary Development Plan  
Chesterfield Senior Living  
17655 Wildhorse Creek Road  
Chesterfield, Missouri 63005

Proj. # 1000		
No.	Description	Date
To City		10-25-10

SITE  
SECTIONS

DRAWING NO.

**C2**



January 10, 2011  
**Revised January 21, 2011**

Ms. Aimee Nassif  
City Planner  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017-0760

Re: Chesterfield Senior Living ~ PUD Narrative  
17665 Wild Horse Creek Road  
Chesterfield, Missouri 63005  
(CEDC Project No. 1000)

Dear Ms. Nassif:

In July 2007, the subject property was rezoned from Non-Urban to Planned Commercial by Ordinance No. 2378. The permitted uses granted by Ordinance No. 2378 are office and medical office.

Pursuant to the rezoning and due to the economic environment, the interest in the subject property has changed from office/medical office to independent senior living, group homes for the elderly, memory care and related uses. Since the current zoning does not allow for such uses, a change in zoning application is hereby submitted to the City.

The petition is to rezone the property from Planned Commercial to R-2 Residential under the provisions of a Planned Unit Development, P.U.D. to allow for the uses as requested in this letter.

The following are the permitted land uses that we are requesting to be established in the conditions of the ordinance governing this particular Planned Unit Development as allowed by a conditional use in the R-2 zoning district 1003.113 "R-2 Residence District Regulations:

- (2)(d.) Group Residential Facilities
- (2)(e.) Group Living Facilities
- (2)(i) Nursing Homes and Group Homes for the Elderly

In addition and as outlined in Section 1003.187 Planned Unit Development containing forty (40) of more residential units, the following uses are also requested:

- 6.A.(1.) Barber or Beauty shops
- 6.A.(2.) Day care centers, child
- 6.A.(3.) Drug stores and pharmacy
- 6.A.(4.) Grocery Neighborhood
- 6.A.(5.) Laundromat and dry cleaning establishment
- 6.A.(6.) Newspaper stands
- 6.A.(7.) Restaurants, sit down and/or outdoor customer area

As outlined above, the proposed development will incorporate a mixed use of independent senior living, assisted care, skilled nursing care and memory care. A Certificate of Need (CON) from the State of Missouri was granted in July 2010 for the subject property, which incorporated a detailed market study as well as other pertinent information to justify the need.

As a requirement of the PUD application to encourage flexibility to the density requirements and zoning consideration, special design features and attributes of the development are required. Attached to this application, is a site plan which shows the general layout of the proposed development and includes the following:

- A. The site is within the Wild Horse Creek Road sub area as designated in the City's comprehensive plan and it is within the 1,920 foot setback from the southern airport runway, therefore it is designated as Neighborhood Office. The available uses for consideration in this district are not only "office and medical and dental offices, excluding surgical centers", but also include institutional uses such as churches, kindergarten, elementary, secondary schools and colleges; police and fire stations; mortuaries, and mausoleums; child care centers, child nursery schools, child day nurseries, and child or adult day care homes; community centers, libraries, and others. The requested uses of "Nursing Homes" and "Independent Senior Living" are not available uses for the subject property. However, "Nursing Homes" is allowed by a CUP just south of this property, whereas, the properties south of this parcel and north of Wild Horse Creek Road are also within the Wild Horse Creek Road sub area as designated in the City's comprehensive plan. In keeping with the spirit of this classification, it seems reasonable that a nursing home meets this type and scale of institutional uses as adopted by the City in the creation of the Wild Horse Creek Road sub area district.
- B. The development incorporates mixed uses. The two story facility will include Senior Assisted Living, Senior Memory Care and Senior Skilled Nursing operations and will provide safe secure living space with building life safety support and security, outdoor light exposure for all rooms, integrated calm walking patterns, activity center, family oasis, full kitchen area to support family style dining and supporting mechanical space. Building amenities include a Chapel, Beauty Parlor, Barber shop, Daily Linens & Personal Laundry Service Area, Family Movie Theater, Library, Spa, Sunroom, Crafting Center, Computer Lab, Outdoor Patio, Internal and External walking trails. The facility will be located adjacent to Chesterfield Academy Early Childhood Educational Facility

currently operating providing an intergenerational element. The combination of the two facilities offers residents and families a wonderful opportunity to grow by nurturing the mind, body and spirit at all levels.

- C. The site is situated over 500 feet north of Wild Horse Creek Road and is accessible via an access easement through the Chesterfield Academy – Early Childhood Education Center at a signalize intersection. As part of the development, right of way for a new city roadway along the property frontage will be dedicated. Whereas, the roadway will eventually connect to Wild Horse Creek Road at Greystone Manor to the west and Wild Horse Parkway to the east.
- D. The placement of the buildings is designed in manner to minimize the impact to the natural site topography, while maintaining about two acres of woodlands on the north portion of the site. The location of the buildings balances the preservation of the woodlands to the north and the required road right of way dedication to the south. Generally, the building pad for the buildings will sit approximately ten feet lower than the elevation of Wild Horse Creek Road and the building will be constructed of high quality materials with a review by the Architectural Review Board.
- E. The preservation of the bluff area to the north is part of the integrated site plan and will allow the senior residents to avail themselves to walking and exercising on a planned mulched trail system including: bird watching, art work and enjoying the outdoors in a natural environment. A series of park benches, wood steps and nature viewing areas will be created along the path. The walking trail is located entirely on the subject property and at the north end of the property; it will be designed to connect to the City's future master trail system.
- F. A provision for common space is provided in this PUD petition in excess of the minimum 30 percent required. The total site area open space (after the dedication of the right of way to the City) is 58.2 percent. If the 1.95 acres of the bluff area is excluded from the calculation, the remaining open space is 44.8 percent. The open space is displaced throughout the development and not concentrated in a single area. The building footprints are positioned to create outdoor enclosed and semi enclosed courtyard spaces and gentle walking paths throughout. The open space shall be preserved for outdoor patios, senior recreation, meandering walking trails, mulched hiking/walking trails, gardens, outdoor activities, bird watching, sitting and conversation areas, etc.
- G. A PUD provision for a 30 foot perimeter buffer area is exceeded in this petition at the north property line. This buffer yard to the north is 180 feet and area will consist of non-paved natural/walking trails, storm water management facilities and the preservation of the wood lands with amenities as described in detail in the proceeding paragraphs.

H. The project is intended to be built in phases.

Phase 1, 51 Units for Assisted Living approved by the Missouri Department of Health and Senior Services - CON Committee and 33 Independent Living facilities with supporting infrastructure.

Phase 2, includes 36 Units for Skilled nursing as stated in the correspondence with the Missouri Department of Health and Senior Services.

The two story facility will include Senior Assisted Living, Senior Memory Care and Senior Skilled Nursing operations and will provide safe secure living space with building life safety support and security, outdoor light exposure for all rooms, integrated calm walking patterns, activity center, family oasis, full kitchen area to support family style dining and supporting mechanical space.

Building amenities include a Chapel, Beauty Parlor, Barber shop, Daily Linens & Personal Laundry Service Area, Family Movie Theater, Library, Spa, Sunroom, Crafting Center, Computer Lab, Outdoor Patio, Internal and External walking trails. The facility will be located adjacent to Chesterfield Academy Early Childhood Educational Facility currently operating providing an intergenerational element. The combination of the two facilities offers residents and families a wonderful opportunity to grow by nurturing the mind, body and spirit at all levels.

Summary -	Units
	51 - Assisted Living
	33 - Independent Living
	<u>36 - Skilled Living</u>
Total	120 - Units

Assisted and Skilled Facility – Two Story Facility  
Independent Living Facility – Three Story Facility

Both Facilities are in compliance with the Height limitation of 45 feet

All infrastructure improvements are in compliance with Agency requirements.

We respectfully request your review of the application and your support for the rezoning.

Please call should you have any questions or require additional information.

Sincerely,  
Civil Engineering Design Consultants, Inc.



Brandon A. Harp, P.E.  
Principal



January 10, 2011  
Revised January 21, 2011

Mr. Justin Wyse  
City of Chesterfield  
690 Chesterfield Parkway  
Chesterfield, Missouri 63017-0760

RE: PZ 12-2010 (Chesterfield Senior Living Plan Provisions)  
(CEDC Project No. 1000)

Dear Mr. Wyse:

Pursuant to the public hearing at the Planning Commission on November 22, 2010 and to your issues letter dated November 30, 2010, we offer the following:

1. City Comment

*The comprehensive land use plan designates this area as Neighborhood Office. Appropriate uses for the area include office and medical and dental offices, excluding surgical centers*

Response

**The site is within the Wild Horse Creek Road sub area as designated in the City's comprehensive plan and it is within the 1,920 foot setback from the southern airport runway, therefore it is designated as Neighborhood Office.**

**The available uses for consideration in this district are not only "office and medical and dental offices, excluding surgical centers", but also include institutional uses such as churches; kindergarten, elementary, secondary schools and colleges; police and fire stations; mortuaries, and mausoleums; child care centers, child nursery schools, child day nurseries, and child or adult day care homes; community centers; libraries, and others.**

**The requested uses of "Nursing Homes" and "Independent Senior Living" are not available uses for the subject property. However, "Nursing Homes" is allowed by a CUP just south of this property, whereas, the properties south of this parcel and north of Wild Horse Creek Road are also within the Wild Horse Creek Road sub area as designated in the City's comprehensive plan.**

**In keeping with the spirit of this classification, it seems reasonable that a nursing home meets this type and scale of institutional uses as adopted by the City in the creation of the Wild Horse Creek Road sub area district**

2. *City Comment*

*The Planned Unit Development (PUD) District states that a minimum of 30% open space is required, "to be displaced throughout the PUD and not concentrated in one area nor shall it contain only that portion of the proposed PUD that would be considered undevelopable due to topography or any other site specific related matters." Provide two calculations for open space; one for the entire site and one that excludes the bluffs on the north portion of the lot*

Response

	Site Breakdown	Percentage
<b>OPEN SPACE: Fully Dev. w/ Bluff</b>		
Total	8.04 ac.	100.00%
Bluff	1.95 ac.	24.25%
Pavement	1.55 ac.	19.28%
Bldg Foot print	1.35 ac.	16.8%
E/W Dedication	0.46 ac.	5.72%
Open Space	4.68	58.20%
<b>OPEN SPACE: Fully Dev. w/out Bluff</b>		
Total Site minus Bluff	6.09 ac.	100.00%
Pavement	1.55 ac.	25.45%
Bldg Foot print	1.35 ac.	22.16%
E/W Dedication	0.46 ac.	7.55%
Open Space	2.73	44.82%

58.2% open space for the entire site

44.8% open space excluding the undeveloped bluff area

The bluff area is part of the integrated site plan and will allow the senior residents to avail themselves to walking and exercising on a planned trail system including: Bird watching, Art work and enjoying the outdoors in a natural environment.

Consideration on the establishment and protection of open space must also be given to the specific conditions of a site as outlined in the PUD suggested design requirements such as:

- a. Placement of structures on most suitable sites with consideration of maintaining existing site topography, soils, vegetation, slope, etc.;
- b. Preservation of natural and cultural areas, as well as the creation of open space through active and passive recreation areas to include greenways, landscape gardens, plazas, and walking and cycling trails that serve to connect significant areas and various land uses;

- c. Preservation of existing mature trees and trees deemed extraordinary by the City of Chesterfield Tree Specialist due to but not limited to the following: size, type, origin, grouping, or number of;

3. *City Comment*

*The Certificate of Need for the development of a senior living facility includes information on the phasing and density of the development that appears to conflict with the information submitted to the City in this petition. The narrative for the petition did not include any information indicating the project would be constructed in phases and the density is drastically different. Clarify any discrepancies between the PUD narrative statement and the Certificate of Need.*

Response

There is no conflict of information submitted to the City in this petition and the CON committee. The 3 story independent living and the 2 story nursing home is the same information as communicated to the CON committee regarding phasing and density. The phasing is in regards to interior construction of the requested units and ancillary space.

The planned PUD would include:

Phase 1, 51 Units for Assisted Living approved by the Missouri Department of Health and Senior Services - CON Committee and 33 Independent Living facilities with supporting infrastructure.

Phase 2, includes 36 Units for Skilled nursing as stated in the correspondence with the Missouri Department of Health and Senior Services.

(This is amended from 51 units to 36 units due to the zoning request change from R4 to R2)

The two story facility will include Senior Assisted Living, Senior Memory Care and Senior Skilled Nursing operations and will provide safe secure living space with building life safety support and security, outdoor light exposure for all rooms, integrated calm walking patterns, activity center, family oasis, full kitchen area to support family style dining and supporting mechanical space.

Building amenities include a Chapel, Beauty Parlor, Barber shop, Daily Linens & Personal Laundry Service Area, Family Movie Theater, Library, Spa, Sunroom, Crafting Center, Computer Lab, Outdoor Patio, Internal and External walking trails. The facility will be located adjacent to Chesterfield Academy Early Childhood Educational Facility currently operating providing an intergenerational element. The combination of the two facilities offers residents and families a wonderful opportunity to grow by nurturing the mind, body and spirit at all levels.



**Summary: Units**

51 – Assisted Living

33 – Independent Living

36- Skilled Living

**Total 120 – Units**

(The petition for the underlying zoning district is hereby amended from R-4 to R-2, and is 15 units per acre in the R2 zoning district)

**Assisted and Skilled Facility – Two Story Facility  
Independent Living Facility – Three Story Facility**

**Both Facilities are in compliance with the Height limitation of 45 feet.**

**All infrastructure improvements are in compliance with Agency requirements.**

**4. City Comment**

*The submitted Preliminary Plan indicates that a recreation trail will be included in the development of the site for public use. Clarify the intent of the development with respect to the construction of the trail (i.e. does the development include the construction of the trail or is the proposal for an easement for a recreational trail)*

Response

**The development includes the construction of recreational trails and will be placed in/on adjacent to the bluff area in a manor where the residing residents can avail themselves for exercising and enjoying the natural environment.**

**5. City Comment**

*The proposed recreation trail as indicated on the site requires a neighboring property to include a trail on their property. Clarify how the proposed trail will connect to the public system for access to the trail. Additionally, detail how this proposed trail, much of which is located off-site, meets the intent of the PUD District regulations.*

Response

**The walking trail is currently shown entirely on the subject property. At the north end of the property, it will be connected to the City's future master trail system. The walking trail is being added as a City suggested design feature as listed in Section 1003.187.**

**6. City Comment**

*Provide approval from the fire district*

Response

**Attached please find the approval from the fire district**

7 *City Comment*

*The site is currently permitted a maximum of 30,000 square feet of building to be constructed on the site. The proposed Preliminary Plan shows a maximum of 83,700 square feet of building area. Provide information on how the proposed development will fit in with the existing building scale in the area.*

Response

The current planned commercial ordinance (No. 2378) for the site allows:

- a. 30,000 s.f. of office/medical office
- b. 120 parking spaces
- c. 57% open space.

This petition is requesting

1. 120 units of independent living, assisted/skilled nursing and memory care.
2. 120 parking spaces
3. 58.2% open space

The total square footage of the building is dependent upon final programming and architectural layouts for the approved number of units and required ancillary space. Phase 1 build out of the interior space is approximately 83,700 s.f. Estimated total square footage is approximately 105,000 s.f., and includes the interior build out of phase 2 space requirements.

This petition is consistent with the existing building scale in this area for institutional uses.

The surrounding institutional uses neighboring this site are:

1. Chesterfield Elementary School
2. Gateway Academy
3. West County Christian Church
4. Korean Full Gospel Church
5. Spirit of St. Louis Airport
6. Chesterfield Academy

The subject site is over 550 feet north of Wild Horse Creek Road (State Highway CC) and is served by a signalized intersection that is shared by current operations; Chesterfield Elementary School and Chesterfield Academy.

It is bordered to the north by a golf course and airport. To the east and west are older single family homes on 7 acre and 22 acre lots respectfully and zoned non-urban. To the south is a child care center, pump station facility for Missouri American Water, a landscape business and a couple older single family residences.

8. *City Comment*

*Each of the 'R' Residential Districts contains density requirements for nursing homes. These nursing homes are the accepted equivalent for consistency within each of these districts. For example, the 'R2' Residence District states that the maximum density for nursing homes shall be 15 units per acre. The proposed PUD includes a proposed 149 units (approximately 20 units per acre). Residentially zoned properties in the area generally require a minimum lot size of one acre or greater. Clarify how this development will maintain consistency with the existing development in the area.*

Response

The petition for the underlying zoning district is hereby amended from R-4 to R-2. This is in order to be more consistent with the lot size of the residentially zoned areas on the south side of Wild Horse Creek Road.

The development will maintain consistency by limiting the total number of units to 120, which is 15 per acre in the R2 zoning district

9. *City Comment*

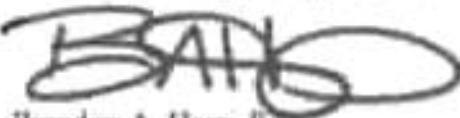
*Resubmit the PUD Narrative Statement to include information from the above response and further detail how the proposed project meets the high expectations of the PUD District regulations. As currently submitted, the PUD Narrative Statement does not adequately justify the request.*

Response

Please see the attached update PUD Narrative

Please call should you have any questions or require additional information.

Sincerely,  
Civil Engineering Design Consultants, Inc.



Brandon A. Harp, P.E.  
Principal