



II.A

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

June 1, 2007

Planning and Zoning Committee
City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO 63017

RE: **P.Z. 28-2006 Chesterfield Neighborhood Office Park (17655 and 17659 Wild Horse Creek Road):** A request for a change of zoning from "NU" Non-Urban to "PC" Planned Commercial District with a "WH" Wild Horse Creek Road Overlay for 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road.

Dear Planning and Zoning Committee:

At its May 21, 2007 meeting, the City Council referred the above-referenced petition to the Planning and Zoning Committee for discussion. The Planning and Zoning Committee originally reviewed this petition on May 10, 2007.

Establishment of the "WH" Overlay

There have been several questions regarding the origin and background to the requirements that were established for the Wild Horse "WH" Overlay. In the "WH" Overlay there are two (2) zoning category options: Residential or Commercial. If a parcel is located in an area designated for Neighborhood Office then the parcel may be rezoned to "PC" and adheres to the design requirements set forth not only by the "PC" requirements of the City Code but also by the requirements of the "WH" Overlay.

Intent of the Neighborhood Office Category

Neighborhood Office is essentially an area of low density, low intensity commercial development with very limited uses. The intent of this area is that it would serve as transitional zoning, non-obtrusive to the surrounding residential neighborhoods with buildings which would be harmonious to surrounding residential structures. The effect of the development requirements would be that a commercial area would be developed which would not resemble a standard planned commercial district. The uses would be very limited and so would the parking so as not to create any traffic or safety concerns and to preserve the natural character of the area. It was intended that the building size would be

guided and regulated by the parking requirement, setback requirement, open space requirement, and buffering requirement.

Parking Requirement

The "WH" Overlay allows for a maximum of nine (9) parking spaces and if the maximum number of parking spaces does not meet the minimum number of parking spaces required per the City Code then said use shall not be permitted. This has been further interpreted by our City Attorney to mean that nine (9) parking spaces are permitted per building.

Parking Requirement-Relationship to "CSP"

1. The history of the nine (9) parking spaces dates back to the Commercial Service Procedure or "CSP" that the City once had. The purpose of a "CSP" was to provide for an alternative use for an existing single family residential structure. The CSP allowed for very limited office or commercial activity while still protecting and preserving the existing residential area. In 2004, the City re-examined the CSP procedure and wanted to update the criteria. One of the main reasons for doing so was there was increased concern regarding where these commercial activities were occurring and the amount of parking that was being paved on the site. Ultimately, the CSP procedure was replaced with the Residential Business Use Area or "RBU". The "RBU" is the same procedure as the CSP was, but has additional criteria which included new criteria for parking.

"RBU" Procedure which replaced the "CSP"

1. To protect and preserve the residential area, the new "RBU" ordinance (Ordinance 2107) established a maximum parking amount. The CSP ordinance had originally stated that required parking would be determined by the City Code and approved on the Site Development Plan for the CSP. Staff researched all the existing CSPs in the City and found that the most parking ever permitted on a CSP was nine (9) spaces. The new ordinance that was written for the creation of the RBU limited the parking amount, after much discussion, to six (6) spaces. There were several greensheets and motions made to increase this parking amount to 8 or 9; none of which passed.
- ❖ The "WH" Overlay District used the same language as found in the RBU Ordinance. The number of parking spaces written was nine (9) due to the size and shape of the parcels in the bowtie area.
 - ❖ The RBU ordinance was used as a comparison for parking requirements with the "WH" Overlay because the intent and purpose of the two areas are to preserve the existing residential area and allow for very limited commercial activity.
 - ❖ Understanding that there would be some variations needed, Staff included language that modifications to any of the development conditions could be requested if good architecture and planning is shown. This allowance would

help to regulate modifications in lieu of having an increased number of petitions having to go before the Board of Adjustment.

P.Z. 28-2006 Chesterfield Neighborhood Office Park

1. The current Attachment A written for P.Z. 28-2006 adheres to every requirement of the "WH" Overlay except for the parking. If the Attachment A were re-written so that each criterion was met, the following is the only change that would be made to page 2:

E. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code with the following exceptions:
 - a. ~~A maximum of 160 parking spaces shall be permitted for this development.~~ **A maximum of 36 parking spaces shall be permitted for this development.**
2. The City Council may, if they elect to do so, modify the parking requirement further. The parking requirement directly affects the size of the buildings that would be permitted on the development. The following table provides examples

Total Square Footage of Buildings:	Parking required for General Office Use. (requirement is 4 spaces for every 1,000 square feet of development)	Parking required for Medical Office Use. (*requirement is 4.5 spaces for every 1,000 square feet of development)
4 buildings each 7,500 square feet (30,000 total square feet)	Minimum parking required is 120 spaces.	Minimum parking required is 135 spaces.
1 building totaling 20,000 square feet	Minimum parking required is 80 spaces.	Minimum parking required is 90 spaces.
4 buildings each 10,000 square feet for total of 40,000 square feet (as shown on P.Z. 28-2006)	Minimum parking required is 160 spaces.	Minimum parking required is 180 spaces.

*Please note that the parking requirements for a medical office are 4.5 spaces for every 1,000 square feet of development or 4 spaces for every doctor and 1 space for every additional employee, whichever is greater. For purposes within this report, only one calculation method is being utilized.

Attached to this report is the draft Attachment A and a chart which shows the development requirements for Planned Commercial Districts, the "WH" Overlay, and how it relates to P.Z. 28-2006 Chesterfield Neighborhood Office Park.

A greensheet with two (2) amendments had been presented at the May 21, 2007 City Council meeting and no motion was made on either. Those proposed motions were as follows:

Amendment 1

Section C. d. Building Requirements, page 1. Add the following language:

- d. The maximum footprint of each building shall not exceed 10,000 square feet.**

Amendment 2

Section E. 1. Parking and Loading Requirements, page 2. Remove the following:

- ~~b. Phantom parking may be utilized for 42 of the parking spaces for this development as directed by or with the consent of the City of Chesterfield.~~

Respectfully submitted,



Aimee E. Nassif
Senior Planner of Zoning Administration

Cc: Michael G. Herring, City Administrator
Rob Heggie, City Attorney
Michael O. Geisel, Director of Public Works / City Engineer/Acting Director
of Planning

Design Requirements for Planned Commercial Districts in the Wild Horse Overlay

Design Requirements	"PC" District	"WH" Overlay	P.Z. 28-2006 Chesterfield Neighborhood Office Park
Maximum floor area ratio	0.55	n/a	0.13
Minimum openspace	45%	50%	65%
Parking requirement	4 spaces for every 1,000 square feet of development	Maximum permitted is 9 per building.	Planning Commission approve modification to 160 spaces maximum. Planning and Zoning Committee removed phantom parking.
Maximum building height	75 feet	35 feet	30 feet
Landscape buffering	Adhere to Tree Manual	Adhere to Tree Manual. 30 foot landscape buffer minimum along arterial and collector roads	Is addressed with Attachment A. Site does not front on arterial or collector roadway.
Pedestrian circulation	Sidewalks are required	Sidewalks, public plazas, courtyards, trails, etc.	Plan has 2 plaza areas, 3 patio areas, sidewalk, and a trail.
Signage	Can request sign package or adhere to standard requirements in City Code.	Must has sign package.	Is addressed with Attachment A.
Avigation easement	As appropriate	Required for all developments	Is addressed with Attachment A.
Building design	No specific guidelines. Projects do go before the Architectural Review Board (ARB)	Goes before ARB. Buildings to be harmonious in design.	Is addressed with Attachment A.
Internal roadway system	Does not specifically address	An internal roadway system with buffers, landscaping, pedestrian circulation, cross access shall be required as directed by City.	Addressed in Attachment A. Internal road system shown on Preliminary Plan includes pedestrian circulation and landscaping will be shown with site development plan.
Maintenance of Wild Horse Creek Road Character	Does not specifically address	All development must setback from the road and be screened from view.	Development is setback from Wild Horse Creek Road
Site design	Does not specifically address	Emphasize pedestrian circulation, landscaping, innovative parking solutions, common amenities etc.	Items shown on preliminary plan will see more detail with site development plan.

ATTACHMENT A

All provisions of the City of Chesterfield City Code, including both the Planned Commercial "PC" District and Wild Horse "WH" Overlay District requirements, shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

- A. Information to be shown on the Site Development Concept Plan shall adhere to conditions specified under General Criteria-Concept Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. PERMITTED USES

1. The uses allowed in this "PC" District with "WH" Overlay shall be:
 - a. Professional, business, government or institutional office;
 - b. Medical and dental office, excluding surgical centers;
 - c. Parks, parkways, and playgrounds, public or private not-for-profit;
 - d. Forest and wildlife reservations including conservation projects.

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

1. BUILDING REQUIREMENTS

- a. A minimum of fifty seven percent (57%) openspace is required for this development.
- b. There shall be a maximum of four (4) buildings on this site. The total square footage shall not exceed 40,000 square feet.
- c. Floor Area Ratio: F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two (2) calculations: one (1) calculation for those areas above grade and another that includes building area below grade.

This development shall have a maximum F.A.R. of (.13).

D. SETBACKS

1. STRUCTURE SETBACKS

No building, structure, or retaining wall (over six (6) feet in height) other than: a freestanding project identification sign, light standards, flag poles or fences will be located within the following setbacks:

- a. Eighty (80) feet from the right-of-way of the east west roadway system on the southern boundary of the PC District.
- b. One hundred and ten (110) feet from the northern boundary of the PC District.
- c. Thirty (30) feet from the eastern and western property lines of the PC District. The structure overhangs shall maintain a setback of twenty five (25) feet.

2. PARKING SETBACKS

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

- a. Twenty (20) feet from the right-of-way of the east west roadway system.
- b. Thirty (30) feet from the eastern and western property lines of the PC District.
- c. One hundred and ten (110) feet from the northern boundary of the PC District.

E. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code with the following exceptions:

- a. A maximum of 160 parking spaces shall be permitted for this development.
- b. Phantom parking may be utilized for 42 of the parking spaces for this development as directed by or with the consent of the City of Chesterfield.

2. Construction Parking

- a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
- b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

3. Parking lots shall not be used as streets.

4. No parking shall be permitted along the future loop road and the developer shall post signs accordingly. The parking restriction and requirement for signage shall be indicated on the Site Development Plan and improvement plans. Signage shall be posted within thirty (30) days of the placement of the street pavement.

F. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. Landscaping, if proposed in the right-of-way, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, or any other applicable agency.

G. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

H. LIGHT REQUIREMENTS

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

I. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. The material will be as approved by the Planning Commission in conjunction with the Site Development Plan.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

J. ACCESS/ACCESS MANAGEMENT

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

K. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a minimum of a 40 foot right of way, with ten (10) foot minimum roadway improvement, maintenance, utility, drainage and sidewalk easement on the north side, for the portion of the proposed east-west loop road located across the site. The right of way shall align with the right of way dedicated to the east and extend to the southern property line of the site to provide access to those properties in the future. Construct a 26 foot pavement with seven (7) foot shoulders on both sides with appurtenant storm drainage facilities and turn lanes as required by the Department of Public Works.
2. Cost of construction of the south half of the road and appurtenant storm drainage facilities west of the Wildhorse Child Care Center

site shall be the responsibility of others. As directed by the Department of Public works, the developer shall either construct full-width improvements for a portion of the length of the east-west loop road which roughly equates to his cost of construction of one-half the entire length or construct the full-width improvements for the entire length and be reimbursed for costs in excess of his share.

3. Stub street signage, in conformance with Section 1005.180 of the Subdivision Ordinance, shall be posted within 30 days of the street pavement being placed.
4. All required roadway and related improvements shall be constructed prior to 50% of the building permits within the development being issued.
5. Provide street lights and street trees along the east-west loop road as directed by the City of Chesterfield.
6. A special cash escrow may be required prior to improvement plan approval for the extension of the public street to the east and west property lines as needed.
7. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the north side of the east-west loop road as directed by the City of Chesterfield.
8. Ingress and egress must conform to MoDOT's Access Management Guidelines and must be reviewed and approved by MoDOT. Any improvements within MoDOT's right-of-way will require permit. The entrance geometrics and drainage design shall be in accordance with MoDOT standards.
9. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right-of-way.
10. All drainage detention storage facilities shall be placed outside fo the standard governmental agency planning and zoning setbacks, or 15 feet from the new or exiting right-of-way line, whichever is greater.

L. TRAFFIC STUDY

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

M. RECREATIONAL EASEMENT

1. An easement, for recreational and trail purposes, shall be provided for this site as directed by the City of Chesterfield. The easement is anticipated to be located along the east parcel line.

N. POWER OF REVIEW

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

O. STORMWATER AND FLOODPLAIN

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. Storm sewers discharging to the northwest along the long slope shall be extended to the toe of the slope unless; extraordinary measures are taken to protect the slope from erosion in the long term, as approved by the City of Chesterfield, Department of Public Works.
3. The adequacy of the existing downstream conditions shall be verified and upgraded if necessary as directed by the City of Chesterfield Department of Public Works. Be advised, for this specific development, the downstream channels and structures must be analyzed using the MSD standard 100-year, 20 minute storm.
4. Grading and storm water systems shall be designed so as to collect all surface water from all disturbed areas along the north portion of the development, parallel and adjacent to the top of the slope draining to the north, and convey that surface water to an adequate discharge point where extraordinary measures will be employed to dissipate energy, attenuate flows, and protect slopes from degradation. No storm water shall be allowed to flow from an area which has been graded to the undisturbed slope.

5. Stormwater shall be controlled as required by the Chesterfield Valley Master Facility Plan.

Q. GEOTECHNICAL REPORT.

1. 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 Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

R. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. The hours of operation shall be from 6:00 am to 9:00 pm Monday thru Friday.
3. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2750.00 per acre.

S. SPIRIT OF ST. LOUIS AIRPORT

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

- b. The developer shall disclose to prospective home owners that this site is in close proximity to the Spirit of St. Louis Airport and is subject to occasional over flights. This note is intended to be a noise disclosure statement to any prospective home owners.

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 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. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.
- 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 SUBMITTAL REQUIREMENTS

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

1. Outboundary plat and legal description of the property.
2. Location of all roadways adjacent to the property and general location, size, and pavement widths of all interior roadways.
3. General design of the development including unit types (i.e., single-family detached, single-family attached, garden apartment), number of each unit type proposed, location of units, minimum and maximum size of single-family lots, approximate size of multiple-family structures, and location and size of common areas and recreation facilities.
4. Location and size of any commercial uses, types of uses proposed and general parking layout.
5. Zoning district lines and floodplain boundaries.
6. Density calculations.
7. Provide a conceptual landscape plan in accordance with the City of Chesterfield Code.
8. Provide a lighting plan in accordance with the City of Chesterfield Code.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plan shall adhere to the above criteria and to the following:

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

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

V. TRUST FUND CONTRIBUTION

A. The developer will contribute a Traffic Generation Assessment (TGA) to the Eatherton-Kehrs Mill Road Trust Fund (Trust Fund No. 552). This contribution will not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Medical Office	\$1611.66/Parking Space
General Office	\$537.19/Parking Space
Loading Space	\$2637.29/Loading Space

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

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

Allowable credits for roadway improvements will be awarded as directed by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

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 will be retained in the appropriate trust fund.

The amount of this required contribution, if not approved for construction by January 1, 2007 shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

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. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to any Special Use Permit being issued by St. Louis County Department of Highways and Traffic, a special cash escrow must be established with this Department to guarantee completion of the required roadway improvements.

VIII. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

- A. Prior to the issuance of foundation or building permits, all approvals from all applicable agencies and the Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.
- B. Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Missouri Department of Transportation (Department of Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

IX. 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.



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

Planning Commission Staff Report

Meeting Date: April 11, 2007

From: Aimee Nassif, Senior Planner of Zoning Administration

Subject: Rezoning Vote Report

Location: 17655 and 17659 Wild Horse Creek Road

Petition: P.Z. 28-2006 Chesterfield Neighborhood Office Park

Proposal Summary

Rodney Henry has submitted an application for a change of zoning from "NU" Non Urban to a "PC" Planned Commercial District with the "WH" Overlay per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140 and Section 1003.110. The site is located north of Wild Horse Creek Road and west of Long Road in the area known as the "bowtie" area.

In addition, the petitioner is also requesting consideration of a reduction in the parking requirements for the site. The "WH" Overlay District regulations require a maximum of nine (9) parking spaces. The Petitioner is requesting modification to allow for 188 parking spaces.

Staff Recommendation

The Attachment A for this request meets all of the development requirements of the City of Chesterfield and therefore, Staff recommends approval of the change of zoning from "NU" Non-Urban District to a "PC" Planned Commercial District.

Section 1003.110 allows for the parking requirement to be modified when the Petitioner has demonstrated good architecture and urban planning. A separate two-thirds vote (6) of the Planning Commission would be required.

Zoning Analysis

A preliminary plan accompanies all rezoning requests when the change of zoning is to a Planned District. When a vote is taken on a rezoning request, the vote is to approve the change of zoning with an Attachment A written by Staff.

The vote is not to approve the accompanying preliminary plan which is provided for informational purposes only.

While preparing the Attachment A for this development, Staff reviewed the conditions established in the Comprehensive Plan and Zoning Ordinance. The Attachment A requires that this development will adhere to the requirements of both.

Surrounding Land Use and Zoning

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

North: The property to the north is Spirit of St. Louis Airport and is zoned "M-3" Planned Industrial District.

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

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

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

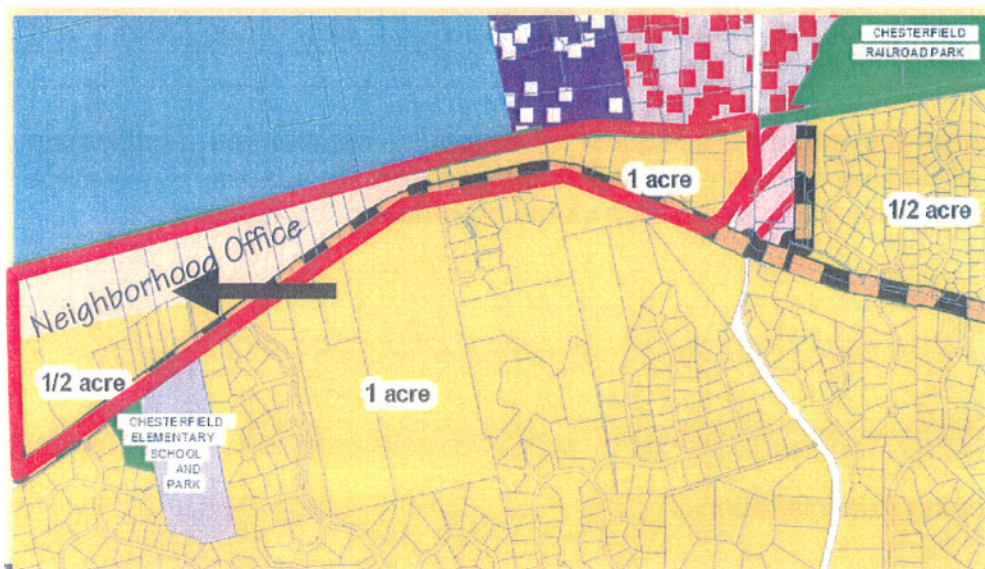




Looking north, across subject site.

Comprehensive Plan Analysis

The subject site is located within Ward 4 of the City of Chesterfield. The Comprehensive Plan designates this area as being a part of the Wild Horse Creek Road Overlay District. This district allocated this area as being Neighborhood Office with a "PC" Planned Commercial District.



Site Area History

The site is currently zoned "NU" Non-Urban. A previous request was submitted for rezoning for this site to "PC" Planned Commercial in 2004. That request known as, P.Z. 13-2004 Vision Ventures was denied by City Council on September 7, 2005.

Issues

A public hearing was held on this request on December 11, 2006. At that time there were 4 speakers in favor of this matter and 1 speaker in opposition. Since that time, all issues have been addressed with the exception of the request for parking modification.

The subject site is located within the Wild Horse Creek Road Sub Area. This sub area requires that each development contain a maximum of nine (9) parking spaces. The Petitioner is requesting a modification to this requirement to permit additional parking spaces.

The Wild Horse Creek Road Sub Area Ordinance states that modifications to this requirement will be granted for good architecture and urban planning. Said modification requires a two-thirds vote of the Planning Commission.

For your consideration of this modification, the Petitioner has submitted an Alternative Preliminary Plan. This plan has been included in your packet for your review.

Request

Staff recommends approval of the change of zoning from "NU" Non-Urban District to a "PC" Planned Commercial District with a "WH" Overlay.

Staff requests action on the Petitioner's request for a parking requirement modification to allow for amount of parking spaces permitted to exceed nine (9) spaces. A separate two-thirds vote (6) of the Planning Commission would be required for approval.

Respectfully submitted,



Aimee Nassif
Senior Planner of Zoning Administration

Attachments

1. Attachment A
2. Letter from Petitioner
3. Preliminary Plan
4. Alternative Preliminary Plan

CIVIL ENGINEERING DESIGN CONSULTANTS, INC.

11402 GRAVOIS ROAD • SUITE 100 • SAINT LOUIS • MISSOURI 63126
314.729.1400 • FAX 314.729.1404 • E-MAIL INFO@CEDC.NET • WWW.CEDC.NET

April 11, 2007

Ms. Aimee Nassif
City of Chesterfield
Department of Planning
690 Chesterfield Parkway West
Chesterfield, Missouri 63017-0670



RE: P.Z. 28-2006 Chesterfield Neighborhood Office Park (17655 and 17659 Wild Horse Creek Road): A request for a change of zoning from “NU” Non-Urban to “PC” Planned Commercial District with a “WH” Wild Horse Creek Road Overlay for 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road.
(CEDC Project No. 0554)

Dear Ms. Nassif:

The current plan dated 01-30-07 addresses all issues and concerns expressed by staff and the commission. Should the current plan be unsatisfactory, we have proposed an alternate plan. The Alternate Preliminary Development Plan dated 04-04-07, that we are proposing is an alternate to the plan currently being considered by the Commission. The comparisons of the two plans are as follows:

	<u>Current Plan dated (01-30-07)</u>	<u>Alternate Plan (04-04-07)</u>
1. Building S.F	48,000	40,000
2. Open Space	58%	65%
3. F.A.R.	0.15	0.13
4. Parking Spaces	188	158

In addition, the alternate plan has delineated the parking along the south property line to be phantom parking. This parking is not planned for immediate development, but will only be constructed if required by future users of the property.

Finally, the proposal of the alternate plan is based on the premise that half of the required east-west public road development along our site frontage will be financed by others.

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

Sincerely,
Civil Engineering Design Consultants, Inc.

A handwritten signature in black ink, appearing to read 'B. Harp'.

Brandon A. Harp, P.E.
Principal

