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Planning Commission Issues Report

Subject: Zoning Map Amendment Issues Report

Meeting Date: May 11, 2015

From: John Boyer, Senior Planner

Location: Southeast of the intersection of Chesterfield Parkway West and

Justus Post Road (19S431691 & 19S430579).

Petition: P.Z. 03-2015 Sachs Properties (The Grove in Chesterfield):

Proposal Summary

DosterUllom & Boyle, LLC, on behalf of The Grove Assisted Living, LLC, has submitted a request for a zoning map amendment from "C8" Planned Commercial District to "UC" Urban Core District. Per the submitted written narrative, the applicant wishes to rezone the site to allow an Assisted Living Care Facility. Related with the application for the zoning map amendment, a Preliminary Plan is also attached for the Planning Commission's review. Since the UC District is a planned district, the submittal of a preliminary plan is required and attached for your review.

When this petition was originally filed and heard at the Public Hearing on April 13, 2015, a total of 69 uses were requested. Of those 69 uses requested, 66 were previously approved under current zoning entitlements. During the Public Hearing, Staff identified land uses currently entitled which may be inappropriate to the area. The petitioner has removed from their request a number of land uses to be more compatible with surrounding development. Further description of these land uses are within the Issues Section on page 6 of this report.

Site History

This site is located within the Southwest Quadrant of the Chesterfield Village, specifically parcel C104. The Southwest Quadrant of Olive/Clarkson and I-64 was included in the original presentation to the St. Louis County Planning Commission in 1971 to initiate development of Chesterfield Village. In 1971, Sachs Properties submitted fifteen separate petitions to initiate the development of Chesterfield Village,

one of the largest and most integrated proposals ever to be considered by the St. Louis County Planning Commission. To be developed over a 20 to 30 year period were 1,115 acres of what might ultimately be a 1,500+ acre planned community. Of the petitioned 1,115 acres stretching across the northwest and southwest quadrants of Highway 40 and MO 340, approximately 44% would be used for residential purposes, 21% for commercial purposes, 27% left for open space, and 8% for right-of-way.

On review, the St. Louis County Planning Commission was of the opinion the proposed concept plan was well conceived and environmentally sensitive. It also came to the conclusion that the Highway 40/MO 340 interchange was a prime area for future urbanization, this in view of observed development trends, the projected growth of west St. Louis County, the regional accessibility of the subject site, and the large expanse of open space available for development. The Southwest Quadrant included 758 acres, see map identifying the boundaries of the Southwest Quadrant in Figure 1 on page 2. St. Louis County Ordinance 6,815 approved the Chesterfield Village zonings in 1973.

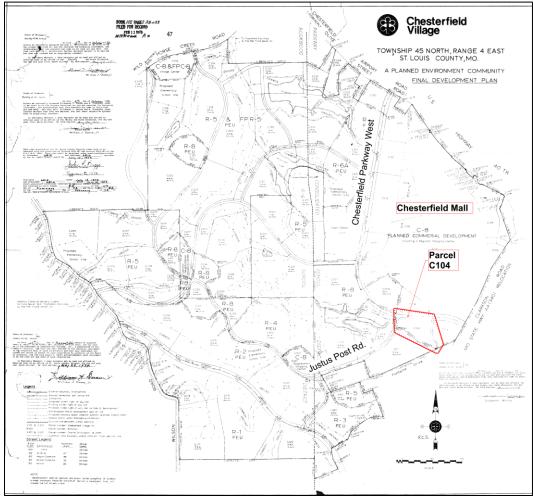


Figure 1: Southwest Quadrant of Chesterfield Village

In 1981, St. Louis County Ordinance 10,241 amended a section of Ordinance 6,815, specifically pertaining to general conditions, design requirements, landscape/environment conditions and commercial land uses. In 1991, the City of Chesterfield approved an amendment to St. Louis County Ordinances 6,815 and 10,241 via City of Chesterfield Ordinance 571, specifically amending parking requirements for Chesterfield Mall only.

St. Louis County Ordinance 6,851 created three (3) commercial areas; Regional Commercial/Town Center, the Village Center and the Neighborhood Centers. Parcel C104 is located within the Regional Commercial/Town Center which permitted C1 through C7 land uses. Two office buildings were previously located on the subject parcels and later were demolished in 2005. The property is currently vacant minus a portion of the previous parking area of the office buildings.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel shown in the aerial image in Figure 2 below is as follows:

- North: The property to the north across Chesterfield Parkway West is currently zoned "C8" Planned Commercial District. These lots consist of restaurants and the Chesterfield Mall.
- **South:** The property is currently zoned "R6/PEU" Residence District with a Planned Environment Unit procedure. These lots are residences within the Sycamore subdivision.
- **East:** The property to the east across Clarkson on-ramp is currently zoned "C8" Planned Commercial District. This lot consists of an office building.
- West: The property is currently zoned "R6/PEU" Residence District with a Planned Environment Unit procedure. These lots are residences within the Justus Pointe and The Oak subdivisions.



Figure 2: Aerial and Zoning of Area



Figure 3: Comprehensive Land Use Plan

Comprehensive Plan Analysis

The subject site is located within the Urban Core district. The Urban Core area is defined within the Comprehensive Plan as "the area known as the Chesterfield Village, centered at the intersection of I-64/US 40 and Clarkson Road/Olive Boulevard and primarily served by the Chesterfield Parkway. Land uses for the Urban Core include a mixture of high-density residential, retail and office uses containing the highest density development in the City of Chesterfield." This area also serves as the visual and physical focus of the City. The petitioner has included a diverse list of uses, with a majority of the uses previously approved by St. Louis County. All updated uses proposed associated with this request are compliant with the Urban Core land use designation.

In addition with the Compliance of uses within the Urban Core, a proposed development should be in general compliance with the Development Policies of the Urban Core as well as Commercial Development in general. Below is a list of relevant policies within the Comprehensive Plan.

- 3.1.2 Buffering of Neighborhoods: The section identifies the importance of buffering existing residential areas from adjacent commercial development. As discussed earlier, this proposal is adjacent to existing residential uses to the south and west. The use of buffering as required within the UC District is documented on the Preliminary Plan. Additional buffering may be pursued by the City if deemed appropriate. Further analysis of buffering may be found within the Issues Section of this report beginning on page 6.
- 3.6.1 High Density Development: High Density developments are encouraged within the Urban Core. As discussed earlier, the Urban Core is the center of the City. City centers typically are their downtowns which offer many mixed uses, especially high density developments. The proposed development at 86,000 square feet and 3 stories is towards the maximum Floor Area allowed within the Urban Core District and would be compliant.
- 3.6.2 Mixed-Use Development: Based upon the list of submitted uses, the uses represent a diverse and mixed amount of commercial uses. Typically, mixed uses include residential and commercial; however, this proposal only includes primarily commercial uses. With the combination of the proposed commercial uses and the adjacent existing residential uses, this proposal would be compliant with this policy. The inclusion of Group Residential Facility, Nursing Home and Hospice, adds residential elements to this requests since these uses are designed for inhabitants.
- 3.6.5 Chesterfield Village: This property is located within the Chesterfield Village portion of the City of Chesterfield. Per the policy, this area should dedicate significant portions of high density, mixed use residential and non-residential development. While a majority of the uses proposed are of a commercial nature, the Group Residential Facility, Nursing Home, and Hospice uses provide an opportunity for area residents to age in place without having to

move large distances away from family and friends. As indicated in the written narrative, while other commercial uses are requested, the primary goal of the petition is to secure appropriate land uses to establish an Assisted Living Facility.

• 3.6.6 Multi-Modal Transportation: This policy indicates the importance of multiple options for transportation, whether via public transportation, personal (car) or by walking/biking. Per the applicant's written narrative, transportation would be provided to future residents if developed as an Assisted Living Facility. Regardless of the future use, sidewalks are required to be installed or in this case maintained (existing sidewalks are in place along Justus Post Road and Chesterfield Parkway). Staff will evaluate any development proposals via the Site Development Plan review to ensure compliance with sidewalk standards, which may require updates to existing facilities. In addition, the Urban Core District within the UDC was updated recently to further emphasize the importance of pedestrian connectivity within the Urban Core.

Issues

During the Public Hearing, a total of four (4) residents spoke on this petition, generally in favor of the proposal. While residents were generally in favor of the petition, issues were identified associated with this request by Planning Commission, Staff and the public. Below is a brief summary of those issues, as well as a summary response by the applicant;

<u>Uses included within the request which may no longer be appropriate.</u> As indicated in the Proposal Summary, a total of 69 uses were originally requested during the Public Hearing on April 13, 2015. Of those uses, all but three (3) were previously approved under the current ordinance authorities. New uses include; Nursing Home, Group Residential Facility and Hospice. In 1973 when St. Louis County Ordinance 6,815 was approved, all uses within the C1 to C7 Commercial Districts were permitted in the Regional Commercial/Town Center. As documented within the written narrative submitted with the Public Hearing, the applicant wishes to construct an Assisted Living Care Facility; however, the property owner, Sachs Properties, does not want to lose existing entitled uses under the current ordinances. However, upon review of surrounding existing land uses, the Comprehensive Plan and existing site conditions, Staff identified the following uses which may no longer be appropriate;

- Auditorium.
- Automobile Dealership,
- Bar,
- Brewpub,
- Car Wash and Self-Service,
- Filling Station and Convenience Store,
- Kennel, Boarding,
- Oil Change Facility,

- Vehicle Repair and Service Facility,
- Theater, Indoor (later added to uses questioned by Staff in the Issue Letter due to the use similar to Auditorium land use).

After receipt of the Issues Letter, the applicant has removed all above uses minus Bar and Brewpub land uses. While the applicant intends to construct an Assisted Living Care Facility, all uses included in the future ordinance Attachment A will be permitted. In addition to the above uses which were not removed from the uses discussed at the Public Hearing, Staff has also identified additional uses which may create problems. Below is a list of those additional uses with possible items for discussion purposes;

• Bar

- Defined by the UDC as "An area primarily devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages".
- o Potential issues with hours of operation with adjacent residential uses.
- o Potential parking issues without sufficient off-street parking available on-site.
- o Potential issues with noise.
- Additional buffering via larger setbacks or landscape buffers to the south could further restrict this use if deemed appropriate.

Brewpub

- o Defined by the UDC as "A restaurant that prepares handcrafted natural beer as an accessory use intended for consumption on the premises. Production capacity shall be limited to not more than 5,000 barrels per year. Such accessory use may occupy up to 30% of the gross floor area of the restaurant".
- o Potential issues with hours of operation with adjacent residential uses.
- o Potential parking issues without sufficient off-street parking available on-site.
- o Potential issues with noise.
- o Additional buffering via larger setbacks or landscape buffers to the south could further restrict this use if deemed appropriate.

Educational facility-vocational school

- o Potential parking issues without sufficient off-street parking available on-site.
- o Evening classes could cause issues with adjacent residential areas.

• Educational facility-college/university

- o Potential parking issues without sufficient off-street parking available on-site.
- o Evening classes could cause issues with adjacent residential areas.

• Gymnasium

o Evening hours could cause issues with adjacent residential uses.

Hotel and Motel

• The intensity of this use could potentially operate in non-compliance with the adjacent residential uses.

- This is a more 24 hour a day service which may cause issues with the adjacent residential uses.
- O Currently, the Draft Attachment A includes a 3 story restriction which may limit this use's intensity.

• Parking area, including garages, for automobiles

- While surface parking could be achieved at this location, a parking structure with levels of parking may cause a visual incompatibility with the adjacent residential uses. Per the Comprehensive Plan, parking structures are encouraged (Policy 3.6.7). However, it is not clear if this is for a stand-alone use or as accessory to a permitted use to accommodate required on-site parking.
- O Currently, the Draft Attachment A includes a 3 story restriction which may limit this use's intensity.

• Restaurant, fast food

- The drive-thru use, as well as hours of operation, could have a negative effect on adjacent residential uses.
- Planning Commission could evaluate removing the drive-thru if deemed appropriate.
- o Additional buffering via larger setbacks or landscape buffers to the south could further restrict this use if deemed appropriate.

The subject property is located on a minor arterial (Chesterfield Parkway) within the Urban Core area of the Comprehensive Land Use Plan. Arterials typically move a heavy amount of traffic; therefore, prime real estate is usually off these roadways. The above uses are and can typically be found off of such roadways. In addition, Justus Post, while is primarily within a dense residential area, is a collector road serving between two Arterials (Chesterfield Parkway and Baxter Road which is a major arterial to the southwest). With adequate buffering, which the UC District requires, these uses could co-exist with adjacent higher density residential uses. The addition of dense landscaping and the use of berms along the southern property line could alleviate possible concern with the above uses. If the Planning Commission believes additional buffering is required beyond the dense landscaping and berming, a more restrictive building setback along the southern property line may be pursued to achieve additional buffering.

At this time, Staff has included a Draft Attachment A for the Planning Commission's review. The only use restrictions in place within the draft include the following;

- The Assisted Living Facility is proposed to be limited as follows;
 - o 96 beds as requested in the updated Issues Response Letter and the Preliminary Plan.
 - o Employee dwelling use which allows an employee to live on premise is limited in conjunction with the Assisted Living Care Facility.

- All Uses requested are restricted to three (3) stories, a Floor Area Ratio of 0.55, and minimum setbacks established by the UC District of 35 foot building setbacks and 30 foot parking setbacks.
- No Temporary Signage is permitted.
- Retails sales uses shall be limited to no outdoor sales, storage or display.

Staff has included the Hours of Operation section to the Draft Attachment A for Planning Commission's review. Hour limitations are usually employed in order to ensure compatibility with surrounding uses. At this time, Staff believes restricted hours may be needed in order to protect the adjacent residential uses from some of the proposed uses. While the exact times may be discussed further, a good starting point for those discussions is to limit all commercial uses, minus the uses needed for the Assisted Living Care Facility, to 7 a.m. to 11 p.m. The Draft Attachment A has been updated to include all above conditions and hours limitations.

Concern was raised about the proposed height of the assisted living facility in relation to adjacent residential uses. Both Planning Commission members, as well as members of the public who spoke at the public hearing, discussed this as a concern. The proposed height of the Assisted Living Facility is three (3) stories, with homes to the south and west at one (1) and two (2) stories in height. The issue being that the relatively close proximity of the proposed Assisted Living Care Facility, as well as other proposed uses, could have negative effects on existing homeowners. Per the petitioner's Issues Response, see attached letter to this report, with the combination of extra buffering associated with a UC District of thirty (30) feet, proposed storm-water facilities along the southern property line, additional planned landscaping within the required buffer and a distance of approximately 158 feet from the proposed Assisted Living Facility and the south property line, any visual issues with the proposed height of the building should be minimal. Staff has added language into the Attachment A to require dense vegetation and a berm along the southern property line. Planning Commission may further evaluate this proposal and provide additional buffer, landscaping, etc. if deemed appropriate. The Planning Commission may also further evaluate a more restrictive setback along the south property line with additional buffering. At this time, Staff believes the minimum 35 foot structure setback is appropriate with the addition of the above conditions of additional dense landscaping along this property line.

Preliminary Plan

The applicant has submitted the required Preliminary Plan which depicts a proposed three-story, 85,000 square foot, 96 bed Assisted Living Care Facility and associated parking field. The building is shown on the Preliminary Plan to be pushed north from the residential areas to the south and towards Chesterfield Parkway West. Access for the site is proposed to be provided at the existing access point off Justus Post Road and not Chesterfield Parkway. Associated with the request for the UC District, minimum required setbacks and buffers are provided on the Preliminary Plan. As required, a

minimum of a 30 foot buffer is provided around the perimeter of the site. The UC District also requires a minimum of 30% open space. Per General Note #7, the project will meet and/or exceed this standard. Pedestrian Connectivity will be achieved via existing sidewalks along Chesterfield Parkway and Justus Post Road.

Based upon the issue with the height of the proposed facility and adjacent residential uses, Staff has recommended conditions within the Draft Attachment A which requires heavy vegetation and berms along this southern border to ensure ample screening of these uses. The Draft Attachment A included with this report reflects these conditions. Further conditions regarding the screening of this use may be discussed by the Planning Commission if warranted.

Additional Information

Area housing to the south and west was constructed in the late 1970's through the 1980's. The commercial entitlements in place on the subject property and the commercial area within the Southwest Quadrant of Chesterfield Village were permitted by St. Louis County in 1973.

Request

This meeting is for discussion of issues concerning the petition as identified at the Public Hearing. No vote is requested at this time for this project. All agency comments have been included in the draft planned district ordinance. The intent of the Issues Meeting is to receive feedback on the draft planned district ordinance, analysis of the suitability of the requests and to examine if any further issues need to be resolved prior to requesting a recommendation from the Planning Commission.

Attachments:

- 1. Attachment A
- 2. Narrative Statement
- 3. Issues Response Letter
- 4. Preliminary Plan

EXHIBIT II

THE GROVE IN CHESTERFIELD VILLAGE

Stock Project No. 214-5215 February 26, 2015

A. Narrative Statement

The Application requests rezoning of the Property to Urban Core District. The Property consists of two parcels that will be combined for the proposed Assisted Living Facility (use proposed by the Owner Under Contract, "Primary Proposed Use"). The current Owner of the Property is entitled to a broad range of uses under the current applicable zoning ordinance (the "Entitled Uses"), and the Owner does not want to give up the Entitled Uses unless and until the Owner Under Contract closes on the Property following the approval of the requested rezoning to Urban Core District. The request to rezone represented by the Application does not include all of the Entitled Uses. Since the Urban Core District enabling ordinance does not allow some of the Entitled Uses, those uses have not been included. All of the requested uses, including the Primary Proposed Use are allowable uses in the Urban Core District, and the use terminology is taken from the City's Code.

The Property was originally developed with two office buildings. Because of their age, the buildings were demolished and the Property is currently vacant.

The Comprehensive Plan shows that the Property is considered part of the Urban Core.

B. Project Description

The Grove Assisted Living, L.L.C. proposes to develop and operate a 95-bed, Assisted Living Facility on a site located at 16300 Justus Post Road and 16120 W. Chesterfield Parkway, Chesterfield, Missouri 63017. The total project cost is \$24,528,970.00.

The facility will be offered on a monthly rental basis with no buy-in fees. The facility will have a combination of studios, one, and two bedroom units.

The community will provide the following amenities:

- Salon
- Spa
- Dining Room
- Exercise room

February 26, 2015 Page 2 of 2

- Outdoor Gardens
- Private Dining
- Wellness Center
- Lounges
- Transportation
- First Class Service

A Timeline of Events

Construction on the facility is expected to begin in 2015. Construction will take approximately 12 months. The facility is expected to open in 2016, with 2017 as its first full year of operations.



<u>St. Louis</u> 16090 Swingley Ridge Road Suite 620 Chesterfield, MO 63017 (636) 532-0042 (636) 532-1082 Fax

Michael J. Doster mdoster@dubllc.com

April 23, 2015

Sent Via E-mail & First Class Mail

John Boyer Senior Planner City of Chesterfield 690 Chesterfield Pkwy W Chesterfield, MO 63017

RECEIVED

City of Chesterfield

APR 2 4 2015

Department of Public Services

RE: P.Z. 03-2015 SACHS PROPERTIES (THE GROVE IN CHESTERFIELD VILLAGE)

Dear Mr. Boyer:

We are in receipt of your April 20, 2015 Issue Letter outlining issues raised at the Public Hearing held on April 13, 2015. Our responses are in bold below.

- 1. A number of uses currently permitting under existing zoning entitlements and included in this request are no longer appropriate at this location. Uses in noncompliance with adjacent residential uses and requested to be removed are as follows:
 - · Auditorium;
 - · Automobile Dealership;
 - · Bar;
 - Brewpub:
 - · Car Wash and Self-Service;
 - Filling Station and Convenience Store;
 - · Kennel, Boarding;
 - Oil change Facility:
 - Theater, Indoor;
 - · Vehicle Repair and Service Facility

Petitioner deletes the following uses from Petitioner's request:

- · Auditorium;
- · Automobile Dealership;
- · Car Wash and Self-Service;
- · Filling Station and Convenience Store;
- · Kennel, Boarding;
- · Oil change Facility;
- · Theater, Indoor;
- Vehicle Repair and Service Facility

2. Concern was raised about the proposed height of the assisted living facility in relation to adjacent residential uses. Provide information on ways to assist in mitigating the building appearance from adjacent residential uses. Discussion by the Planning Commission centered on the use of additional landscaping and/or berms to assist in screening/or these residential uses.

There are six (6) homes which are located approximately 40 feet south of the project's south property line. Within the 40 feet, and extending approximately ten (10') feet onto the subject property, is an existing Landscape Berm 2-3 feet tall, constructed sometime after 1979 when Sachs originally developed the two (2) former office buildings. Existing today in this area is dense landscaping, with a few visual gaps.

As part of this project's Site Design, the ten (10') feet of buffer on the subject property will be increased to thirty (30') feet. Within the thirty (30') feet, additional landscaping, and stormwater BMP's will be placed in lieu of the existing asphalt pavement. The building is being placed approximately 158 feet north of the south property line to increase its separation from the existing residents. The combination of existing landscaping, new landscaping, and horizontal separation addresses the height of the building relative to the homes.

In addition to these above items staff will require the following amendments to the Preliminary Plan to be reviewed by staff prior to being presented to the Planning Commission;

- 1. Provide the approximate square footage of the proposed structure as a note on the Preliminary Plan.
- 2. Provide the number of beds proposed for this Assisted Living Care facility. This may be identified on the Preliminary Plan or within a narrative.

The building will be 85,000 s.f., and contain 96 beds.

Michael∖J. Doster

Veratruly yours

MJD/kml

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 UC Urban Core District shall be:
 - a. Animal grooming service
 - b. Art gallery
 - c. Art studio
 - d. Automotive retail supply
 - e. Bakery
 - f. Bar
 - g. Barber or beauty shop
 - h. Brewpub
 - i. Broadcasting studio
 - j. Church and other place of worship
 - k. Club
 - I. Coffee shop
 - m. Coffee shop, drive-thru
 - n. Commercial service facility
 - o. Community center
 - p. Day Care Center
 - q. Drug store and pharmacy

r.	Drug store and pharmacy, drive-thru			
s.	Dry cleaning establishment			
t.	Dry cleaning establishment, drive-thru			
u.	Dwelling, employee			
V.	Education facility- specialized private schools			
w.	Education facility- vocational school			
x.	Educational facility- college/university			
y.	Educational facility- kindergarten or nursery schoo			
Z.	Film drop-off and pick-up station			
aa.	Financial institution			
bb.	Financial institution, drive-thru			
CC.	Grocery-community			
dd.	Grocery-neighborhood			
ee.	Group Residential Facility			
ff.	<u>Gymnasium</u>			
gg.	Hospice			
hh.	Hotel and motel			
ii.	Laundromat			
jj.	Library			
kk.	Mortuary			
II.	Museum			
mm.	Newspaper stand			
nn.	Nursing home			
00.	Office, dental			

pp. Office, general

qq. Office, medical

rr. Park

ss. Parking area, including garages, for automobiles

tt. Professional and technical service facility

uu. Public safety facility

vv. Reading room

ww. Recreation facility

xx. Research facility

yy. Restaurant, fast food

zz. Restaurant, sit down

aaa. Restaurant, take out

bbb. Retail sales establishment, community

ccc. Retail sales establishment, neighborhood

ddd. Telecommunications structure

eee. Telecommunications tower or facility

fff. Veterinary clinic

2. The above uses in the "UC" District shall be restricted as follows:

- a. The Group Residential Facility, Nursing Home and Hospice shall be limited to no more than 96 beds.
- b. The Employee Dwelling Use shall only be utilized in conjunction to the Group Residential Facility, Nursing Home and Hospice land uses.
- c. Retail sales uses shall be prohibited from any outdoor sales, storage or display of materials or goods.

3. Hours of Operation.

Hours of operation for this "UC" District shall be restricted from 7 a.m. to 11 p.m. for all uses minus Group Residential Facility, Nursing Home and Hospice land uses.

4. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City of Chesterfield Telecommunications Ordinance Number 2391.

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

1. Height

a. The maximum height of the building, exclusive of roof screening, shall not exceed 3 stories.

2. Building Requirements

- a. A minimum of 30% open space is required for this development.
- b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. Structure Setbacks

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

- a. 35 feet from the right-of-way Chesterfield Parkway on the north boundary of this Urban Core (UC) District.
- b. 35 feet from the right-of-way of Justus Post Road on the west boundary of this UC District.
- c. 35 feet from the south boundary of this UC District.
- d. 35 feet from the right-of-way of Missouri State Route 340 on the east boundary of this UC District.

2. Parking Setbacks

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

- a. 30 feet from the right-of-way of Chesterfield Parkway on the north boundary of this Urban Core (UC) District.
- b. 30 feet from the right-of-way of Justus Post Road on the west boundary of this UC District.
- c. 30 feet from the south boundary of this UC District.
- d. 30 feet from the right-of-way of Missouri State Route 340 on the east boundary of this UC District.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. Parking lots shall not be used as streets.
- 3. No construction related parking shall be permitted within the right of way or on any existing roadways surrounding the development including but not limited to Justus Post Road and Chesterfield Parkway West. All construction related parking shall be confined to the development.

E. LANDSCAPE AND TREE REQUIREMENTS

- 1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
- 2. Dense landscaping in addition to a berm shall be installed and maintained along the southern property line of this UC District. Landscaping along this property line shall be reviewed and approved with the Site Development Plan.

F. SIGN REQUIREMENTS

 Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission. 2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic (or MoDOT), for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

- 1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
- 2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

I. ACCESS/ACCESS MANAGEMENT

- Access to the development shall be from Justus Post Road as shown on the Preliminary Site Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield, the Missouri Department of Transportation and St. Louis County Department of Highways and Traffic, as applicable.
- 2. No access to this development shall be permitted from Chesterfield Parkway West.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

- Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right-ofway.
- 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. Provide and/or improve sidewalk and curb ramps, in conformance with ADA standards, along Justus Post Road and Chesterfield Parkway West. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects or maintain existing pedestrian connectivity. The sidewalk may be located within right-of-way controlled by another agency, if permitted by that agency or on private property within a 6 foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
- 4. Obtain approvals from the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
- 5. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation, St. Louis County Department of Highways and Traffic, and the City of Chesterfield.
- 6. Improve Chesterfield Parkway West to one half of the ultimate section including all storm drainage facilities as directed by the St. Louis County Department of Highways and Traffic.
- 7. Prior to Special Use Permit issuance by the St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation and/or St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Justus Post Road. 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 and St. Louis County Department of Highways and Traffic.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

- 1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
- 2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
- Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
- 4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
- 5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.

- Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
- 7. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).
- 8. Treatment for water quality is required in accordance with our region's MS4 permit. Volume reduction BMPs shall be the emphasis for the water quality treatment strategy. In order to comply with the Chesterfield Village Southwest Quadrant Stormwater Master Plan for detention, post development impervious coverage shall not exceed 90% and the site post developed CN shall be less than 91. Provisions for Channel Protection are required and may be satisfied by volume reduction BMPs.

N. SANITARY SEWER

- 1. Sanitary sewers shall be as approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield.
- 2. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts to the existing system(s).

O. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Services. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

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 Code shall be required where applicable.

- 3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and St. Louis County Department of Highways and Traffic or MoDOT. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- 4. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
- 5. Prior to final release of construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
- 6. Formal MSD plan review, approval and construction permits for this project will be required prior to construction of site improvements.
- 7. Easements to MSD will be required to cover public sewers that are reconfigured to accommodate the layout of the development. Encroachments upon MSD facilities and easements shall be avoided.

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, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- 3. Density calculations.
- 4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
- 5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
- 6. Provide Floor Area Ratio (F.A.R.).
- 7. A note indicating all utilities will be installed underground.
- 8. A note indicating signage approval is separate process.
- 9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.

- 10. Specific structure and parking setbacks along all roadways and property lines.
- 11. Indicate location of all existing and proposed freestanding monument signs.
- 12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
- 13. Floodplain boundaries.
- 14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
- 15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 18. Address trees and landscaping in accordance with the City of Chesterfield Code.
- 19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
- Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
- 21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
- 22. Compliance with Sky Exposure Plane.
- 23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

The developer shall be required to contribute to the Chesterfield Village Road Trust Fund (No. 554), as directed by the St, Louis County Department of Highways and Traffic. This contribution shall not exceed an amount established by multiplying the ordinance-required parking spaces for the difference between the existing and proposed uses by the following rate schedule:

Type of Development	Required Contribution
Assisted Living	\$434.28/parking space
General Office	\$663.43/parking space
Loading Space	\$3,257.06/parking space

(Parking spaces as required by the City of Chesterfield Code.)

If types of development differ from those listed, St. Louis County Department of Highways and Traffic will provide rates.

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

As this development is located within a trust fund area established by St. Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development shall be retained in the appropriate trust fund.

The amount of the required contribution, if not submitted by January 1, 2016, shall be adjusted on that date and on the first day of January in ach succeeding year thereafter by the St. Louis County Department of Highways and Traffic.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of any Special Use Permit (SUP) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, St. Louis County."

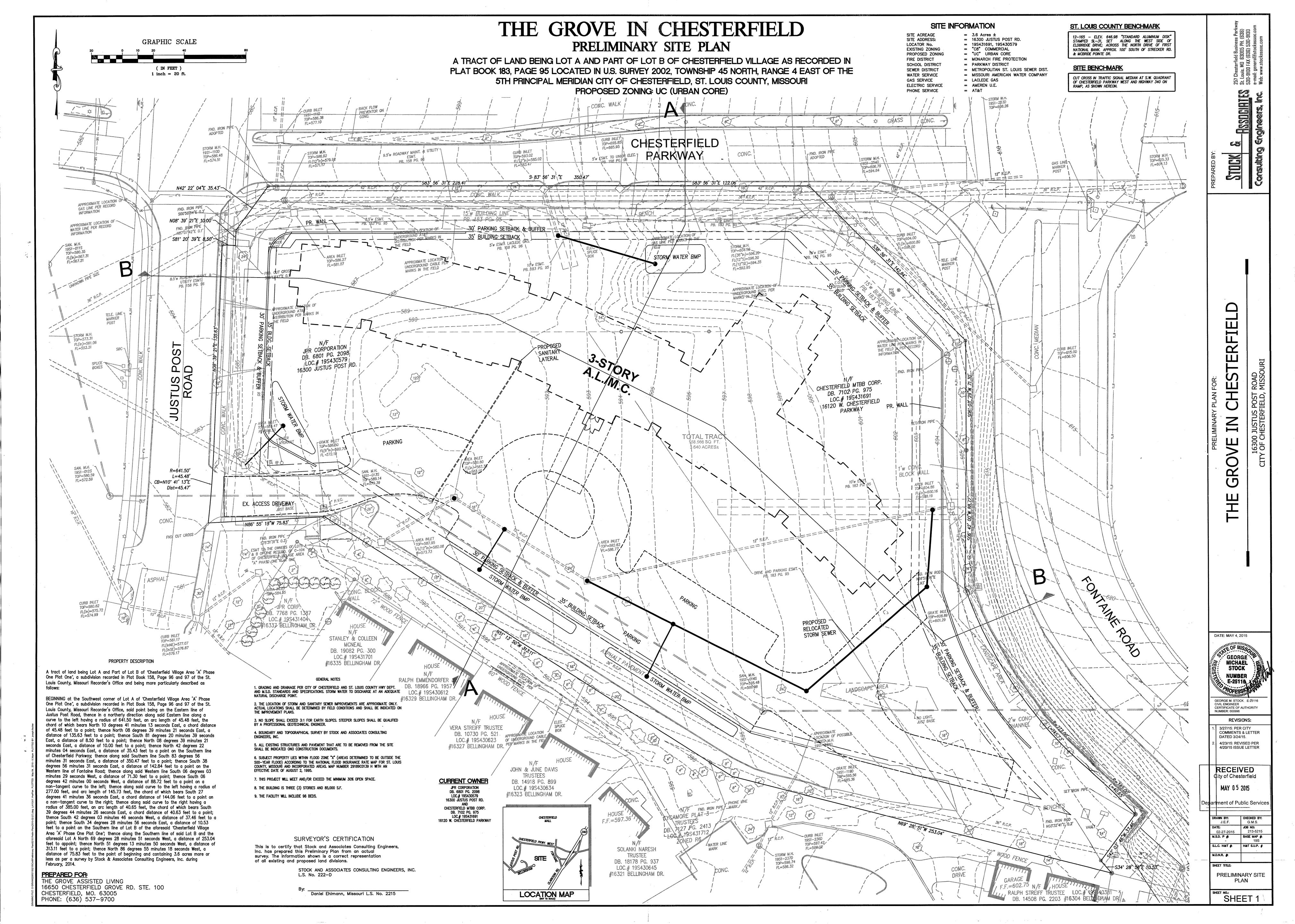
The developer is advised that utility companies will require compensation for relocation of their facilities within public right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays on utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

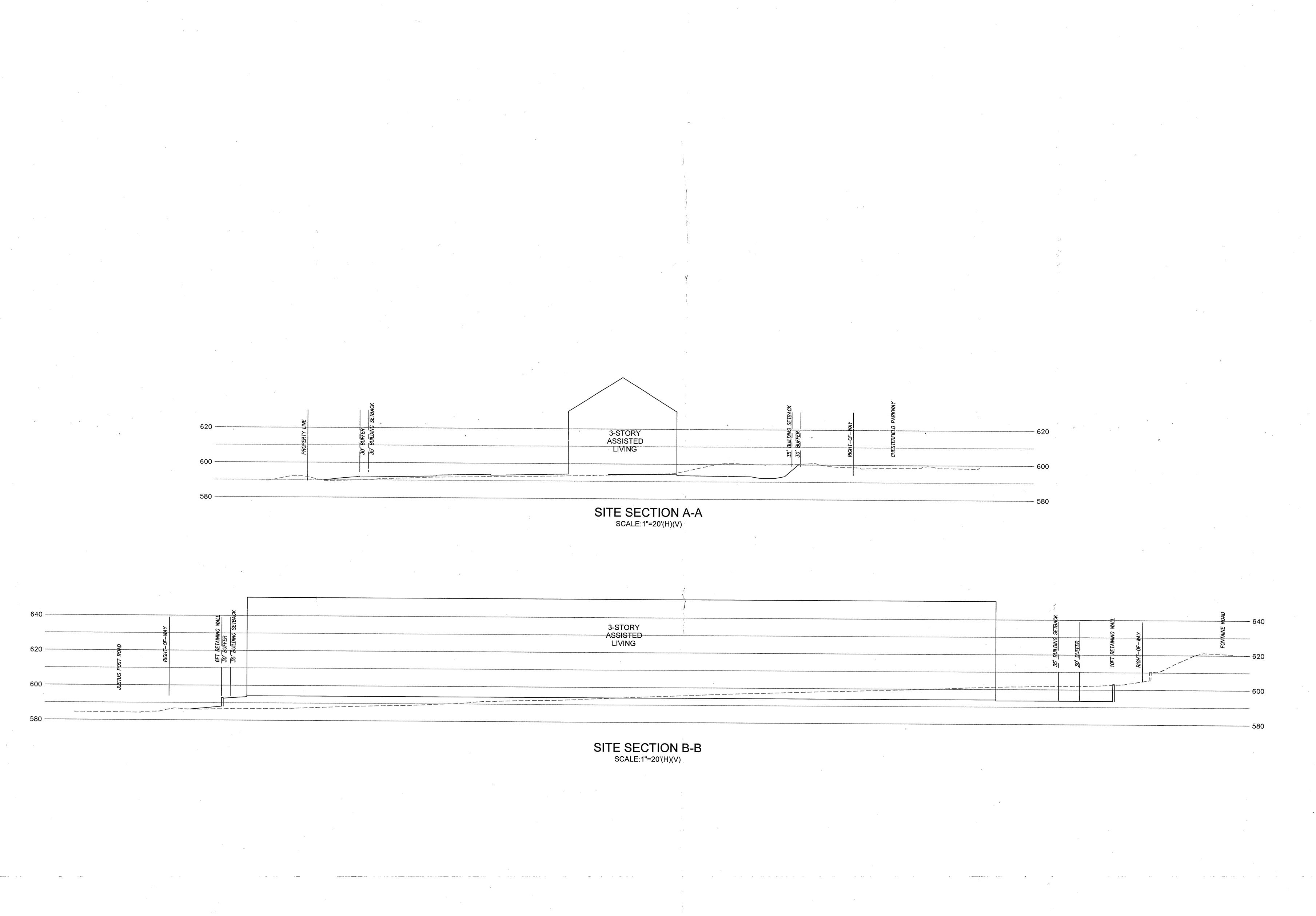
VI. RECORDING

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

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.





DATE: MAY 4, 2015 GEORGE MICHAEL STOCK NUMBER . E-25116 GEORGE M. STOCK E-25 i16 CIVIL ENGINEER CERTIFICATE OF AUTHORITY NUMBER: 000996

REVISIONS: 3/27/15: PER CITY COMMENTS & LETTER DATED 3/24/15.

2. 4/23/15: REVISED PER 4/20/15 ISSUE LETTER

DRAWN BY:

J.E.F.

G.M.S.

DATE:

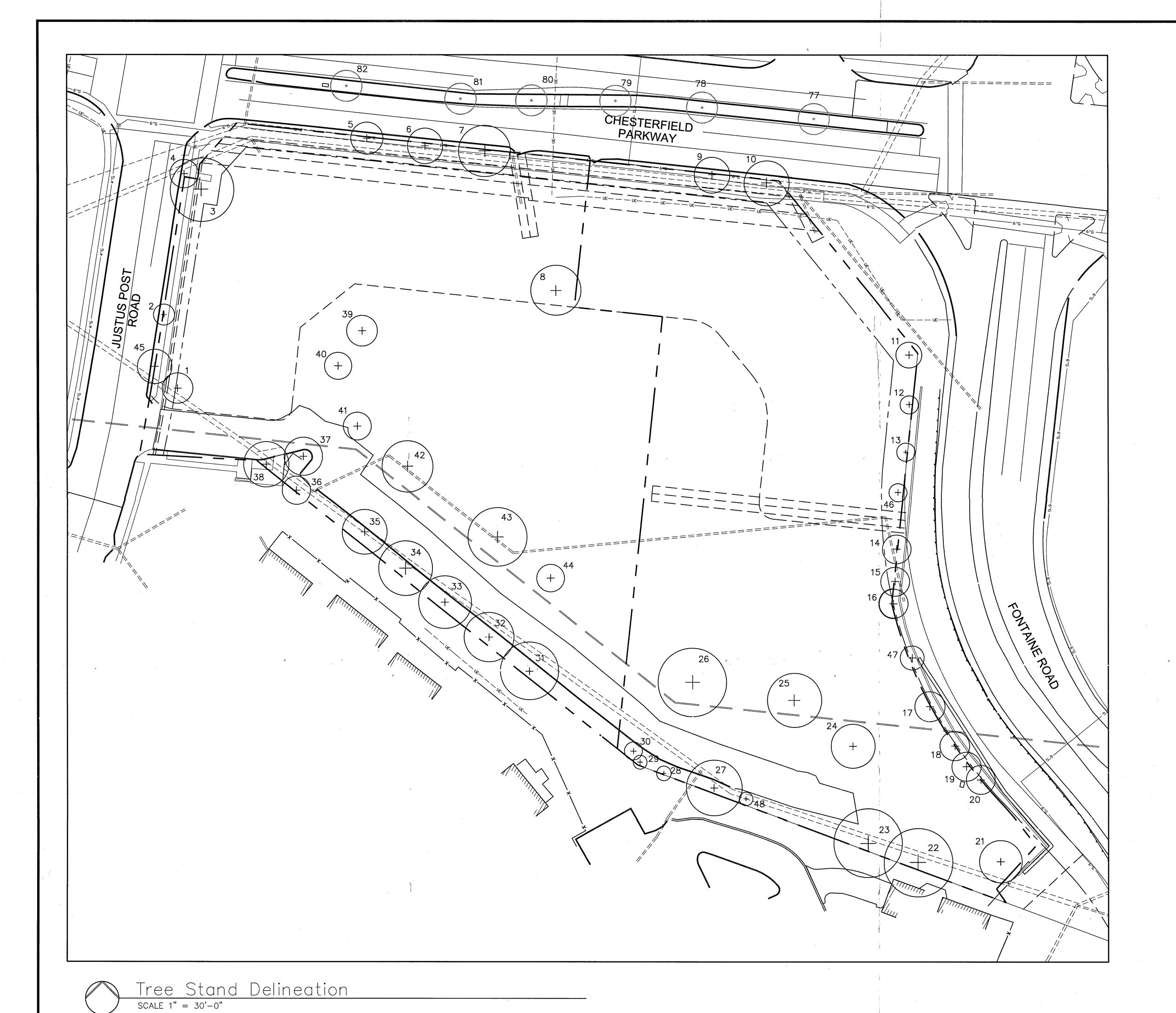
02-27-2015

M.S.D. P # BASE MAP # 19S

S.L.C. H&T # H&T S.U.P. #

PRELIMINARY SITE SECTIONS

SHEET NO.: SHEET 2



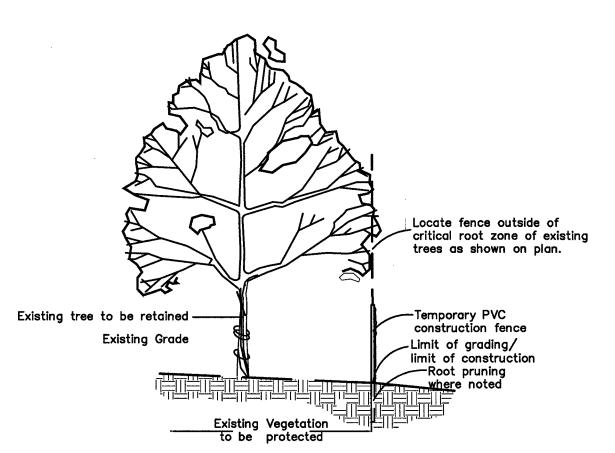
6 🕂 Existing Individual Tree

Existing Off-Site Tree

TREE STAND DELINEATION:

Justus Post Road 5-27-2014 DBH of Canopy Condition							
No.	Common Name	Trunk	Area	Rating	Condition Comment		
110.		(in.)	(sf.)	(1-5 Scale)	Condition Confinent		
1	Austrian Pine	16"	300	3			
2	Red Maple	10"	87	2			
3	Honeylocust	24'	1,110	3			
4	Green Ash	14"	48	2			
5	Green Ash	10"	205	3			
6	Green Ash	12"	170	2			
7	Green Ash	14"	495	2			
8	Sugar Maple	14"	1,000	1	sunscald dieback		
9	Green Ash	18"	250	2	Surscaid diepack		
10	Green Ash	18"	400	2			
11	Red Maple	12"	190	3			
12					EOO/ top do ad a syrene syrene ald the years		
	Red Maple	10"	90	1	50% top dead, severe sunscald/borers		
13	Red Maple	8"	80	2	severe sunscald/borers		
14	White Pine	18"	170	2	in decline		
15	White Pine	16"	140	3	 		
16	White Pine	16"	150	3	double leader		
17	White Pine	16"	170	3	L.		
18	Red Maple	10"	160	3			
19	White Pine	10"	190	3			
20	Red Maple	8"	150	3			
21	Green Ash	14"	590	1	50% dead- in decline		
22	Green Ash	18"	1,050	3			
23	Green Ash	20"	1,070	3			
24	Pin Oak	16"	700	3			
25	Pin Oak	18"	1,000 🧦	3			
26	Sugar Maple	24"	1,250	1	50% dead; sun scald/borers		
27	Green Ash	20"	680	3			
28	Hawthorn	4"	48	3			
29	Colorado Spruce	8"	54	3			
30	Austrian Pine	8"	110	2			
31	Green Ash	20"	740	3			
32	Green Ash	18"	600	2			
33	Green Ash	18"	670	3			
34	Green Ash	20"	760	2			
35	Green Ash	18"	580	3			
36	Crabapple	8"	160	1	50% dead		
37	Green Ash	12"	450	2			
38	Green Ash	18"	450	1	severe decline		
39	Honeylocust	12"	250	3			
40	Honeylocust	12"	250	3			
41	Green Ash	12"	300	2	in decline		
42	Green Ash	16"	1,000	3	in decine		
43	Green Ash	24"	1,000	3			
44	ļ	10"		2			
····	Green Ash		250				
45	Red Maple	12"	200	3			
46	Red Maple	8"	100	2	sun scald		
47	Red Maple	8"	60	2	25% dieback		
48	Green Ash	20"	1,000	3			

Total Canopy Area: 21,177 sf.



TREE PROTECTION DETAIL n.t.s.

Tree Stand Delineation Plan Prepared under direction of: Douglas DeLong Certified Arborist MW- 4826A

Nouglas A Walang

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Z Manaca !
LAT IS
W.S. Commercial III
APE ARCHIMING
4 1 1 2 3 1 2
Jerald Saunders - Landscape Architect
MO License # LA-007/
Consultants:

Justus Post Road

16300

Revisions:

Date Description No. 4/6/15 On-site only 1

Drawn: LWH Checked: JAS

FLSSOCIATES

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Sheet Tree Stand
Title: Delineation
Sheet No:

Date: 6/6/14
Job #: 568.016