

III. B.

Memorandum Planning & Development Services Division



To: Planning and Public Works Committee

From: Justin Wyse, Senior Planner

Date: May 9, 2013

RE: P.Z. 06-2013 Mercy Health System (Chesterfield Village, SE Quadrant): A request for an ordinance amendment to modify the boundaries of the "UC" Urban Core District to incorporate two parcels zoned "C-8" Planned Commercial District into the "UC" Urban Core District totaling 43.35 acres located north of Chesterfield Parkway and east of Elbridge Payne Rd. (19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171, 18S220061, 19S531922, and 18S210138).

Summary

Sisters of Mercy Health System (Mercy) has submitted a request for an ordinance amendment to add two parcels of land to an existing 40.040 acre "UC" Urban Core District resulting in a new "UC" Urban Core District totaling 43.35 acres. The requested amendment would retain previous development criteria approved as part of the original "UC" District and would bring the two new properties under this same ordinance.

A Public Hearing was held on March 25, 2013. Discussion focused primarily on the impact of adding the additional parcel along Chesterfield Parkway would impact the residential development on the south side of Chesterfield Parkway (Brandywine) in terms of building setbacks and height. Additional discussion included the impact of the overall approval to the Mercy campus if the two parcels were included.

The project was before the Planning Commission again on April 22, 2013. After a motion to approve the request, two amendments were proposed to modify the preliminary plan to include a 50-foot structure setback from Chesterfield Parkway and a 15-foot building setback from Elbridge Payne for 1281 Chesterfield Parkway. The Preliminary Plan before the Planning and Public Works Committee reflects these changes.

It should also be noted that discussion did include the possibility of limiting the building height on 1281 Chesterfield Parkway to one-story in height. After reviewing the implications of the request, the Commission did not include this restriction in their recommendation.

The Planning Commission recommended approval of the above-referenced matter, with the amendments noted above by a vote of 8-0.

Attached please find a copy of Staff's report, the Attachment A and the Preliminary Plan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin Wyse". The signature is stylized with a large, looping initial "J" and a cursive "W".

Justin Wyse, AICP
Senior Planner

cc: Aimee Nassif, Planning and Development Services Director

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. Health services; including clinics of doctors and dentists
 - b. Hospice
 - c. Hospitals and medical centers
 - d. Medical care facilities
 - e. Office, dental
 - f. Office, general
 - g. Office, medical
 - h. Outpatient care and treatment facilities
 - i. Parking area, including garages, for automobiles
 - j. Parking structures, public or private
 - k. Residential care and treatment facilities
 - l. Schools for the handicapped
 - m. Wellness centers
2. Hours of Operation.
 - a. Hours of operation for this 'UC' District shall not be restricted.
3. Ancillary uses for the above referenced permitted uses shall be as follows:
 - a. Administrative office for educational or religious facility
 - b. Assisted living
 - c. Auditorium
 - d. Barber or beauty shop
 - e. Cafeterias for use by employees and guests of primary uses
 - f. Coffee shop
 - g. Day care, including adult day care
 - h. Device for energy generation
 - i. Dormitories
 - j. Duplicating, mailing, stenographic and office services
 - k. Dwelling, employee
 - l. Dwellings, multiple family
 - m. Educational facility – Specialized private school
 - n. Educational facility – Vocational school, outdoor training
 - o. Educational services to the public related to health care

- p. Financial institutions with no drive-throughs
- q. Florists
- r. Gift shops
- s. Grocery – Neighborhood
- t. Group housing
- u. Gymnasium
- v. Hospitality houses
- w. Laboratories
- x. Newspaper stand
- y. Orthopedic stores
- z. Pharmacies
- aa. Places of worship
- bb. Research facilities
- cc. Restaurant, sit down or take out including outdoor customer dining area under two thousand (2,000) square feet in gross floor area without drive-through or drive-in
- dd. Satellite dish
- ee. Schools and training facilities related to the medical professions including but not limited to schools for nursing
- ff. Social services
- gg. Substance abuse treatment facility, outpatient
- hh. Substance abuse treatment facility, residential
- ii. Telecommunications structure
- jj. Telecommunications tower or facility
- kk. Terminals for buses and other public mass transit vehicles
- ll. Transit transfer station

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. Any structures, other than parking structures, that are primarily (greater than 50% of square footage) located within 300 feet of Chesterfield Parkway ('Parkway Area') shall not exceed:
 - i. 700 feet above Mean Sea Level exclusive of mechanical equipment, penthouses and screening for such items, and
 - ii. Three stories in height, exclusive of mechanical equipment and penthouses and screening for such items.

- b. Any structures, other than parking structures, that are primarily (greater than 50% of square footage) located north of 300 feet of Chesterfield Parkway ('S. Outer 40 Area') shall not exceed:
 - i. 725 feet above Mean Sea Level, exclusive of mechanical equipment, penthouses and screening for such items, and
 - ii. Six stories in height, exclusive of mechanical equipment and penthouses and screening for such items.
- c. Parking structures:
 - i. Parking Structure Area A, as delineated on the Preliminary Plan shall not be greater than 690 feet above Mean Sea Level.
 - ii. Parking Structure Area B, as delineated on the Preliminary Plan shall not be greater than 640 feet above Mean Sea Level. Any proposed railing or similar structure on the top deck not associated with the parking of vehicles shall be considered part of building and subject to building height limitations.
 - iii. Parking Structure Area C, as delineated on the Preliminary Plan shall not be greater than 650 feet above Mean Sea Level.
- d. For the purpose of this section, a story shall be defined as the horizontal segment of a building between the floor surface and the ceiling next above it, and wholly above grade.

2. Open Space

- a. A minimum of 30% open space is required for this development.

3. Floor Area

- a. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

All building and parking (including parking structures) shall be as shown on the Preliminary Plan.

D. PARKING AND LOADING REQUIREMENTS

- 1. A Parking Demand Study shall be submitted during the site development plan review process in accordance with Section 1003.165 of the City of Chesterfield Zoning Ordinance. This study will be reviewed as part of the site development plan submittal and approved by Planning Commission.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Where natural buffers exist, every effort shall be made to reduce disturbance and maintain the existing buffer, except for the removal of dead wood and invasive vines and plants. Additional trees and shrubs may be required to bring the natural buffer up to the full perimeter buffer requirements.
3. The developer shall extend the landscaped median areas on Chesterfield Parkway which were previously planned for access to the property covered by this ordinance. The median(s) shall be constructed, backfilled, irrigated and landscaped in accordance with City standards, specifications, and guidelines. The developer will be responsible for the installation of any necessary water taps for the irrigation system. The City of Chesterfield will be responsible for future maintenance once construction of the medians has been completed and approved. Final extents of the medians shall be as directed by the City of Chesterfield and St. Louis County Department of Highways and Traffic.

F. SIGN REQUIREMENTS

1. 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, St. Louis County Department of Highways and Traffic, and / or MoDOT, as applicable, for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Chesterfield Parkway shall be via one (1) commercial entrance, signalized as warranted by the MUTCD, and built to St. Louis County standards. If signalized, the entrance shall be centered between the existing signalized intersections at Elbridge Payne Drive and Schoettler Valley Drive, as directed by the St. Louis County Department of Highways and Traffic. Additional rights-only access to Chesterfield Parkway may be permitted as indicated in the approved traffic study.
2. Parking shall be prohibited along both sides of the main driveway and cross-traffic shall not be permitted within 175 feet from Chesterfield Parkway as directed by the Saint Louis County Department of Highways and Traffic.
3. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Highways and Traffic and / or the City of Chesterfield.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. The intersection of Elbridge Payne and Chesterfield Parkway shall be brought up to adhere to the 2010 ADA Standards for Accessible Design, or most current requirements, to include pedestrian facilities.
2. Sidewalks shall be installed on both sides of internal drives. Drives running parallel to a property line with no building access between the drive and property line shall only be required to install sidewalks on the interior side of the drive. All pedestrian facilities shall adhere to all applicable 2010 ADA Standards for Accessible Design or most current requirements, specifically regarding the site arrival points. Internal sidewalks shall connect to the site frontage and provide pedestrian access.
3. Provide improvements, including a 6 foot wide sidewalk, street trees, tree lawn, 'Share the Road' signage, and street lights, along the Chesterfield Parkway along the frontage of the subject site in accordance with the preliminary plans for the "Pathway on the Parkway" project. The improvements may be located in right-of-way if permitted by the St. Louis County Department of Highways and Traffic or within a sidewalk, maintenance and utility easement. An area at least 16 feet wide is required

for the improvements. The City of Chesterfield will be responsible for maintenance of the improvements; the property owner shall be responsible for all costs related to providing power to the street lights.

4. Due to the size of this development and potential traffic generation, a traffic impact study will be required to determine the needed roadway improvements to mitigate the additional traffic on local roads and the state highway system. The developer's additional road improvement obligation shall be as determined by the approved study and as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and Missouri Department of Transportation.
5. 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 St. Louis County Department of Highways and Traffic and the City of Chesterfield. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
6. The City and the developer shall enter into an agreement, including a financial instrument for funding, for pursuing approvals and completing construction for the improvements associated with S. Outer 40 Road, access to I-64 from S. Outer 40 Road and related improvements as identified in the study prepared by Bernardin, Lochmueller & Associates, Inc. dated May 21, 2012, as amended, under Preliminary Evaluation of Alternative Freeway Access.
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.
8. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the St. Louis County Departments of Planning and Highways and Traffic and / or the City of Chesterfield.

K. TRAFFIC STUDY

1. The developer shall submit a traffic study, addressing the traffic generated by the proposed development, to the Missouri Department of Transportation (MoDOT), the St. Louis County Department of Highways and Traffic (SLCDHT), and the City of Chesterfield, as applicable, for review and approval. 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 entrances to this development. 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.

L. TRAIL

A trail for public use that connects to public sidewalk(s) shall be provided and maintained by the developer.

M. PUBLIC ART

General areas where public art may be placed shall be indicated on the appropriate site development plan. The specific details for the public art, such as location, size, placement, type, etc., shall be approved by the City of Chesterfield.

N. 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.

O. STORMWATER

1. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The stormwater

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 stormwater management facilities shall be identified on the Site Development Plan(s).

2. This project will be considered "new development" and stormwater quality controls shall be designed and implemented to reasonably mimic pre-construction runoff conditions to the maximum extent practicable. Water quality, channel protection (extended detention), and flood detention requirements must be met during formal plan review.
3. Formal plan submittal and approval will be required by MSD prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review. A complete pre-existing natural resources plan shall be submitted with plan review materials
4. As previously part of development planning, a flood detention basin was proposed on this property that would serve development on the Mercy parcel, the proposed Hyatt Place at Drury Plaza, and the existing Drury Plaza. A "master stormwater detention plan" shall be submitted to MSD as part of formal plan review for all of these properties. Prior to approving development plans, MSD will also need construction schedules for the project and the Drury Plaza project, as well as a commitment from both parties to meet the schedule's due date for detention basin construction.

Failure to meet the schedule for flood detention basin construction may necessitate compliance enforcement action by MSD.

5. New stormwater detention basins will be constructed based on current MSD standards. Creve Coeur Creek is a "release rate watershed", the impervious area in the development plans indicates the differential runoff will be >5 cfs, and the detention basin should be designed to limit runoff to watershed release rates in Table 4-5 of MSD's Rules and Regulations.
6. The storm sewer proposed to take runoff from the Clarkson Road and S. Outer 40 right-of-way will be a privately maintained storm sewer. Should the developer desire to make this sewer a public sewer, its alignment and potentially the site layout will need to be modified.
7. For either 1350 Elbridge Payne Rd or 1281 E. Chesterfield Pkwy , all development that occurs subsequent to the change in zoning should be submitted to MSD for review. Development on either parcel will be evaluated as part of the overall Mercy Health Campus project.

8. Based on the proposed building plan for 1350 Elbridge Payne Rd, a boundary adjustment plat will be needed and reviewed with formal plan review.
9. Stormwater management will be required for all future development on these parcels and should be consistent with MSD comments submitted as part of the earlier concept plan (BK 360, PG 391-406). Please note the following:
 - a. Stormwater quality management and channel protection detention will be required for all development on 1350 Elbridge Payne Rd or 1281 E. Chesterfield Pkwy.
 - b. If future development at 1350 Elbridge Payne drains into other on-site flood detention basin(s), then those basin(s) should be sized to accommodate that flow. The amount of allowable release from those basin(s) should be based on allowable release rates for Creve Coeur Creek listed in Table 4-5 of MSD Rules and Regulations.
 - c. 1281 E. Chesterfield Pkwy presently drains into an existing detention pond. Any increase in runoff from this parcel will need to be addressed with detention facilities, to meet current flood detention requirements. Flood detention requirements may either be met with a new on-site basin, or by upgrading the existing pond.

P. SANITARY SEWER

1. An assessment of the sanitary system that serves this site will be required to evaluate whether the sanitary system has capacity for the additional flow produced by this complex. The developer will be required to make any upgrades necessary to accommodate the additional sanitary flow from the site.
2. Sanitary load estimates may need to be updated to reflect this revised plan, and calculations will be reviewed during formal plan review.

Q. 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. WETLANDS AND JURISDICTIONAL WATERWAYS

Prior to approval of any grading permit or improvement plans, or issuance of a building permit, required permits from the ACOE shall be obtained.

S. 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.

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, Spirit of St. Louis Airport, the Missouri Department of Transportation, and Metro Transit.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

B. SITE DEVELOPMENT PLAN AND SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

Site Development Plan or Site Development Section Plan(s) 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. Indicate location of public art as identified in Section I.M.
13. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
14. Floodplain boundaries.
15. 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.
16. 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.
17. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
18. 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.
19. Address trees and landscaping in accordance with the City of Chesterfield Code.
20. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
21. 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.
22. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, the Missouri Department of Transportation, and Metro Transit.
23. Compliance with Sky Exposure Plane.
24. 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 (Trust Fund No. 554). Traffic generation assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

Roads

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>
Medical Office	\$1,879.80/Parking Space
General Office	\$ 626.57/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 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 the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.

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.

The amount of the required contribution, if not approved for construction by January 1, 2013, 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.

The developer is advised that utility companies will require compensation for relocation of their facilities with public road 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 in 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.



VIII. B.

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PLANNING COMMISSION VOTE REPORT

Subject: Ordinance Amendment Vote Report

Meeting Date: April 22, 2013

From: Justin Wyse, Senior Planner

Location: North of Chesterfield Parkway E, south of I-64 (SE Quadrant)

Petition: P.Z. 06-2013 Mercy Health Systems (Chesterfield Village, SE Quadrant)

PROPOSAL SUMMARY

Sisters of Mercy Health System (Mercy) has submitted a request for an ordinance amendment to an existing "UC" Urban Core District to include two additional parcels of land currently zoned "C-8" Planned Commercial District for area of land located north of Chesterfield Parkway and east of Elbridge Payne Rd. The proposal would create a single planned district ordinance to allow for a corporate location for Mercy. The request does not include any changes to the area covered by the existing "UC" District. The only changes proposed are in conjunction with the two new parcels being added to the existing district.



The Mercy Health development is currently governed under City of Chesterfield Ordinance 2721 which is available online at:

<http://www.chesterfield.mo.us/webcontent/ordinances/2012/ord2721.pdf>

PUBLIC HEARING

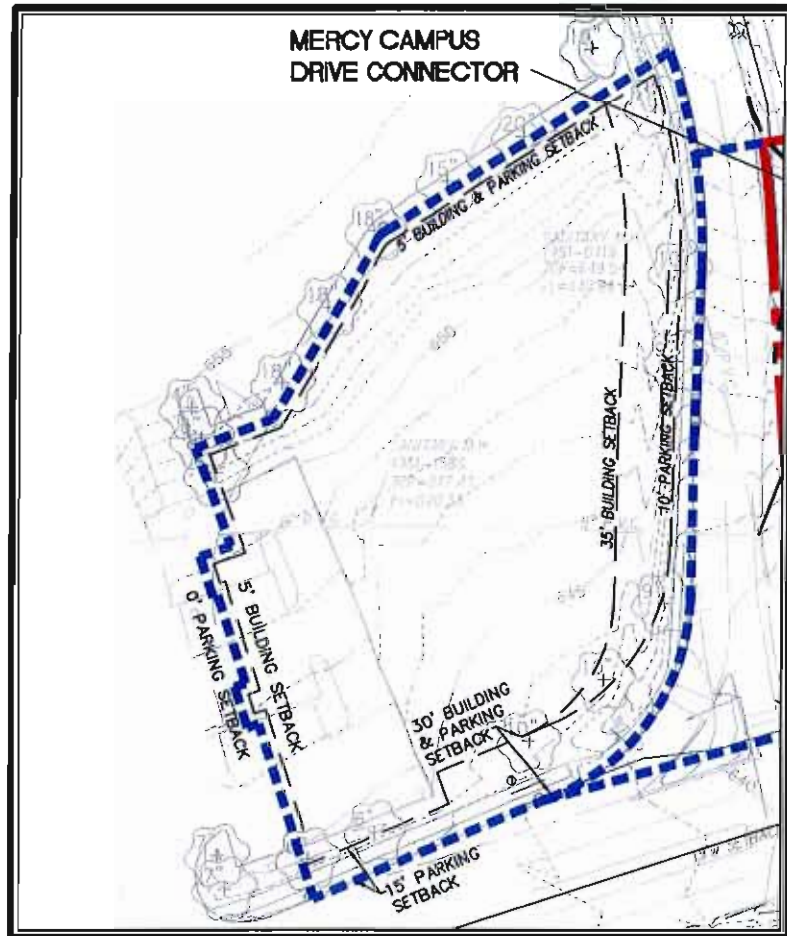
A Public Hearing was held on this Petition on March 25, 2013. Two issues were raised during the meeting.

Issue #1

The first issue related to the setback along Chesterfield Parkway for one of the parcels proposed to be included in the "UC" District. The graphic on the previous page depicts this additional area in yellow.

This issue was raised during the establishment of the initial "UC" District for the development. At that time, an increased buffer along Chesterfield Parkway was agreed upon where the southern setback would be increased and the western setback would be reduced. This created a larger separation between the proposed development and the residential properties located on the south side of Chesterfield Parkway while allowing a smaller buffer between the commercial properties to the west.

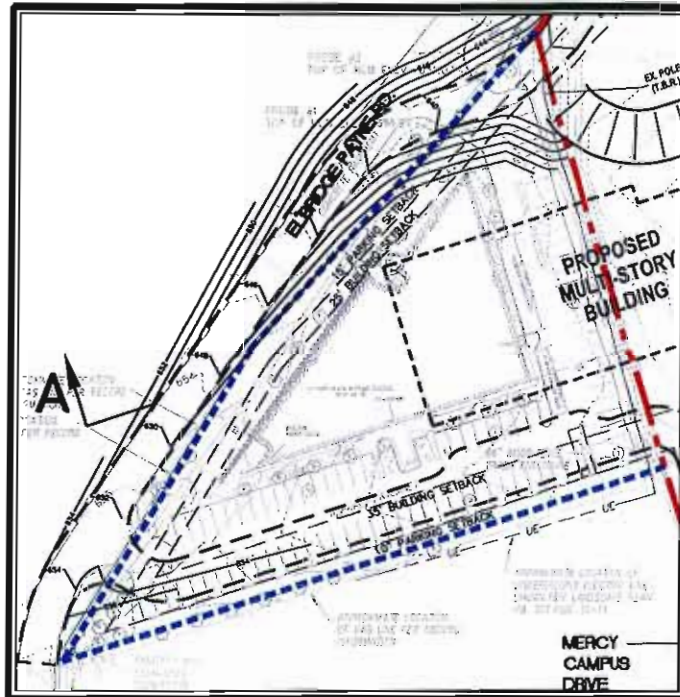
The Preliminary Plan presented to the Commission at the Public Hearing showed a 15 foot parking and building setback along this property. After receiving the concerns raised at the Public Hearing, the Petitioner is proposing to increase the proposed setback to 30 feet. Please note that the parking setback, at the request of



Staff, has been modified to allow the existing parking on the site to remain in compliance with the ordinance amendment under review by the Commission. The increase in the buffer would create a larger buffer along Chesterfield Parkway while still retaining a buildable lot. The Petitioner's response to the issue (attached) states that, "a greater setback would render this Southern addition unbuildable." Please note, the proposal does not impact the previously approved setback along Chesterfield Parkway or any other previously approved setbacks as part of the Mercy development.

Issue #2

The second issue related to clarification of the proposed setback for the northern property. The Preliminary Plan presented at the Public Hearing showed a 20 foot setback along the northwestern property line. After receiving the concern about the setback and reviewing the existing regulations with Staff, the Petitioner is proposing to increase this setback to 25 feet to match the existing regulations on the building.



DEPARTMENT INPUT

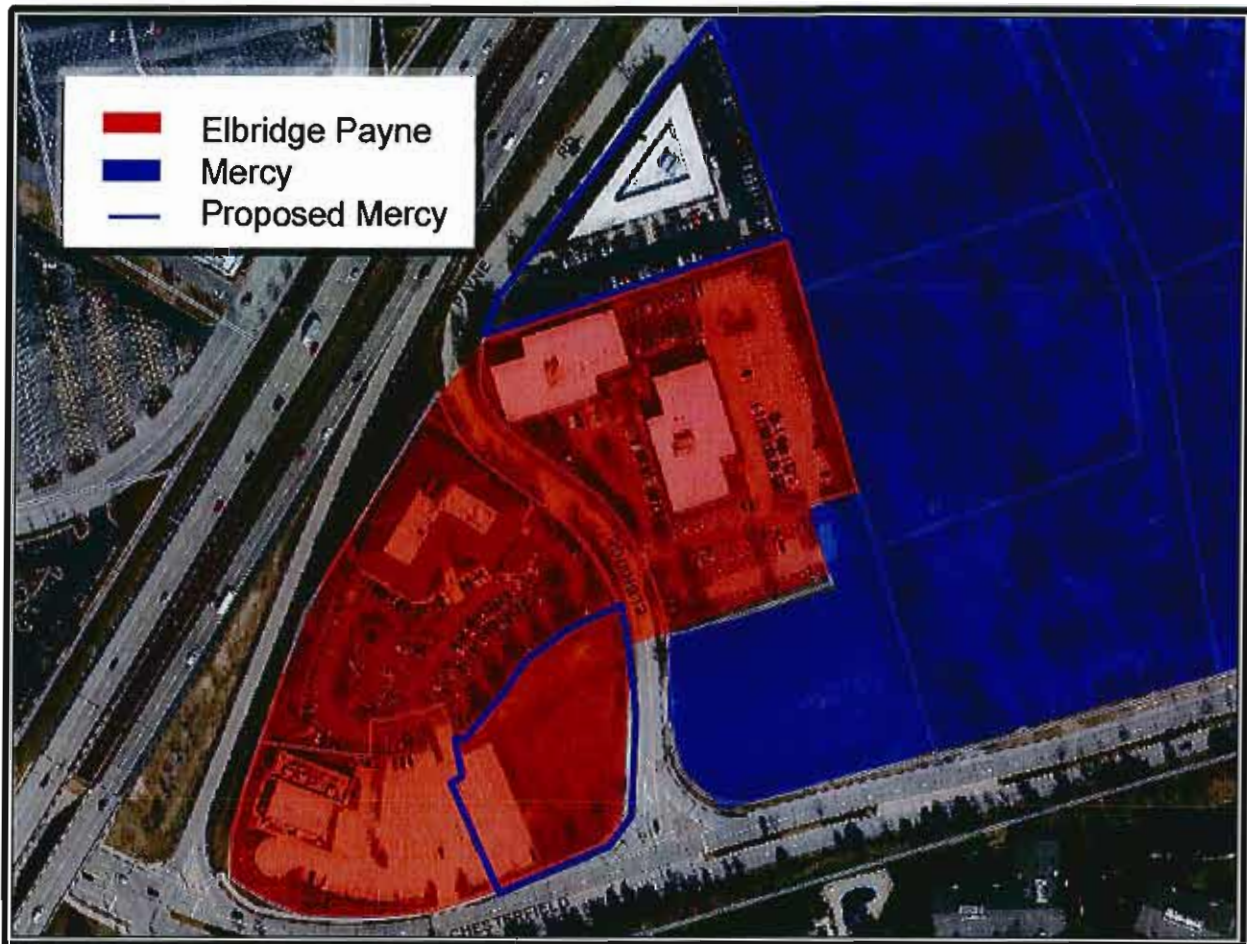
One of the complexities of including 1281 Chesterfield Parkway E is that the property was entitled and planned as part of the Elbridge Payne development. Given the prior entitlements and approved plans, there will be two primary implications of moving this development under the Mercy campus development.

Impact to Elbridge Payne Density

City of Chesterfield Ordinance 2412, which governs the Elbridge Payne development, allows (in part) for:

A maximum of 170,000 square feet of office space to be included in not more than six (6) buildings; and, one free standing restaurant not to exceed 15,000 square feet.

The image on the next page shows the areas currently regulated by this requirement, a portion of the Mercy development, and the area currently in Elbridge Payne proposed to be encompassed in the Mercy development.



There are currently three office buildings and one restaurant located within the Elbridge Payne development. The office buildings in the development total approximately 111,000 square feet of floor area. Under the previous density discussed on the previous page, the vacant parcel proposed to be included in the Mercy development would be permitted approximately 59,000 square feet of floor area. By including this land area in the Mercy development, an additional approximately 31,360 square feet of floor area would be permitted in the Mercy development.

The existing "triangle" building is regulated under St. Louis County Ordinance 11,323 which permits a maximum of 26,900 square feet of development on the parcel. The Preliminary Plan to include this parcel proposes demolition of the existing office building and a portion of a new building being constructed on the site.

The original ordinance was drafted and approved with density based off an established Floor Area Ratio. The proposal would not modify the previous approval, but would add additional land area into the District.

Total Mercy Development

	Land Area	F.A.R.	Entitled Building Area
Proposed	1,888,710	0.55	1,038,790.50
Existing	1,744,145	0.55	959,279.75
	Increased Floor Area		79,510.75

A comparison of the existing density entitlements of the two parcels to be added to the proposed density is shown below:

	Existing Ordinance	Max s.f. under existing Ordinance	Added Density under 0.55 FAR
1281 Chesterfield Pkwy	2412 (Chesterfield)	59,000	79,511
1350 Elbridge Payne	11,323 (StL County)	26,900	
Total		85,900	

However, it should be acknowledged that removal of 1281 Chesterfield Parkway from the existing Elbridge Payne ordinance would not change the density permitted under City of Chesterfield Ordinance 2412 for the remainder of the properties regulated under the ordinance.

Impact to Elbridge Payne Plan Approvals

1281 Chesterfield Parkway was originally planned as a Section in conjunction with 1295 Chesterfield Parkway and 1415 Elbridge Payne Road. Removal of this 1281 Chesterfield Parkway from the previous Section Plan will require an amendment of the previously approved plan. This amendment will be required to be completed prior to approval of an amended Site Development Concept Plan for the Mercy development. One of the primary considerations in this process will be retaining adequate, efficient, and appropriate access (including cross access requirements) and parking (including shared parking arrangements). This process will be fully vetted during the site plan review process. It should be noted that a condition has been included in the Attachment A, in conjunction with the requirements of St. Louis County that cross access easements guaranteeing access between the Mercy development and adjacent properties. This requirement will be finalized and the easements will be established during future plan review processes.

REQUEST

The attached planned district ordinance includes all previous requirements in the original "UC" Urban Core District developed for the Mercy development. Staff is recommending changes to how the Setbacks are established within the Attachment A to reference the Preliminary Plan (Attachment B). Density for the development, including the two parcels proposed to be added to the development, is proposed to be regulated under the previously approved 0.55 Floor Area Ratio.

Staff requests action on P.Z. 06-2013 Mercy Health Systems (Chesterfield Village, SE Quadrant).

Attachments

1. Attachment A
2. Response to Issues Letter
3. Preliminary Plan



DOSTERULLOM, LLC
ATTORNEYS AT LAW

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Chesterfield, MO 63017
(636) 532-0042
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William B. Remis
bremis@dosterullom.com

April 12, 2013

Sent via E-mail & U.S. Mail

Justin Wyse
Senior Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

RE: *Mercy Health, P.Z. 06-2013 ("Application for Zoning Amendment")*

Dear Justin:

This letter is in response to the two issues in your letter of March 27, 2013.

Issue No. 1: The additional property identified with Locator 19S531922 (the "Southern Addition") is currently a buildable lot in an approved subdivision. Petitioner has proposed a fifteen (15) foot setback from the southern boundary of the Southern Addition. Petitioner can increase this setback to thirty (30) feet from the southern boundary of the Southern Addition. A greater setback would render this Southern Addition unbuildable. The setback for the southern boundary of the UC District would remain one hundred (100) feet except for the southern boundary West of Elbridge Payne Road where the setback would be thirty (30) feet.

Issue No. 2: The additional property identified with Locator 18S210138 (the "Northern Addition") is currently occupied with a building that will eventually be removed and replaced with a new building. The current preliminary plan shows that the conceptual footprint of the building will result in more open space facing Clarkson Road than is currently provided except for one corner where the conceptual footprint will be closer to Clarkson Road than the existing building. The setback for building and parking along the northern boundary of the UC District can be thirty-five (35) feet except for 560 feet of the northwestern boundary adjacent to Elbridge Payne Road where the setback would be twenty-five (25) feet.

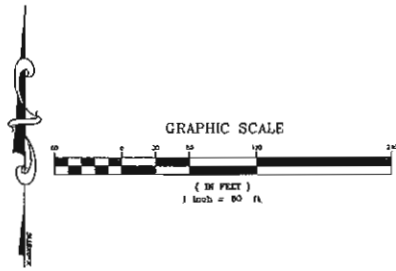
I believe this responds to the two issues. Stock and Associates will separately submit three (3) copies of a revised Preliminary Plan. Thank you.

Very truly yours,

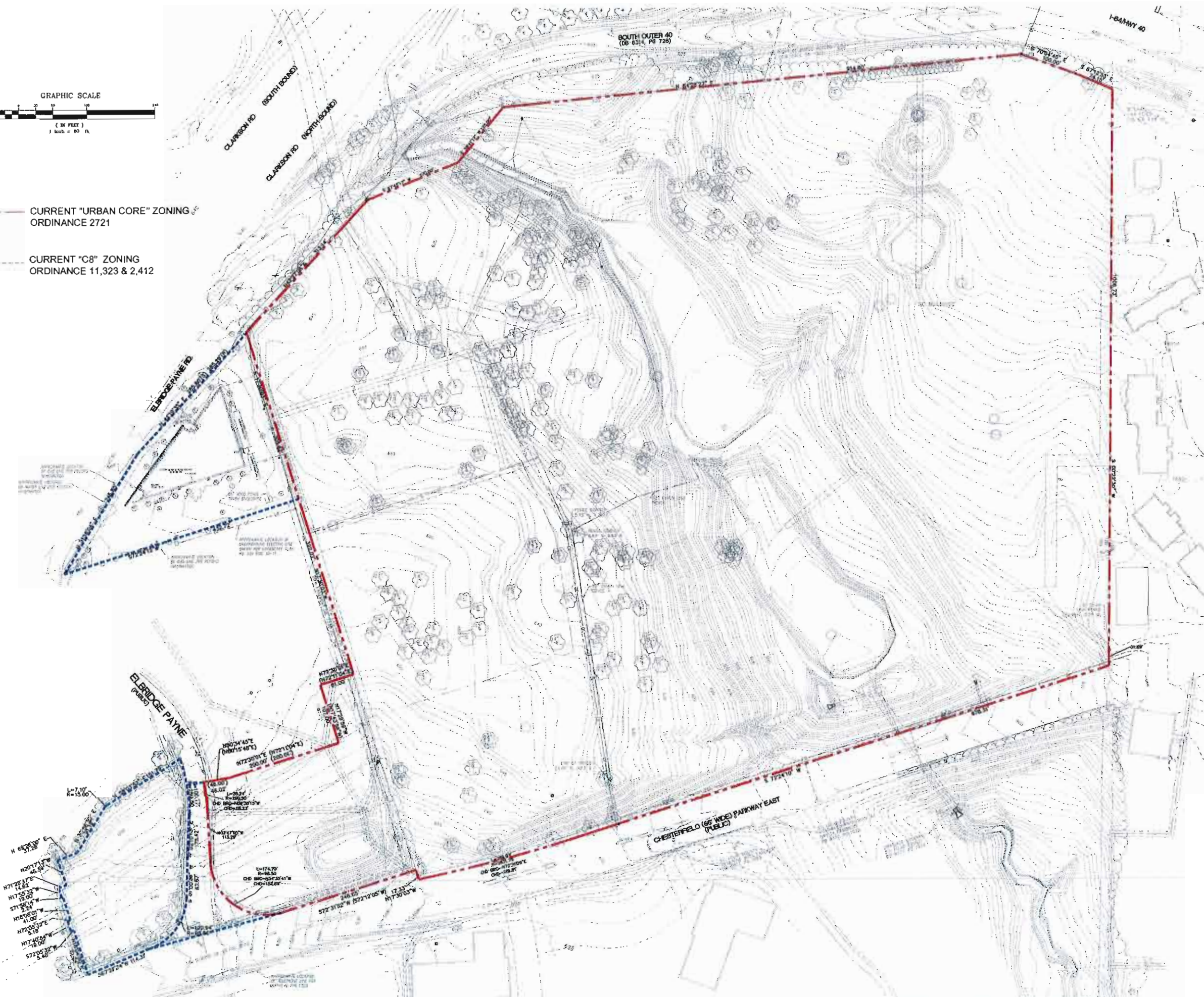
William B. Remis

WBR/kml

cc: Jon Fogle
Terry Bader
George Stock



--- CURRENT "URBAN CORE" ZONING ORDINANCE 2721
 - - - CURRENT "C8" ZONING ORDINANCE 11,323 & 2,412



PREPARED BY



PRELIMINARY PLAN FOR RE-ZONING:
MERCY HEALTH CAMPUS
 CHESTERFIELD
 MISSOURI

DATE:

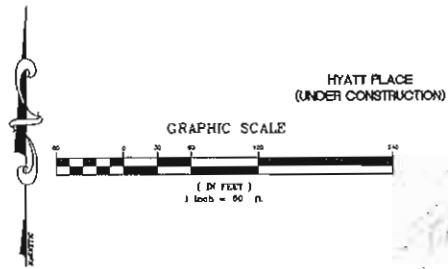
04/02/13
 GEORGE W. STOOK E-25116
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 000996

REVISIONS:
 1 04/02/13 REVISED SETBACK
 2 04/30/13 REVISED SETBACK

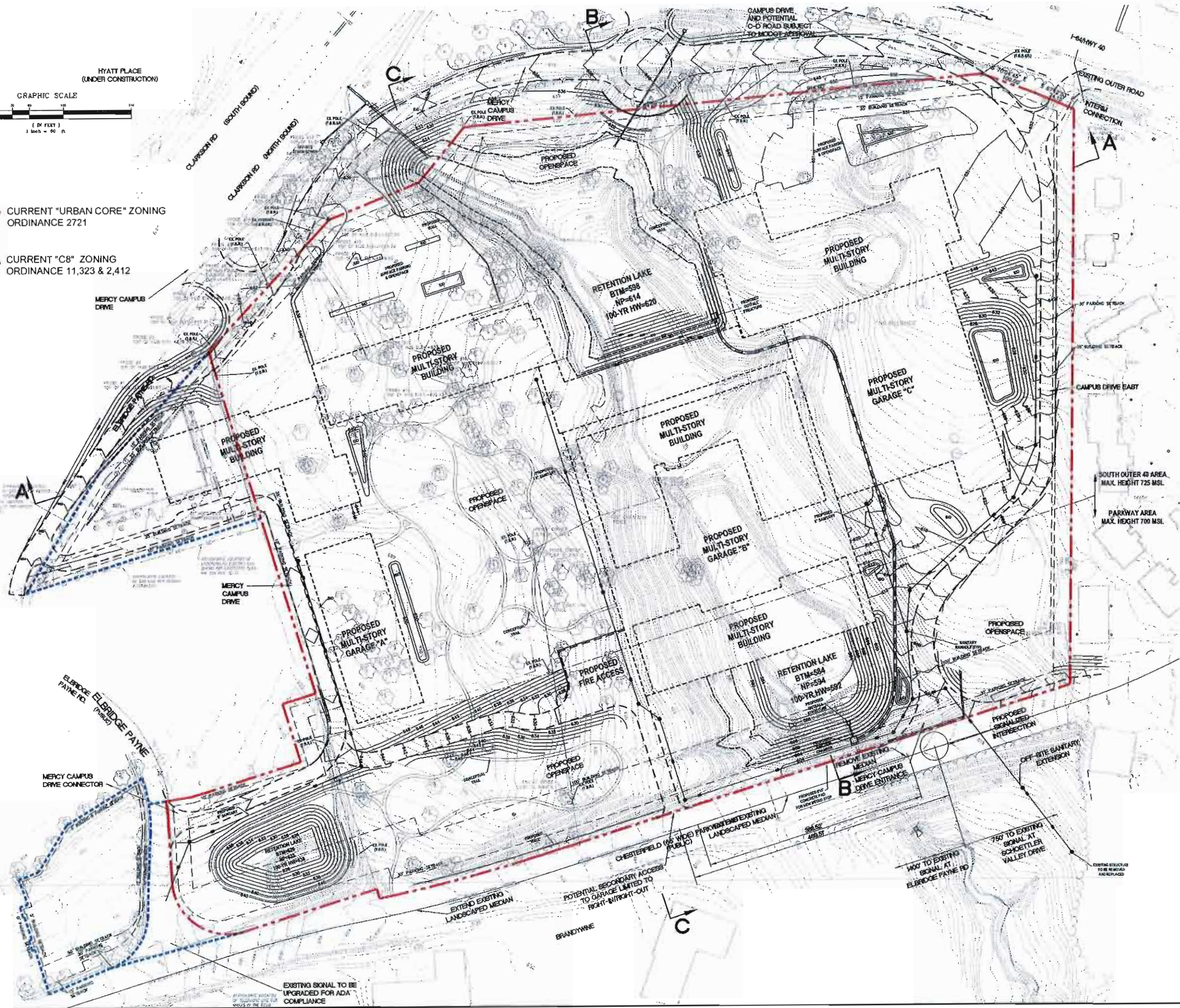
DATE	BY	CHKD BY	CHECKED
07/06/13	J.E.B.	G.W.S.	711-4871

SHEET TITLE:
**EXISTING
 CONDITIONS
 PLAN**

SHEET NO.:
3



--- CURRENT "URBAN CORE" ZONING ORDINANCE 2721
 --- CURRENT "C8" ZONING ORDINANCE 11,323 & 2,412



PREPARED BY:
STOCK & ASSOCIATES
 Consulting Engineers, Inc.
 207 Chestnut Hill Business Parkway
 St. Louis, MO 63105
 PH: (314) 231-8800
 FAX: (314) 231-9100
 e-mail: general@stockinc.com
 Web: www.stockinc.com

PRELIMINARY PLAN FOR REZONING:
MERCY HEALTH CAMPUS
 CHESTERFIELD
 MISSOURI

DATE:
 04/20/13
 GEORGE M. STOOK
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 000996

REVISIONS:

1	04/02/13	REVISED SETBACK
2	04/20/13	REVISED SETBACK

Drawn by: J.E.R. Check by: C.W.S.
 Date: 07/06/13 AS No: 211-1821
 Job No: 102 447 1
 Scale: 1/4" = 1'-00"
 SHEET TITLE:
PRELIMINARY PLAN

SHEET NO.:
4

PREPARED BY:

PRELIMINARY PLAN FOR RE-ZONING:
MERCY HEALTH CAMPUS
 CHESTERFIELD
 MISSOURI

DATE:

04/09/13
 GEORGE M. STOCK E-25118
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 000968

REVISIONS:

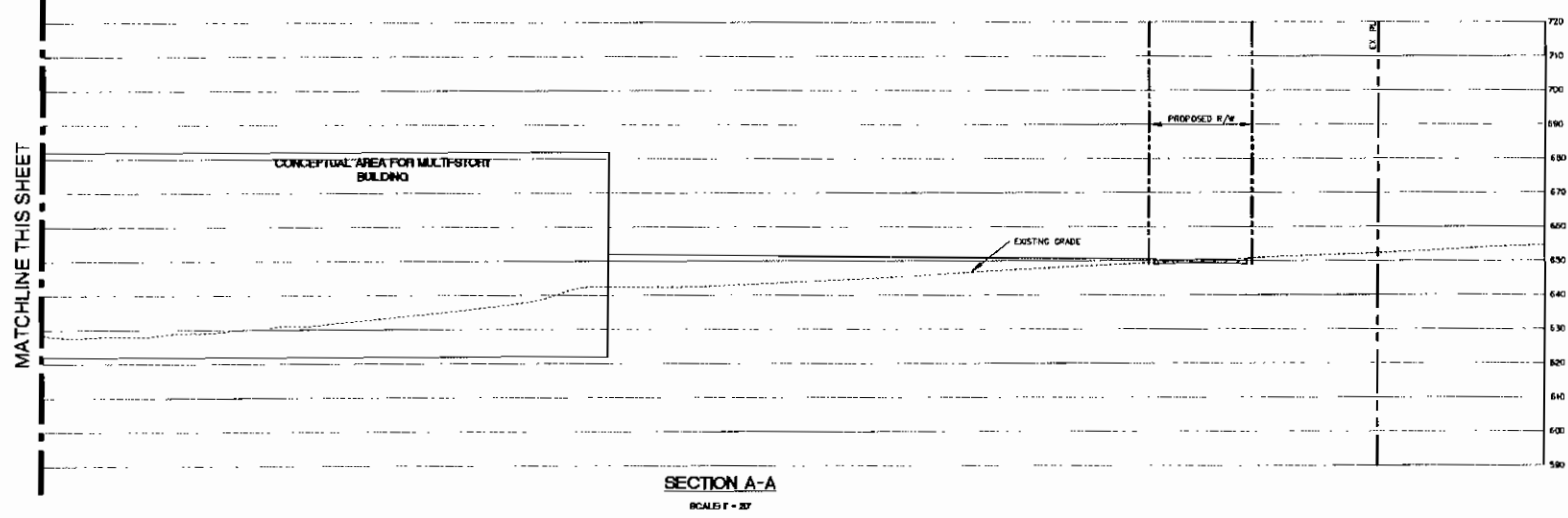
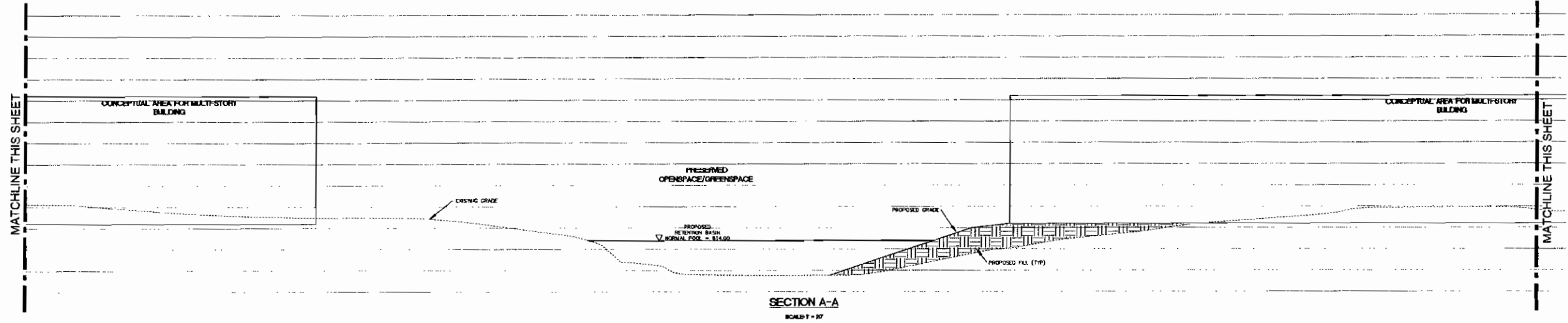
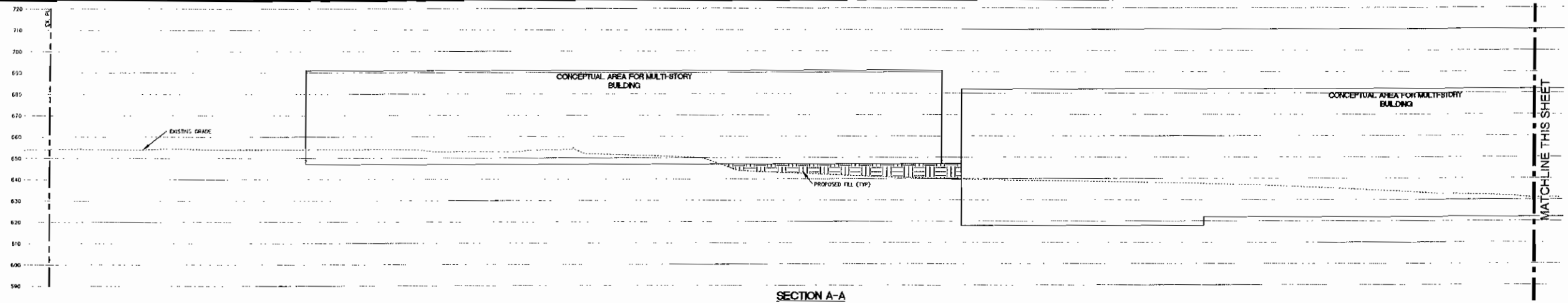
- 1 04/22/13 REVISED SETBACK
- 2 04/30/13 REVISED SETBACK

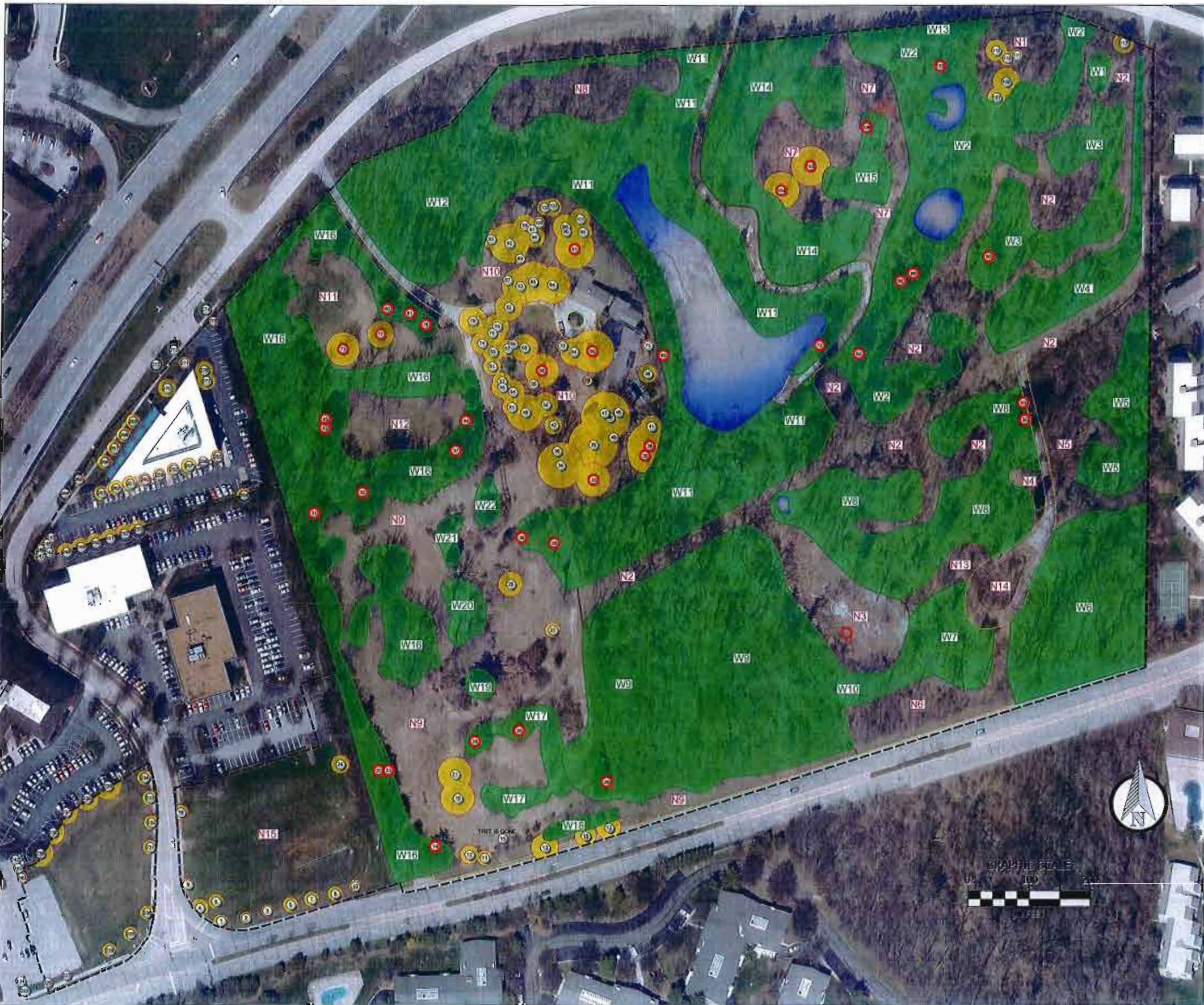
DATE BY	J.E.B.	CHECK BY	G.M.S.
DATE	01/26/13	DATE	01-4871
SCALE	AS SHOWN	SCALE	AS SHOWN
SCALE	AS SHOWN	SCALE	AS SHOWN

SHEET TITLE:

SITE SECTIONS

SHEET NO:





WOODLAND NARRATIVE

- W1 - 0.04 acre**
A small area of green ash with overstory that ranges from 5-8" DBH.
- W2 - 2.04 acres**
A mixture of older planted trees and native trees that have grown in to fill in what was once a savanna-like setting. Species is a variety of evergreens (white pine, scotch pine, Norway spruce, and Austrian pine) with overstory diameters ranging from 6-12" and mixed hardwoods (sycamore, elm, black locust, and silver maple) that range from 14" and larger in diameter. Most of the evergreens are mostly in a state of serious decline.
- W3 - 0.73 acre**
A young stand of elm, sweetgum, maple, and oak with overstory diameters ranging from 6-14". A few remnant larger diameter (12-24" DBH) trees include sycamore, pin oak, and silver maple.
- W4 - 0.66 acre**
A young stand of elm, sweetgum, maple, and oak with overstory diameters ranging from 6-14". A few remnant larger diameter (12-24" DBH) trees include sycamore, pin oak, and silver maple.
- W5 - 0.49 acre**
A young stand of black locust and elm with overstory diameters ranging from 6-10". A few remnant larger diameter (12-24" DBH) trees include sycamore, pin oak, and silver maple.
- W6 - 1.25 acres**
A high quality upland hardwood white oak stand with a small component of black oak, elm, and hackberry. The average overstory diameter is 18".
- W7 - 0.37 acre**
A high quality upland hardwood white oak stand with a small component of black oak, elm, and hackberry. The average overstory diameter is 12".
- W8 - 1.52 acres**
A young stand of black locust, sycamore, and elm with overstory diameters ranging from 6-10". A few remnant larger diameter (12-24" DBH) trees include sycamore, pin oak, and silver maple.
- W9 - 3.20 acres**
An undisturbed upland hardwood forest with an overstory of mostly white oak, with some red oak, black oak, and hickory. The average overstory diameter is 10". The understory consists of serviceberry, dogwood, redbud and regeneration-sized oak and hickory.
- W10 - 0.25 acre**
A stand of black locust and elm with overstory diameters ranging from 6-12". A few scattered larger diameter (12-24" DBH) trees include sycamore and silver maple.
- W11 - 3.57 acres**
A mixture of older planted trees and native trees that have grown in to fill in what was once a pastured area and slopes toward the north lake. Planted trees include evergreens (white pine, scotch pine, Norway spruce, and Austrian pine) with diameters ranging from 6-24" and hardwoods planted along the roadways that range from 14" to 28" in diameter. Most of the evergreens are declining. The historic open areas between the remnant evergreen plantings are now filled with 6-10" DBH elm, oak, and maple.
- W12 - 1.21 acres**
This stand contains an overstory of euonymus vine-covered, large-diameter black locust that range from 12-26" DBH. Other species include elm, oaks, and sycamore.
- W13 - 0.11 acre**
A row of Norway spruce 6-10" DBH growing along the north boundary have been severely brimmed to accommodate overhead wires. Several scotch and Austrian pines are dead from a pine wilt nematode infestation.
- W14 - 1.23 acres**
A mixture of older planted trees and native trees that have grown in to fill in what was once a pastured area. Planted trees include evergreens (white pine, scotch pine, Norway spruce, and Austrian pine) with diameters ranging from 6-24" and hardwoods planted along the roadways that range from 14" to 28" in diameter. Most of the evergreens are declining. The historic open areas between the remnant evergreen plantings are now filled with 6-10" DBH elm, oak, and maple.
- W15 - 0.22 acre**
A successional area (once pastureland) that is now filled with 6-10" DBH elm, oak, and maple.
- W16 - 3.23 acres**
A remnant upland forest area that now forms a border (buffer) along some of the assembled tracts and also surrounds small fields. Overstory is mixed hardwoods with areas of planted white pine (diameter ranges from 8-25") and sweetgum (diameter ranges from 6-22").
- W17 - 0.30 acre**
A grouping of silver maple trees in an old field with an overstory diameter that ranges from 20-13" DBH.
- W18 - 0.06 acre**
A row of Scotch pine along Chesterfield Parkway in fair to poor condition that range from 6-10" DBH.
- W19 - 0.04 acre**
A grouping of white pine trees in an old field with an overstory diameter that ranges from 14-16" DBH.
- W20 - 0.13 acre**
A grouping of silver maple trees in an old field with an overstory diameter that ranges from 18-20" DBH.
- W21 - 0.05 acre**
A grouping of white pine trees in an old field with an overstory diameter that ranges from 14-16" DBH.
- W22 - 0.06 acre**
A grouping of black locust trees in an old field with an overstory diameter that ranges from 8-10" DBH.

--- Approximate study area (10 acres)

○ Mapped tree and tree number

○ Mapped monarch tree and tree number

○ Mapped tree with canopy spread for trees in non-woodland areas

W4 = Woodlands (20.69 acres)

N2 = Non-woodlands (14.57 acres)

Water (ponds, lakes)

Roads

Woodland Canopy Area	20.66 acres
Non-Woodland Canopy Area	2.73 acres
Total Canopy On-Site	23.39 acres

Prepared by

DAVEY RESOURCE GROUP

A Division of The Davey Tree Expert Company

Prepared for

STOCK & ASSOCIATES

Consulting Engineers, Inc.

Tree Stand Delineation

Mercy Site

43 Acres, I-64 and Clarkson Road

Chesterfield, Missouri

Tree Stand Delineation prepared by:

Skip Kincaid, ISA Board Certified Master Arborist (MW-0155BM)

Skip Kincaid

Tree data used to produce this map were collected on

January 16, 17, and 18, 2012

and January ??, 2013

Tree Stand Delineation mapping prepared by: Ken Christensen, ISA Board Certified Arborist (A-0690)