



VIII. A.

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PLANNING COMMISSION VOTE REPORT

Subject: Change of Zoning Issues Report

Meeting Date: July 9, 2012

From: Justin Wyse, Senior Planner

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

Petition: P.Z. 02-2012 Mercy Health Systems (Chesterfield Village, SE Quadrant)

PROPOSAL SUMMARY

Sisters of Mercy Health System (Mercy) has submitted a request for a change of zoning for an area covered by a “C-8” Planned Commercial District and two “PC” Planned Commercial Districts to an “UC” Urban Core District for a 40.040 acre 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 proposes office use, a virtual care center and an orthopedic medical building.

PUBLIC HEARING AND ISSUES MEETING

A Public Hearing was held on this Petition on March 12, 2012. Three members of the public spoke at the Public Hearing (in addition to those representing the Petitioner) regarding the request. In addition to the concerns raised by the public, issues were identified by the Commission. Staff coordinated with the Petitioner and presented an update of the proposal at the April 23, 2012 Planning Commission meeting. The attached planned district ordinance has been prepared by Staff from the input at these two previous meetings by the Commission.

DEPARTMENT INPUT

EXISTING ENTITLEMENTS

Previously Staff presented a detailed zoning history of the site now proposed for the Mercy development. Staff has identified an error in the previous Issues Report with respect to the zoning of P.C. 175-84 First National Bank. The report stated, "Phase II included one four story building with 80,000 square feet of floor area." This is incorrect as the total entitlements for this development totaled 120,000 square feet.

At present, the site is currently planned as three developments.

1. P.Z. 19-1999 Chesterfield Village permits a 249,500 square foot office development;
2. P.Z. 43-1999 SSM Health Care Central Region permits a 410,000 square foot office, medical office, and hospital development; and
3. P.C. 175-84 First National Bank permits a 120,000 square foot office / bank development.

The proposed Mercy petition also includes one parcel in the Elbridge Payne Office Park development. This development approved a maximum of 185,000 square feet of office and restaurant. However, the areas where density may be allocated are not defined. As such, inclusion of the site into the Mercy ordinance does not negate the ability for the remainder of the development to fully build to the maximum density permitted. Staff has not included this in the existing entitlements.

The subject site is currently permitted to construct a maximum of 779,500 square feet of office, medical office, hospital and banking facilities.

CHANGES TO THE PRELIMINARY PLAN

Several changes have been made to the Preliminary Plan since the last time the Commission reviewed the request. Most notably, changes have been made on the eastern side of the site in response to conversations at the Issues Meeting. Previously, two parking structures were shown on the easternmost portion of the site, adjacent to the existing apartment buildings. The Petitioner has modified this by combining the two parking structures into one structure, moving the parking toward the interior of the site and revising the drive location further to the east. In addition to moving further from the existing apartments, **the maximum height permitted has been reduced from 670 feet above mean sea level to 650 feet above mean sea level.** While changes in

proposed location of the parking structures and drive lane have occurred, **the requirement for a 30 foot landscaped buffer will still be required** to buffer the proposed development from the existing residential use.

PUBLIC ART

Previous discussion has included requiring public art to be presented as part of the development. The planned district ordinance attached for the Commission's consideration requires that public art be coordinated and provided in the development.

TREES

Two trees (#30 and #63 as shown on the Tree Stand Delineation) were specifically discussed during the Issues Meeting. Staff has coordinated with the Petitioner regarding their willingness to committing to saving these two trees, in addition to the required trees to be saved under the Tree Preservation and Landscape Requirements ordinance. The Petitioner has indicated that while they are committed to meeting the City's requirements for tree preservation, they are unwilling to make this concession at this time. This decision is based on the number of variables that are still unknown to the Petitioner regarding full development plans and specific engineering and architectural details at this time.

BUILDING HEIGHT

Prior to the Issues Meeting, the Petitioner advised Staff of their concern with the building height presented in the draft planned district ordinance for the 'S. Outer 40 Area.' The height requirement included that no buildings would be permitted to exceed 715 feet above mean sea level. The Petitioner indicated they would like this restriction to be 725 feet above mean sea level. No issues were raised with this change at the Issues Meeting and the attached planned district ordinance includes this change.

There was also discussion regarding building height restrictions and the exclusion to permit rooftop mechanical equipment above the height requirement. Staff has researched previous projects, focusing on office buildings adjacent to residential properties, to clarify how the City has interpreted this requirement in the past. Staff found: (1) All development researched permitted rooftop mechanical equipment to exceed the height limitation; and (2) Penthouses have, in every example reviewed by Staff, been classified as rooftop mechanical equipment.

While a potential penthouse may exceed the maximum height, no useable floor area would be permitted. **Any proposed useable floor area in the penthouse would require the penthouse to meet height requirements.**

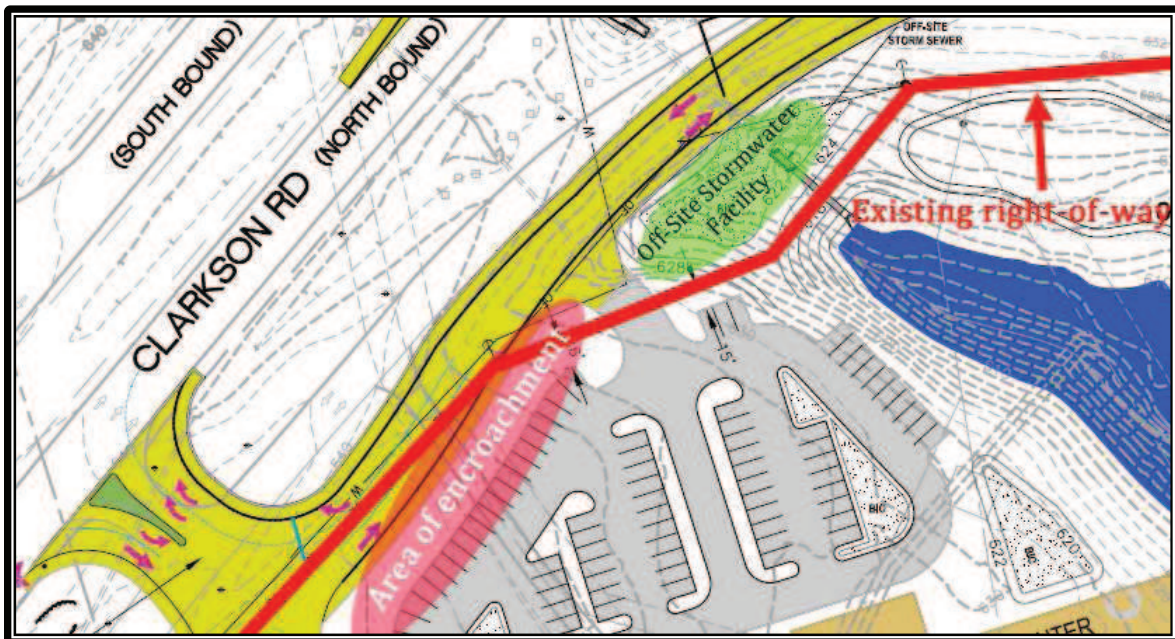
SETBACKS

Parking Setbacks

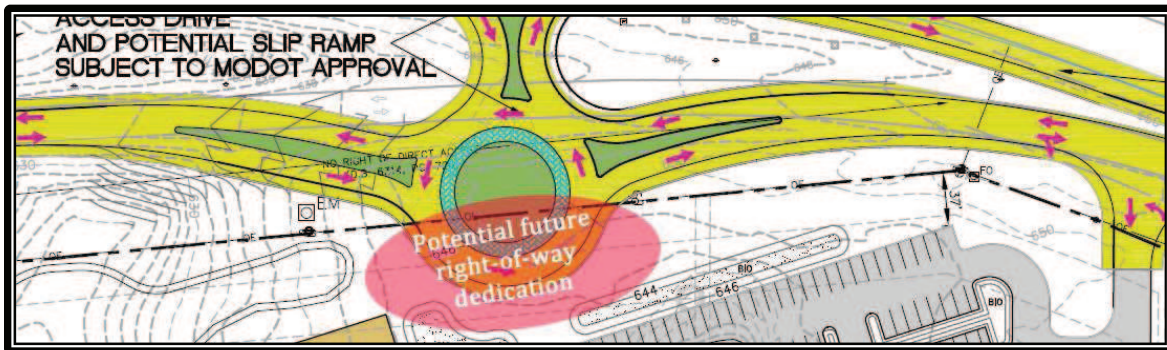
The Preliminary Plan shows an internal drive along the western side of the property that encroaches into the required 30 foot setback for internal drives. The Petitioner is requesting the setback along the western district boundary be modified to 10 feet. No issues were raised with this request at the Issues Meeting.

In addition to the request to modify the requirement to permit an internal drive within 10 feet of the western property line, the Petitioner is also now requesting a modification to the parking setback on the northern district boundary to permit a surface parking area within 15 feet of the northern district boundary. This request is primarily being made due to the irregular shape of the right-of-way along the northern frontage. As can be seen below, there is also additional right-of-way to facilitate stormwater management on the western end of the frontage. Further, a modification to allow parking within 15 feet of the northern district boundary facilitates the plan to preserve a maximum amount of open space along the southern district boundary.

Two separate votes by the Commission are required to (1) reduce the western setback from 30 feet to 10 feet for the drive isle; and (2) to modify the northern parking setback from 30 feet to 15 feet.



Since the previous meeting, Staff has also identified the potential requirement for right-of-way dedication. This complicates the Petitioner's process as the exact location and requirements of public agencies (City, County, and State) will vary and the future needs are not known at this time. Additionally, Staff has identified a potential public benefit if the east and / or western drives were public roads. Future analysis of these areas will be done during the site plan review process. It is important to note that the planned district ordinance defines setbacks from the boundaries of the 'UC' District. The district boundaries, whether right-of-way is dedicated or not, will remain as shown on the Preliminary Plan and site development plans will include setbacks from the district boundaries.



Please be aware that the images above are for illustration purposes only.

Building Setbacks

The Commission, in conjunction with the request for a modification to the parking setback along the western district boundary, asked the Petitioner if they would be willing to increase the building setback on the southern property line. The Petitioner indicated they would not be opposed to inclusion of an increased building setback on the south. This increased setback is reflected in the planned district ordinance.

Additionally, it should be understood that the 100 foot setback on the south is not a Tree Preservation Area. The draft planned district ordinance prohibits buildings within 100 feet of the southern limits of the district. However, you will notice in reviewing the Preliminary Plan that a trail system is included within the setback area. This system, while not inherently requiring the removal of trees, will likely require some minimal grading work and removal of underbrush.

Traffic Impact Study and Analysis

A traffic study was requested for the petition to construct approximately 960,000 square feet of development on the subject site. While traffic studies are generally done in conjunction with the site plan review process, the purpose of the study at this time is to ensure that the public infrastructure (i.e. streets) can accommodate the proposed development consistent with the City's expectations and policies for service. The preliminary review of the study is utilized to ensure that City plans for future improvements are accommodated through required improvements and that improvements being pursued by the development are consistent with City plans and identify any critical improvements required. It is important to recognize that the traffic study is not being approved at this time. Staff has been working with the Petitioner on several areas of concern. These will be addressed prior to the site plan being presented for the Commission's review with the results of the final study.

CITY OF CHESTERFIELD PLANS AND POLICIES

The City of Chesterfield has several plans which identify future improvements and policies on the operational characteristics of the transportation system.

The City of Chesterfield Comprehensive Plan Policy 7.2.1 states:

Maintain Proper Level of Service - Level of Service (LOS) of a roadway or intersection describes the efficiency and ease of flow of traffic as perceived by users, and is quantified by using methodology described in the most recent Highway Capacity Manual or other accepted procedures.

Six (6) Levels of Service range from A (free flow with little interruptions) to F (complete breakdown of flow conditions). The City should require that each new or expanded development be reviewed against other previously approved but not built parcels and/or undeveloped parcels (consistent with uses proposed by the Conceptual Land Use Plan) relative to traffic volumes shown to reasonably impact Level of Service by the City travel demand model. New or expanded development shall not degrade the traffic system's Level of Service by more than one (1) level, and a minimum Level of D (where E represents operating conditions at capacity) should be achieved or maintained. (A detailed explanation of Level of Service is found in the City-Wide Transportation Plan.)

This policy provides the Planning Commission and Staff guidance in the review of traffic impact studies. While it is the goal of the City to achieve this goal, it must also be acknowledged that many of the more congested areas of the City are owned, operated and maintained by St. Louis County or the Missouri Department of Transportation. With that said, the City of Chesterfield does have authority to govern land use in the City which has a direct impact on the system. As it pertains to the petition submitted by Mercy Health Systems, the Planning Commission has the job of balancing the policy to maintain proper traffic conditions with the other policies and plans of the City. This balance is complicated not only by existing and forecasted deficiencies in the system, but also by looking at the severity and duration of anticipated concerns.

The City of Chesterfield Comprehensive Plan Policy 7.2.7 states:

Collectors and Local Streets - Collectors and local streets primarily serving residential neighborhoods should be preserved as neighborhood streets through transportation system design and individual street character design.

In reviewing the traffic impact study for the subject site, Staff has identified key areas where operations are particularly critical in trying to prevent traffic from traveling through residential areas to bypass congested areas. More information on this is presented later in discussion on the City's Travel Demand Model, Areas of Concern, and Recommendations.

The City of Chesterfield Comprehensive Plan Policy 7.4.4 states:

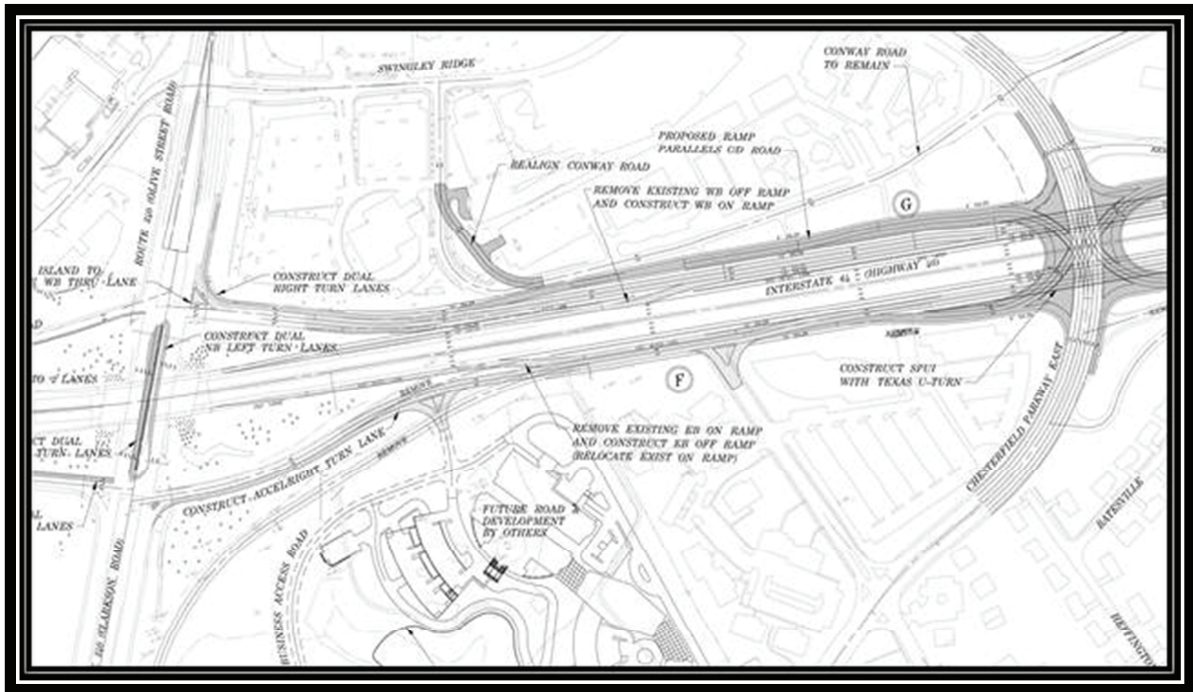
Encourage North Outer Forty, Chesterfield Parkway Projects – To relieve future congestion on North Outer Forty and Chesterfield Parkway and to enhance access and egress to I-64/US 40, the City should encourage the expedient completion of proposed improvements to the corridor. Improvements include the construction of a "triple-left" from North Outer Forty to Chesterfield Parkway East.

While this policy is not directly related to the development of the subject site, the development of the subject site is anticipated to add traffic to the Chesterfield Parkway E / S. Outer 40 Road and Chesterfield Parkway E / N. Outer 40 Road intersections. As such, a high level of scrutiny is warranted to ensure that improvements to the roadway network are consistent with the City's plans for improvements in this area and that any improvements do not negate the ability of the City (or appropriate agency) to move forward with planned improvements in an efficient and effective fashion.

TRAVEL DEMAND MODEL AND TRANSPORTATION PLANS

In 2002 the City of Chesterfield hired a traffic consultant to complete a Travel Demand Model and City Wide Transportation Study. This effort identified future areas where deficiencies in the network can be anticipated based on different land use scenarios. This effort was updated in 2008 when the City again hired a traffic consultant to convert the model utilizing new software and update potential development scenarios. Following the conversion, input update, and recalibration effort, several new roadway improvements were analyzed and additional improvements were identified in the study titled *Traffic Demand Model Review of Conceptual Major Roadway and Highway Improvements*. These new improvements generally were focused on providing additional access and mobility to areas along I-64 in the area of the Urban Core.

The image on the next page shows a portion of the approved plan for this petition. It is important to note that this plan includes specific design features (e.g. a Single Point Urban Interchange at Chesterfield Parkway E). However, it should be acknowledged that this configuration is based on preliminary planning level analysis and a more detailed, cost constrained analysis will be performed prior to each improvement. While future, detailed studies will finalize the recommendation for improvements in these areas, the planning process is still highly valuable as this process is utilized to identify the key concepts and result in a well-defined and comprehensive system, as well as to identify areas where future improvements will be needed. Of importance in reviewing the request in P.Z. 02-2012 in relation to the image on the next page is the extension of the outer road system to provide consistency in the network. Additionally, capacity improvements will likely be necessary at the Chesterfield Parkway E interchange with I-64 / Outer Road system in the future.



The final study titled *Traffic Demand Model Review of Conceptual Major Roadway and Highway Improvements*, as well as the associated maps, specifically included the extension of the south outer road between Clarkson Road and Chesterfield Parkway E to complete the outer road system on the south side of I-64. The City of Chesterfield, St. Louis County, and the Missouri Department of Transportation have all endorsed this plan which also includes modifications to the existing ramp alignments on South Outer 40 Road. Additionally, the improvements have been included in the Long Range Transportation Plan prepared and adopted by East-West Gateway as Illustrative Projects. Illustrative Projects do not have funding specifically identified; however, projects must be on the list for consideration of federal funding if additional funds become available.

TRANSPORTATION PLAN AND CONSISTENCY

Through this process, Staff has been coordinating extensively with the Petitioner, MoDOT, and St. Louis County to provide initial comment on the study and identify concerns. As part of the initial review of this study, Staff has been doing a preliminary review to ensure the proposed development and associated improvements are consistent with the Comprehensive Plan, the City Wide Transportation Study, and the Travel Demand Model. One of the primary items Staff has identified is that the existing I-64 eastbound on-ramp from Clarkson Road should be modified to an

alignment and design consistent with the outer road system across the frontage of this site. This will act as an initial phase toward the completion of S. Outer 40 Road between Clarkson Road and Chesterfield Parkway E. In addition to this modification, a slip ramp, consistent with the access provided elsewhere along the interstate / outer road system should be pursued. It is important to recognize that this improvement will require a lengthy review and analysis with the Federal Highway Administration being the ultimate approval authority and there is no guarantee at this time that the developer will be able to secure approval.

OUTER ROAD AND RELOCATED RAMP IMPACT

The submitted traffic study identifies that the proposed connection from the development to the modified outer road system with accompanying slip ramp will attract approximately 38% of the traffic leaving the site in the PM peak hour off the adjoining system and allow traffic traveling eastbound on I-64 to access the mainline much more directly. Staff has utilized the City's travel demand model to review this forecast and found very similar results (39% diverted to the future connection).

Staff believes this connection and the associated diversion of traffic off the adjoining systems is a critical improvement associated with this development. It is Staff's opinion that existing or forecasted failing conditions within the study area (as defined in the traffic study) necessitate the need for this improvement. Several intersections are currently, or are expected to reach unacceptable levels of service as defined by the City's Comprehensive Plan.

AREAS OF CONCERN

In the City Staff's preliminary review of the traffic study, numerous issues have been identified. Many of these issues require refined and continued analysis and coordination prior to being resolved. Below is a preliminary review of the concerns Staff has at this point.

I-64 / Clarkson Road

The traffic study shows that the I-64 westbound ramps at Clarkson Road currently fail in the PM Peak Hour and this failure is anticipated to continue into the future. The Missouri Department of Transportation is currently in the process of obtaining funding from the Congestion Mitigation and Air Quality Improvement (CMAQ) Program to add additional capacity by adding dual left turn lanes on northbound Clarkson Road at the I-64 westbound ramps (as well as associated improvements to N. Outer 40 Road). It does not appear that the study identifies the anticipated operations after this improvement is

in place to establish a new baseline for review of the impact of the Mercy development. Due in part to this, the impact of the Mercy site may be understated at this location.

This improvement should also take into account any anticipated improvements that may result at the intersection of Clarkson Road and the I-64 eastbound on-ramp.

Chesterfield Parkway E / S. Outer 40, Schoettler Spur, and S. Outer 40 Road Proposed Improvements

The traffic study proposes removal of the existing dual left turns on southbound Chesterfield Parkway E onto S. Outer 40 Rd. Staff has expressed concern about this modification and the implications of future development at this location if a single left is provided for the southbound movement. This improvement appears to be a critical improvement when reviewing this study as well as previously submitted studies (for the SSM development and Sachs Office development that were previously planned for this area). Prior studies, similar to the study submitted for Mercy, identified that access from the north of the development site to mainline I-64 would reduce the impacts at this intersection. However, the previous studies and approvals did not require that the connection to the interstate be made. Both planned district ordinances for the SSM development and the Sachs development state that if approval for access to the on-ramp cannot be obtained, then the northbound right turn on Chesterfield Parkway E onto S. Outer 40 Road would need to be extended. This extension would likely necessitate the use of condemnation to procure needed right-of-way.

While the extension of this turn lane was previously shown to provide acceptable levels of service at this intersection, Staff would advise the Commission that support of potential condemnation by St. Louis County should also take into account the impact this improvement would have on the neighborhood directly impacted by this. Staff is in the process of coordinating with St. Louis County to determine if they would consider this action.

While previous proposals have not required the extension of the outer road and revised access to mainline I-64, it is important to note timelines. Previous proposals in this area were proposed in the late 1990's and early 2000's. As mentioned previously, the City revised and included additional areas of improvements in 2008 which showed the extension of the outer road and modified access consistent with the outer road system throughout much of the I-64 corridor within the City of Chesterfield.

The intersection of Chesterfield Parkway E / Schoettler Spur is also an area of high concern. The submitted traffic study shows that the intersection will experience

unacceptable levels of service with the addition of the Mercy development in both the AM and PM peak hour. Forecast failures are shown in the 2014 build scenario as well as the 2034 scenario with proposed improvements.

Chesterfield Parkway E / N. Outer 40

While not a result of the Mercy development, the intersection of Chesterfield Parkway E / N. Outer 40 Rd. is forecast to operate at a Level of Service E by 2034 in the PM Peak Hour. While these conditions are not a direct result of the Mercy development, the study does show an anticipated increase of nearly 19% increase in delay per vehicle at this location (56.6 seconds avg. vehicle delay / vehicle in 2034 No Build vs. 67.3 seconds avg. vehicle delay / vehicle in 2034 Build with prescribed improvements). Again, while not the cause of the unacceptable level of service, the Mercy development will be adding to the concern at this location.

Impact to residential streets to south

Previous traffic studies for developments in the southeast quadrant have shown similar concerns with respect to the impact on the intersection of Chesterfield Parkway E / S. Outer 40 Road and the intersection of Chesterfield Parkway E / Schoettler Spur. The City's Travel Demand Model shows that as increased congestion occurs at these locations, probability increases for traffic to cut through residential areas to avoid congestion. While the model has historically overstated this impact, Staff believes ensuring operations at these two intersections is critical to minimize the chances and extent of cut through traffic.

ADJACENT DEVELOPMENTS

Reviewing adjacent developments in the area supports the idea that density should be constrained in areas where the outer road system is not in place. For developments where the outer road system is not in place, the average Floor Area Ratio (FAR) is 0.32. Additionally, increased densities have been permitted in locations where the outer road system (as well as additional improvements, as required) is in place.

Development	Acres	Building Area	F.A.R.	Outer Road in Place
Norman Acres	2.30	30,000	0.30	No
Elbridge Payne	14.01	200,000	0.33	No
15450 N Outer 40	4.76	104,410	0.50	No
Herman Stemme	26.34	468,300	0.41	No
Conway Office Center	2.62	48,000	0.42	No
Stallone's Formal Wear	0.68	4,735	0.16	No
Conway Point Office Bldg.	1.49	8,415	0.13	No
Drury	4.9	188,680	0.89	Yes
16100 Swingley	1.68	41,314	0.56	Yes
Swingley Ridge Office Bldg.	4.3	73,010	0.39	Yes
The Atrium	3.467	120,000	0.79	Yes
16401 Swingley	5.28	151,628	0.66	Yes

RECOMMENDATION

It is Staff’s recommendation that the development of the subject site must include:

- (1) The first phase of the extension of S. Outer 40 Road by modifying the existing on-ramp from Clarkson Road to I-64 eastbound;
- (2) A connection allowing users of the development to access this outer road directly be made; and
- (3) Relocation of the existing ramp gore to a location that meets Federal and State requirements while also serving the development.

Staff is recommending that a phasing trigger be identified associated with the development and the above-noted improvements. This trigger is designed to accommodate reasonable development of the area while providing an incentive for the completion of the roadway improvements included in the plan. Additionally, the trigger is necessary to provide locally acceptable conditions on Chesterfield Parkway and reduce the likelihood of further congestion.

Identification of the trigger is based, in part, on the City’s planning process. In this process, a 290,000 square foot hospital was assumed to be constructed on the subject site. This hospital was assumed to generate 290 vehicle trips in the PM Peak Hour. In comparison, the Mercy proposal, at its completion, is forecast to generate 980 trips in

the PM Peak Hour. The planning process assumed that further development of the subject site would continue in City Ultimate Plan scenario. While this scenario identified a density similar to the density being proposed by Mercy, several roadway improvements were also included which assist in the mitigation of the traffic impact. Specifically, the continuation of the outer road, revised access locations from the outer road to the mainline, and a new interchange at Chesterfield Parkway E and I-64 were assumed. While the construction of a new interchange would be outside the responsibility of Mercy, improvements to further the outer road concept and inclusion of warranted slip ramps between mainline I-64 and S. Outer 40 have been identified as improvements that should be required prior to construction of the ultimate density in this area.

Based on this information, Staff is recommending that the Mercy site be permitted to develop their site to an F.A.R. of 0.32 until construction of the outer road on the north side of the Mercy site, as well as a modified eastbound ramp from the S. Outer Road to I-64 is approved and construction for the improvements are underway. For reference, applying an F.A.R. of 0.32 to the Mercy site would permit development of 560,176 square feet of development prior to the improvements to the outer road and connection to I-64. This requirement is included in the planned district ordinance for the Commission's consideration.

PROCESS MOVING FORWARD

The traffic study identifies additional improvements that will be required to be constructed. These improvements have not been fully reviewed and vetted by Staff. The purpose of the review at this point in the process was to ensure consistency with City plans and identify any critical areas that must be addressed. Staff has found the modifications to further the outer road concept and the revised location of the access to eastbound I-64 warrant regulation within the planned district ordinance. Additional improvements, as identified by the traffic study, will be presented during the site plan review stage for the first phase of development of the subject site.

REQUEST

The attached planned district ordinance has been prepared based on input by the Commission and includes requirements for the development of a medical and general office development. The included requirements are derived from standard development requirements, as well as requirements to help ensure the goals of the Comprehensive Plan are promoted.

Planning Commission
July 9, 2012

P.Z. 02-2012 Mercy Health Systems
(Chesterfield Village, SE Quadrant)

The Petitioner has requested that the required 30 foot setback from the western district boundary be modified to 10 feet and the parking setback along the northern district boundary be modified to 15 feet. **Each of these will require a separate vote of Planning Commission with a two-thirds vote for recommendation of approval.** As mentioned previously, the condition for an increased building setback from the south is already included in the planned district ordinance and no separate action is required on that matter.

Staff requests action on P.Z. 02-2012 Mercy Health Systems (Chesterfield Village, SE Quadrant).

Attachments

1. Draft Planned District Ordinance
2. Preliminary Plan

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 site 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 and be subject to the following phasing requirement.
 - i. A maximum F.A.R. of 0.32 is permitted prior to commencement of construction of the roadway improvements described in Section J.7 of this ordinance.

C. SETBACKS

1. Structure Setbacks

No building or structure, other than: parking structures, freestanding project identification signs, light standards, public art or flag poles will be located within:

- a. 35 feet of the northern, eastern and western perimeter boundaries of the 'UC' District.
- b. 100 feet of the southern boundary of the 'UC' District.

2. Parking Setbacks

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

- a. 30 feet of the southern and eastern perimeter boundaries of the 'UC' District.
- b. 30 feet of the western perimeter boundaries of the 'UC' District.
- c. 30 feet of the northern boundary of the 'UC' District

Comment [jw1]: Request to reduce to 10

Comment [jw2]: Request to reduce to 15

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 beginning on the west leg of Schoettler Valley Drive westward through the Elbridge Payne intersection 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 development shall be responsible for modifying the existing eastbound on ramp from Clarkson Road to I-64 consistent with the City's planning effort to connect S. Outer 40 Road between Clarkson Road and Chesterfield Parkway E. The development is responsible for the construction of the revised outer road between Clarkson Road and Schoettler Valley Drive.
7. The current access location from Clarkson Road to eastbound I-64 shall be modified, in conjunction with the improvement identified in J.6., to accommodate the south outer road connection and to provide a means for eastbound traffic to exit the development directly onto S. Outer 40 Road and have access via a slip ramp onto eastbound I-64.
8. 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. 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.

P. SANITARY SEWER

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.

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 Planning, Public Works and Parks. 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	\$1,835.75/Parking Space
General Office	\$ 611.88/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.