

Memorandum

Department of Planning & Development Services



To: Planning and Public Works Committee

From: Cassie Harashe, Planner



Date: October 18, 2018

RE: **P.Z. 08-2018 Homewood Suites (Keller Ventures, LLC)**: A request to amend Ordinance 2916 to establish new permitted uses and development criteria for 7.4 acres of land within an existing “C-8” Planned Commercial District and located at the northeast corner of Chesterfield Parkway West and Hilltown Village Center. (18S540138, 18S540149, 18S540150).

Summary

Stock and Associates Consulting Engineers Inc., on behalf of Keller Ventures, LLC, has submitted a request for an amendment to Ordinance 2916 to establish two new permitted uses in an existing “C-8” Planned Commercial District. The request is for 7.4 acres located on the northeast corner of the intersection of Chesterfield Parkway West and Hilltown Village Center.

A public hearing was held on August 13, 2018, at which time issues were raised regarding the setbacks, cross access, and open space.

This petition was next discussed at the October 8, 2018 Planning Commission meeting. At the meeting, setbacks and cross access were discussed. The Petitioner stated that due to the depth of Parcels A and B along Hilltown Village Center reduced parking setbacks were needed. The Planning Commission passed a motion to reduce the setbacks along Hilltown Village Center from thirty feet (30') to fifteen feet (15'). The changed setbacks have been included in the Attachment “A”. After considerable discussion regarding cross access between the Homewood Suites site and Hilltown Village Center, the Planning Commission made no changes to the draft Attachment “A” regarding this topic.

The Planning Commission recommended approval of the request with the above mentioned amendment for setbacks on October 8, 2018 by a vote of 9-0.

Attached to this report, please find a copy of Staff’s Planning Commission report, Preliminary Plan, and Attachment “A”, which has been amended to incorporate the conditions placed by the Planning Commission.

Attachments: October 8, 2018 Planning Commission Report
Attachment A
Preliminary Plan




Figure 1. Aerial Photograph



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Planning Commission Staff Report

Meeting Date: October 8, 2018 

From: Cassie Harashe, Planner

Location: Northeast corner of Chesterfield Parkway West and Hilltown Village Center

Petition: **P.Z. 08-2018 Homewood Suites (Keller Ventures, LLC)**: A request to amend Ordinance 2916 to establish new permitted uses and development criteria for 7.4 acres of land within an existing “C-8” Planned Commercial District and located at the northeast corner of Chesterfield Parkway West and Hilltown Village Center. (18S540138, 18S540149, 18S540150).

Summary

Stock and Associates Consulting Engineers Inc., on behalf of Keller Ventures, LLC, has submitted a request for an amendment to an existing “C-8” Planned Commercial District. The existing planned district ordinance covers commercial land within the northwest quadrant of Chesterfield Parkway. The submitted amendment proposes modification to Parcel VIII, Building Group I, which composes the 7.4 acres at the northeast corner of Chesterfield Parkway West and Hilltown Village Center.

The existing ordinance defines permitted uses and development criteria by building group. The applicant seeks to allow day-care center and kindergarten or nursery school within Parcel VIII, Building Group I; this use is not permitted within other areas of the planned district. Additionally, language pertaining to the building requirements of Building Group I in the event it is developed with a day-care center or kindergarten or nursery school user is being added.

The Preliminary Plan includes Parcel and Building Group information consistent with the original ordinance and amended by the City as recently as 2016.

Site History

The northwest and southwest quadrants of Olive / Clarkson and I-64 were included in the original presentation to the St. Louis County Planning Commission in 1971 to initiate development of Chesterfield Village. Prior to 1971, the land use and zoning pattern in the quadrants were “NU” and “R-3” with small commercial areas established adjacent to the offset intersections of Olive and Clarkson

Roads with Highway 40 (now I-64). Commercial uses included four service stations, a small grocery store, a development company office, and a bank.



Figure 1: Aerial Photo

In 1971, Sachs Properties submitted fifteen separate petitions to initiate the development of Chesterfield Village. To be developed over a several decade period were 1,115 acres of what would ultimately be a 1,500+ acre planned community. Of the petitioned 1,115 acres stretching across the northwest and southwest quadrants of Highway 40 and MO 340 (Olive / Clarkson), approximately 44% would be used for residential purposes, 21% for commercial purposes, 27% left for open space, and 8% for right-of-way.

On review, the St. Louis County Planning Commission was of the opinion the proposed concept plan was well conceived and environmentally sensitive. It also came to the conclusion that the Highway 40 / MO 340 interchange was a primary area for future urbanization based on the projected growth of western St. Louis County, the regional accessibility of the subject area, and the large expanse of open space available for development.

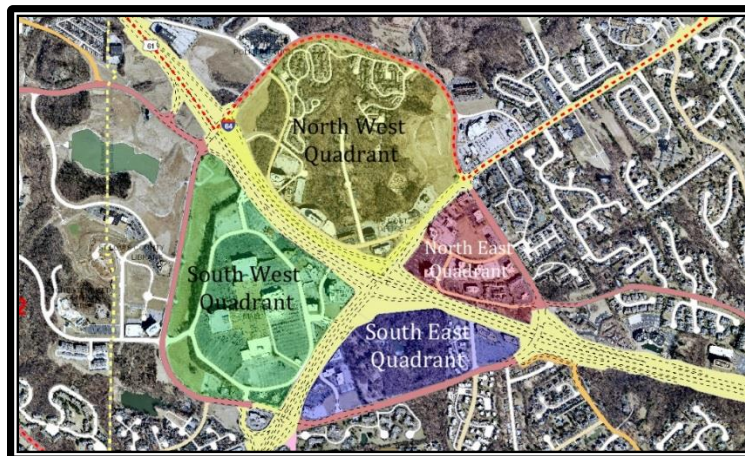


Figure 2: General Areas for Chesterfield Village

Five of the original fifteen petitions involved land in the northwest quadrant. The petitions included residential and commercial zoning for a total of 318 acres. In downscaling the original proposal, the County rejected commercial zoning in the northwest quadrant and limited residential zoning to 270.7 acres of “R-3” zoned development in two P.E.U.’s. Of concern was how proposed development would integrate with existing development along Olive Boulevard.

In 1979, Chesterfield Village Inc. submitted five new petitions covering a total of 197.8 acres in the northwest quadrant. Two general areas of “C-8” zoning were proposed, one along the north side of Highway 40 and the other surrounding the existing Hilltown Center. The 43.3 acres along Highway 40 would include 1,000,000 square feet of floor area being primarily offices, a hotel, theater, professional laboratories and schools. The 39.7 acres near Hilltown Center would include 500,000 square feet of building area, 150,000 of which is allocated to the subject area. In May 1998, the Homewood Suites, a 95,293 square foot hotel, was approved by the City of Chesterfield. The hotel is located on the northern portion of the subject site, and leaves 54,707 square feet to be developed. There has been no other development activity in the subject area.

The original petition has been amended several times over the years by both St. Louis County and the City of Chesterfield. In 2012, the City approved Ordinance 2723 which was to amend criteria for Parcel III, Building Groups A and B (this resulted in development of the new world headquarters for Reinsurance Group of America) and resulted in a new ordinance for the entire area. In 2016, an amendment was approved resulting in Ordinance 2916 that allowed for the development of the Pfizer project, currently under construction, across Chesterfield Parkway West from the subject site.



Figure 3: NW Quadrant of Chesterfield Village Development Plan with Subject Site in Yellow

SURROUNDING LAND USES

The land use and zoning for the properties surrounding this parcel are as follows (and seen in Figure 4):

Direction	Zoning	Land Use
North	“UC” Urban Core District	Monsanto Campus
South	“C-8” Planned Commercial District	Hilltown Center
West	“C-8” Planned Commercial District	Pfizer Campus, under construction
East	“C-8” Planned Commercial & “R4” Single Family Residential (7,500 sq. ft. minimum) Districts	Day-Care Center and Wellesley Place Subdivision

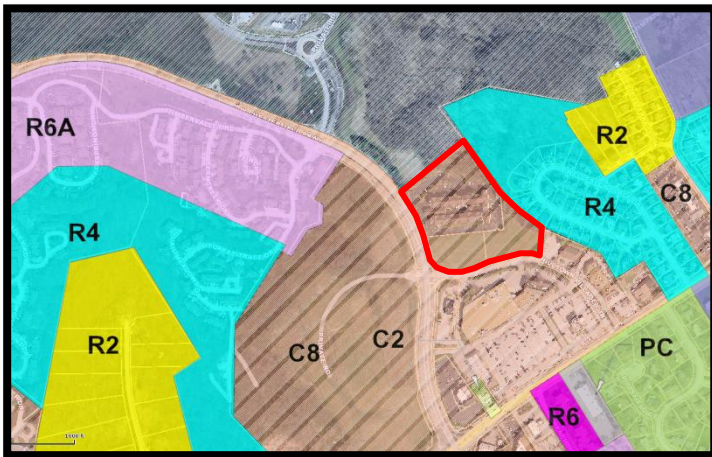


Figure 4: Zoning Map



Figure 5: Future Land Use Plan

Comprehensive Plan Analysis

The City of Chesterfield Comprehensive Land Use Map delineates the subject site within the “Urban Core” land use designation. The Comprehensive Plan states the following about the Urban Core:

The Urban Core was defined as the area known as Chesterfield Village, centered at the intersection of I-64/US 40 and Clarkson Road/Olive Boulevard and primarily served by the Chesterfield Parkway. Land uses for the Urban Core include a mixture of high density residential, retail, and office uses containing the highest density development in Chesterfield.

The following information from the Comprehensive Plan relates to the proposed change in zoning. Information in italics is taken from the Plan, with Staff provided narrative following in non-italicized font.

***Plan Policy 1.8 Urban Core** – The Urban Core should be developed to contain the highest density of mixed-use development in Chesterfield. It should serve as the physical and visual focus for the City and include both residential and commercial developments with parks, municipal services, and preservation of historic structures and areas, with cultural, entertainment and pedestrian amenities for its residents.*

This policy is a general, overall policy for the Urban Core that will help guide the review of the zoning request and future site development proposals.

Plan Policy 3.1 Quality Commercial Development - Commercial developments should positively affect the image of the City, provide employment opportunities, and offer retail and service options to residents.

The Petitioner is looking to add the use “day care center” and “kindergarten or nursery school”. These additional uses provide employment opportunities, and also offer service options not only to residents, but to employees of other nearby developments.

Plan Policy 3.1.1 Quality of Design - Overall design standards should provide for smaller scale, mixed-use, project-oriented developments. Developments should emphasize architectural design, pedestrian circulation, landscaping, open space, innovative parking solutions and landscape buffering between any adjacent residential uses.

There are currently 3 lots in Parcel VIII, Building Group I. The current ordinance calls for a 30 foot parking and building setback along the northeastern side, closest to the existing residential property. Additionally there is currently a large wooded area, which would be subject to the City’s Tree Preservation requirements at time of development.

Plan Policy 3.1.2 Buffering of Neighborhoods - Development should substantially buffer the neighboring residential uses in all directions by employing good site design, addressing vehicular access, building materials selection, tree preservation, and expanded setbacks.

As stated above, the current ordinance provides a 30’ parking and structure setback along the existing residential development to the east. This area is currently heavily wooded and would be subject to the City of Chesterfield’s Tree Preservation Requirements upon development of the southeastern lot.

Plan Policy 3.6.1 High-Density Development – High-density development should be developed as part of the Urban Core. High-density development encourages clustering of buildings with diverse building form through minimum restrictions for building height, openspace and setback requirements.

The different permitted uses in the Building Group I would provide for diverse building forms and heights.

Plan Policy 3.6.5 Chesterfield Village - Chesterfield Village constitutes a significant portion of the Urban Core. Development in Chesterfield Village should incorporate the vision of high density, mixed-use residential and non-residential development with pedestrian amenities.

There are currently sidewalks installed along Chesterfield Parkway West frontage of the subject site. There are no sidewalks along any portion of Hilltown Village Center to provide pedestrian connectivity. A sidewalk would be required along Hilltown Village Center for any new development or significant redevelopment along Hilltown Village Center.

REQUEST

The main portion of the request is to add two uses: day care center and kindergarten or nursery school to the list of approved uses for Building Group I. City of Chesterfield Ordinance 2916 currently permits offices, restaurant, one (1) service station, and two (2) hotels not to exceed 150,000 square feet within this building group. Along Hilltown Village Center to the east there are two campuses for West County Day School, a day care center and kindergarten or nursery school. Day care centers and kindergarten or nursery schools provide a service to people who live in Chesterfield and to people who work in the area.

PUBLIC HEARING

A public hearing was held at the August 13, 2018 City of Chesterfield Planning Commission meeting. Discussion was held regarding setbacks, open space, and cross access.

Setbacks

The Petitioner is requesting to utilize the Urban Core Standards, with the exception of the parking setback and landscape buffer along Hilltown Village Center for the two new uses only. A comparison of the governing ordinance, the Urban Core requirements, and the Petitioner’s request can be seen in the table below.

Development Criteria	Current Ordinance	Urban Core District	Petitioner’s Request (for new uses only)
Parking Setbacks			
Roadway	15’	30’	30’ –Chesterfield Parkway 15’ – Hilltown Village Center
Northwestern Boundary Line	15’	30’	15’
Northeastern Boundary Line	30’	30’	30’
Internal	0’	No minimum	0’
Structure Setbacks			
Roadway	20’	35’	35’
Northwestern Boundary Line	20’	35’	35’
Northeastern Boundary Line	30’	35’	35’
Internal	0’	No minimum	0’
Open Space	--	30%	30%
Landscape Buffer			
Roadway	15’ ^	30’	30’ – Chesterfield Parkway 15’ - Hilltown Village Center
Northwestern Boundary Line	15’ ^	--	15’
Northeastern Boundary Line	30’ ^	30’ *	30’
Internal (no buffer required between commercial)	--	--	--

* 30’ requirement, 10 of which may be satisfied by installing landscaping on the abutting property with property owner consent.

^ Based off of smallest setback in each area.

The Attachment A is currently written to reflect the Urban Core Standards for the two new uses only. Under this configuration, should a day care center or kindergarten or nurse school develop on Parcel A, and an office or hotel were to develop on Parcel B, then different parking setbacks and landscape buffers would be utilized along Hilltown Village Center.

In looking to the surrounding developments for uniformity, there is a lack of consistency in the setbacks for the developments that share a common frontage as this development. The table below shows the different requirements for the nearby developments. For example, the Sheridan’s Ice Cream Parlor was developed as an amendment to the Hilltown Village subdivision ordinance and written with specific parking and building setbacks. The remainder of the shopping center and the daycare were developed under an older version of that ordinance. The older ordinance does not establish internal setbacks. Therefore, the existing conditions along Hilltown Village Center are varied, with landscaped areas as narrow as zero feet in front of West County Day School to upwards of 30 feet near the northeastern area behind the Schnuck’s.



Figure 6: Surrounding Development

Development		Parking		Building	
		From Chesterfield Parkway	From Hilltown Village Center	From Chesterfield Parkway	From Hilltown Village Center
1	Pfizer	15'	--	20'	--
2	Homewood Suites	15'	--	20'	--
3	Hilltown/ West County Day School	--	None specified	--	None specified
4	Hilltown/ Schunck's	20'	None specified	30'	None specified
5	Hilltown/ Sheridan's	15'	210'	68'	82'

Due to the lack of regularity in the surrounding area, the petitioner's request for reduced parking setbacks and landscape buffers for the new uses along Hilltown Village would not create inconsistency between the uses that would develop on Parcel A and Parcel B of the subject area, nor would it disrupt any particular pattern along the remainder of Hilltown Village Center. The Planning Commission could also amend the current language to impose the Urban Core standards for any development on Parcel A or Parcel B. The subject site and the surrounding Hilltown Village is located within the Urban Core designation, and if this area redevelops, it would be with the recommendation to utilize the Urban Core standards. By establishing the Urban Core standards for the uses on Building Group I, the Planning Commission has the ability to establish how this area should redevelop in the future.

Additionally, the current language in the ordinance restricts the service station use to be within 200' of Chesterfield Parkway and the restaurant use to be within 300' of Chesterfield Parkway. If a daycare or kindergarten or nursey school use develops on Parcel A, it would limit Parcel B to the uses of offices, hotel, day care center, and kindergarten or nursery school.

Access

When the Homewood Suites Hotel was approved in 1998, a defeasible ingress/egress easement was shown, along with a potential connection to the hotel as seen in Figure 7.

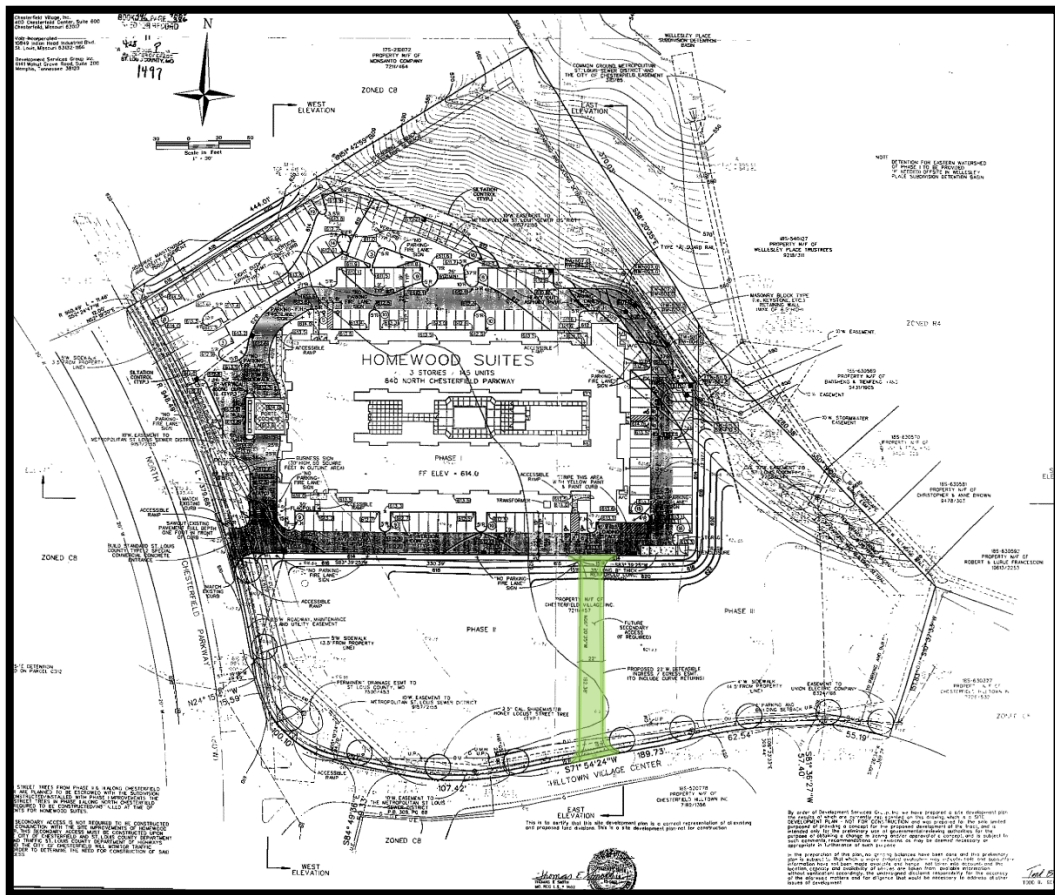


Figure 7: Homewood Suites Site Development Section Plan with easement in green

At the Public Hearing, there was discussion regarding the cross access easement between the Homewood Suites site and Hilltown Village Center to provide better circulation for hotel guests to go south on Chesterfield Parkway. It is Staff's recommendation that the cross access be installed when the next development occurs, whether it is Parcel A or Parcel B. The Petitioner has stated they only wish to install a portion of the cross access, as shown in yellow on the Preliminary Plan. Staff recommends the Planning Commission include a motion to amend the Attachment A to include the following language:

III. Specific Design Criteria: "C-8" Along Olive Street Road

7. Cross access connecting Parcel C to Hilltown Village Center, as directed by the City of Chesterfield, shall be constructed with the development of either Parcel A or B, whichever comes first.

- **Open Space**

At the Public Hearing, the open space requirement was discussed, as there is currently not an open space requirement in the governing ordinance. It was mentioned that the open space of the existing Homewood Suites hotel would negate the open space needed to be provided by additional development on Parcels A or B. The Homewood Suites site's open space was miscalculated prior to the Public Hearing and stated to be approximately 57%. The open space of the hotel site is 37%. Open space is calculated on a per parcel basis, and the Draft Attachment A specifically requires a day care center or kindergarten or nursery school to have a minimum of 30% open space.

PROPOSED RED LINE CHANGES

I. Specific Design Criteria: "C-8" Along Olive Street Road

1. The uses permitted in this "C-8" Planned Commercial District shall be limited to the following (based upon building group numbers supplied on the preliminary development plan):

c. building group I: offices, restaurant, one (1) service station, and two (2) hotels, **day care center and kindergarten or nursey school** not to exceed 150,000 square feet. At the time of the Site Development Plan approval, special consideration will be given to landscaping, architectural elevations and lighting at the northeast property line.

2. No parking areas, loading areas or structures, including internal drives except ingress and egress drive shall be located within the following landscaped setbacks:

b. Parcel VIII:

i. For the uses: offices, restaurant, service station, and hotel:

a. Fifteen (15) feet of all roadway rights-of-way and the northwestern property line;

b. Thirty (30) feet of the northeastern property line.

ii. **For the uses: day care center and kindergarten or nursery school:**

a. **Thirty (30) feet of Chesterfield Parkway West roadway right-of-way and the northwestern property line;**

b. **Thirty (30) feet of the northeastern property line.**

c. **Thirty (30) feet along the Hilltown Village Center right-of-way.**

3. No building shall be located within the following setbacks:

b. Parcel VIII:

- i. For the uses: offices, restaurant, service station, and hotel:
 - a. Twenty (20) feet of all roadway rights-of-way and the northwestern property line;
 - b. Thirty (30) feet of the northeastern property line.
 - ii. For the uses: day care center and kindergarten or nursery school:
 - a. Thirty-five (35) feet of all roadway rights-of-way and the northwestern property line;
 - b. Thirty-five (35) feet of the northeastern property line.
6. In addition to requirements elsewhere in this ordinance and requirements of the City of Chesterfield City Code, the following are additional requirements for building group I **on which a daycare is developed**:
 - a. The uses of day care center and kindergarten or nurse school shall have a minimum of 30% open space.
 - b. Landscape and Tree Requirements
 - i. Parcel VIII, Building Group I shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
 - c. Access to this development from Chesterfield Parkway West shall be via the one (1) existing entrance, as directed by the St. Louis County Department of Transportation and City of Chesterfield. No new access from Chesterfield Parkway West shall be permitted.
 - d. 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 St. Louis County Department of Transportation.
 - e. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the St. Louis County Department of Transportation for sight distance consideration and approved prior to installation or construction.
 - f. The developer is advised that utility companies will require compensation for relocation of their facilities within 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.

The petition has met all filing requirements and procedures of the City of Chesterfield. Staff requests action from Planning Commission on the request and Attachment A.

Attachments

1. Draft Attachment A
2. Applicant Narrative Statement
3. Preliminary Plan

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

The application for a Planned Commercial Development on the tracts of land described in this ordinance is approved on condition that said development and plan is carried out in accordance with the preliminary plans filed with the St. Louis County Planning Commission and forwarded to the County Council with a communication dated September 21, 1979, which reference as if fully set out in and made a part of this ordinance, and subject to all applicable ordinances, laws and regulations and to the following conditions:

I. General Conditions

1. This Ordinance authorizes the commercial development of an integral planned commercial and residential community known as “Chesterfield Village”. Of the larger overall development, this commercial portion is located generally west of Olive Street Road (State Route 340) and north of U.S. Highway 40 containing 75 acres. The intent of this Ordinance is to effect proper development of this site conforming to good planning practices and adhering to the preliminary plan revised August 24, 1979, and approved by the Planning Commission.
2. Within two (2) years of the date of approval of this “C-8” Planned Commercial District rezoning by the City of Chesterfield Council and prior to any site preparation, the petitioner shall submit to the Planning Commission for review and approval a Final Development Concept Plan. Where due cause is shown by the petitioner, this time interval may be extended through appeal to and approval by the Planning Commission. Said plan shall include but not be limited to the following:
 - a. Primary use types.
 - b. Project road rights-of-way.
 - c. Approximate location of peripheral and primary internal roads.
 - d. Parking and building setbacks.
 - e. Off-street parking and loading ratios.
 - f. Indication of phasing lines which shall serve as project boundary lines for the future section plans.
 - g. Gross square footage and maximum height of all proposed buildings, or building groups.
 - h. Parcel numbers and building group numbers as indicated on the approved preliminary development plan.

- i. All zoning district boundaries and zoning classifications.
 - j. Location of advertising sign limited to project identification only.
 3. Within one (1) year of the date of approval of the Final Development Concept Plan and after the Plan has been recorded with the St. Louis County Recorder of Deeds Office, the petitioner shall submit to the Planning Commission for its review and approval, the first Final Development Section Plan. Where due cause is shown by the petitioner, this time interval may be extended through appeal to and approval by the Planning Commission. Said Final Development Section Plan shall include but not be limited to the following:
 - a. The location, size and use of all proposed structures, including retaining walls.
 - b. Indication of development phasing on the same parcel if anticipated.
 - c. Existing and proposed contours at two (2) foot intervals, except that grades greater than ten (10) percent may be indicated at five (5) foot contour intervals.
 - d. Location and size of all parking areas including landscape treatment of such.
 - e. Roadways and drives on and adjacent to the property in question.
 - f. The design, location, and size of all proposed free standing signs, lighting, fences and trash areas.
 - g. A landscape plan, including the location, size, and type of all plantings and other materials to be used.
 - h. Indication of sanitation and drainage facilities.
 - i. Parking and building setbacks on the property in question.
 - j. Parking calculations for the property in question.
 4. With each Final Development Section Plan a detailed landscape plan must be submitted to the Planning Commission for review and approval. Such plan shall as a minimum contain information on type, size, and number of each landscape material to be used. Specifically the following shall also be required:
 - a. Parking areas in excess of 10,000 square feet shall contain internal landscape islands planted with trees and other plant materials. Planning areas within parking lots shall not be less than six (6) feet in width and each shall not be less than 400 square feet in area. Vertical curbs will be used around planning areas to protect them from automobiles and keep out de-icing salt. Such areas will

control traffic patterns and thereby improve safety as well as provide shade and offer a visual relief against extensive pavement area.

- b. In retail, office and general commercial parking lots, rows of trees planted in landscape areas shall be used to subdivide large parking areas into smaller and more identifiable parking areas. Pedestrian walkways shall be provided in the parking areas to safely allow pedestrian movement to and from building access points. In the case of parking decks, said structures shall be supplemented by a significant landscape plan around the periphery of said structure to mitigate visual impacts.
 - c. Where commercial development is contiguous to residentially zoned areas, special landscape treatment will be required. A minimum shall be a planting strip of twenty (20) feet in order to insulate adjacent residential land uses. In addition, planning, masonry walls, sight-proof fences, earth berms and / or depressed parking areas may be required by the Planning Commission.
 - d. Planting of street trees shall be a standard practice along the major arterials and collector streets. Trees shall be planted at regular intervals (minimum of two, two inch caliper, trees every seventy-five feet of frontage) on both sides except where berms, existing topography or views make another specific design treatment preferable and when approved by the Planning Commission.
 - e. The circumferential roadway connecting the Chesterfield Parkway North with Schoettler Road will contain a median planter area. Special considerations shall be given to the scenic qualities of this roadway and a landscape plan of such shall be reviewed and approved by the Planning Commission.
5. All Final Development Section Plans must be consistent with the approved Final Development Concept Plan, and shall contain one or more complete development sections. Each such plan shall be comprised of at least twenty (20) percent open space devoid of any structures or paving.
 6. All Final Development Section Plans shall be reviewed in order to determine whether mass-transit facilities should be included as part of the site development design. Such facilities might include bus shelter locations and bus pull-off lanes.
 7. Roadway alignment and location, and other roadway circulation design features including right-of-way dedication and improvement on the Final Development Concept Plan and curb cuts on each Final Development Section Plan shall be reviewed and approved by the

Department of Highways and Traffic and, as applicable, the Missouri State Highway Commission prior to recording of any plan.

8. The height, design, location, and lighting intensity of all light standards shall be reviewed and approved by the Planning Commission on each Final Development Section Plan. Special consideration shall be given to such standards which may have exposure to residential property. Supplemental information to adequately assess the above (such as cross section, details of light standard construction, etc.) may be required by the Planning Commission prior to approval.
9. Except as specifically approved by the Planning Commission, utilities shall be underground.
10. The following shall regulate all signs for the “C-8” development:
 - a. Advertising signs limited to project identification only shall be permitted only at locations approved by the Planning Commission on the Final Development Concept Plan. Details such as size, design, lighting etc. shall be submitted to the Commission prior to approval.
 - b. Parcels III and IV shall be limited to a maximum of five (5) free standing business signs not to exceed fifty (50) square feet in outline area and thirty (30) feet in height. The location and size of said signs shall be as approved by the Planning Commission on final development plans.
 - c. Parcels VII and VIII shall be limited to a maximum of three (3) free standing business signs not to exceed fifty (50) square feet in outline area and thirty (30) feet in height. The location and size of said signs shall be as approved by the Planning Commission on final development plans.
 - d. All other signs (i.e. attached wall signs and directional signs) shall conform to the sign regulations of the “C-3” Shopping District.
11. Off-street parking requirements and loading requirement shall be regulated by that zoning district in which the use is permitted. Where more than one (1) of the parking requirements may be construed as applicable to the same use, lot or building, the final determination shall be made by the Planning Commission.
12. Prior to approval of all above Final Development Plans the petitioner shall:

- a. Provide verification to the Department of a preliminary plan indicating adequate handling of differential runoff due to proposed impervious areas.
 - b. Submit verification of approval by the St. Louis County Department of Highways and Traffic and the Missouri Department of Transportation as applicable, of location of all curb cuts, roadway dedication, and improvements.
13. Subsequent to approval of the Final Development Section Plans and prior to issuance of any building permit, the following requirements shall be met:
 - a. Provide verification to the Department indicating adequate provision of sanitary services.
 - b. Provide verification to the Department indicating adequate handling of storm water runoff off the subject property at abutting roadways.
 - c. The petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of all landscaping as required on the final development section plan. Said bond or escrow shall be based on estimated costs determined by a plant nursery for such improvements and approved by the Department of Planning and Development Services.
 - d. Record the approved Final Development Section Plan with the St. Louis County Recorder of Deeds Office.
14. The required contributions shall be increased at the rate of five (5) percent per year effective on the first day of January, 1980, and the first day of each calendar year thereafter. Such sums shall be collected by the Department of Public Works and disbursed to the County Treasurer.
15. Within two (2) years of the date of approval of the first Final Development Section Plan by the Planning Commission, construction shall commence. Said time limit may be extended on approval by the Planning Commission.
16. The petitioner shall be required to provide temporary off-street parking for construction employees. Parking on non-paved surfaces shall be prohibited.
17. Any transfer of ownership or lease of property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to be bound by the conditions herein set forth and included in the approved development plan for the property. A copy of all the herein

attached conditions shall be furnished by the owner or petitioner to the operator(s), owners(s), or manager(s) including successive operator(s), owners(s), or manager(s), who shall forward to the Zoning Enforcement Officer an acknowledgment that he or she has read and understood each of these conditions and agrees to comply therewith.

18. The above conditions of the “C-8” Planned Commercial District shall be enforced in compliance with the Final Development Section Plans approved by the City of Chesterfield Planning Commission.
19. In addition to the conditions herein imposed, this Planned Commercial District shall be subject to all applicable provisions of the City of Chesterfield Zoning Ordinance and Subdivision Ordinances. The Zoning Enforcement Officer of the City of Chesterfield shall enforce the conditions of this permit in accord with the approved Final Development Concept and Section Plans approved by the Planning Commission.

II. Specific Design Criteria: “C-8” Along Highway 40

1. The uses permitted in this “C-8” Planned Commercial District shall be limited to the following (based upon building group numbers supplied on the preliminary development plan):
 - a. building groups A and B: offices, retail commercial, one (1) service station, restaurants, theaters and heliport; such uses not to exceed 460,000 gross square feet. Additionally, one (1) hotel with a maximum of 350 rooms with certain retail uses specifically accessory to a hotel facility is permitted within building group B. In the event that the hotel is not constructed in building group B, a maximum floor area of 749,783 gross square feet on building groups A and B shall be permitted.
 - b. building group C: offices, retail and restaurant not to exceed 350,000 gross square feet;
 - c. building group D: offices, retail, restaurants, one (1) service station and theater; and one (1) hotel, not to exceed 170,000 gross square feet;

The above noted gross square foot figures indicate the maximum allowable within each building group. The word “offices” shall also include the following: medical laboratories, technical and business schools, public and professional schools, medical clinics, and scientific laboratories.

2. The following shall regulate all retail commercial uses in the building groups A, B, C, and D:

- a. a maximum of 50,000 gross square feet may be used for retail commercial activity;
 - b. in any office building or hotel no retail commercial activity shall be permitted above the first floor;
 - c. no single-user being a retail commercial activity shall exceed 10,000 gross square feet.
3. No parking area, loading areas or structures including internal drive except ingress and egress drives shall be allowed within the following landscaped setbacks:
- a. Parcel III:
 - i. Fifteen (15) feet of all roadway rights-of-way.
 - b. Parcel IV:
 - i. Fifteen (15) feet of U.S. Highway 40 and Chesterfield Parkway North rights-of-way;
 - ii. Twenty (20) feet of Swingley Ridge Road.
 - c. Parcel V:
 - i. Fifteen (15) feet of Swingley Ridge Road right-of-way;
 - ii. Thirty (30) feet of the northeast and southeast property lines;
 - iii. Two hundred (200) feet of the eastern point of the parcel contiguous to residential zoned land.
4. No building shall be located within the following setbacks:
- a. Parcel III:
 - i. Twenty (20) feet of all roadway rights-of-way.
 - b. Parcel IV:
 - i. Twenty (20) feet of U.S. Highway 40 and Chesterfield Parkway North rights-of-way;
 - ii. Thirty (30) feet of Swingley Ridge Road;
 - c. Parcel V:
 - i. Twenty (20) feet of Swingley Ridge Road;
 - ii. Thirty (30) feet of the northeast and southeast property line;

- iii. Two hundred (200) feet of the eastern point of the parcel contiguous to residential zoned land.
 - d. The following shall be the maximum allowable height for structures:
 - i. building group A: six (6) floors;
 - ii. building group B: fifteen (15) stories for the hotel and ten (10) floors for all other uses;
 - iii. building group C: twenty-five (25) floors;
 - iv. building group D: six (6) floors;
 - v. building group E: three (3) floors
 5. The uses listed below shall only be allowed within the following described setbacks:
 - a. the permitted twenty-five (25) story office building in building group C shall be situated within 300 feet of U.S. Highway 40 right-of-way and within 400 feet of the Chesterfield Parkway North;
 - b. the permitted fifteen (15) story hotel building in building group B shall be situated within 300 feet of U.S. Highway 40 right-of-way and within 400 feet of the Chesterfield Parkway North;
 - c. the permitted service station within building group A shall be located within 200 feet of Swingley Ridge Road or within 200 feet of the Chesterfield Parkway North rights-of-way;
 - d. the permitted service station within building group D shall be located within 400 feet of the Chesterfield Parkway North.
 6. In addition to requirements elsewhere in this ordinance and requirements of the City of Chesterfield City Code, the following are additional requirements for building group B:
 - a. Provide a traffic study as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation. Improvements involving regional issues shall be addressed as directed by all governing jurisdictions.
 - b. Provide road improvements, as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation as identified in the study prepared by Bernardin, Lochmueller & Associates, Inc. dated July 23, 2012 and any addendum thereto. As identified in this study,

modification of the westbound I-64 on ramp in conformance with the City's plan for the extension of outer road system is required for office development in excess of 405,000 square feet on building group B.

- c. The developer shall submit a traffic study, addressing the traffic generated by the proposed development, to the Department of Highways and Traffic for review and approval. Prior to preparation of this study, the developer's traffic engineer shall meet with representatives of the department to determine the study scope. The developer's additional road improvement obligation shall be as determined by the approved study.
- d. Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Services. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and improvement plans.
- e. Provide a sidewalk conforming to Saint Louis County ADA standards adjacent to Chesterfield Parkway as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
- f. Access to this development from Chesterfield Parkway shall be as directed by the City of Chesterfield and the St. Louis County Department of Highways and Traffic.
- g. 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 City of Chesterfield and Saint Louis County Department of Highways and Traffic.
- h. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic for sight distance consideration and approved prior to installation or construction.
- i. 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.

- j. The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Village Road Trust Fund (No. 554). This contribution shall not exceed an amount established by multiplying the ordinance-required parking spaces for the difference between the existing and proposed uses by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
TGA Category	Contribution
General Office	\$611.88/parking space
General Retail	\$1,835.75/parking space
Loading Space	\$3,003.97/parking space

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

As a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

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

TGA contribution for building group B shall be based only on the increase in development density from that density previously approved in St. Louis County Ordinance 9,476.

- k. As this development is located within a trust fund area established by Saint Louis County, any portion of the traffic generation assessment contributions which remains following completion of road improvements required by the development shall be retained in the appropriate trust fund.
- l. The amount of the required contributions, if not submitted 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.

- m. Traffic generation assessment contributions shall be deposited with Saint 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. Funds shall be payable to Treasurer, St. Louis County.
- n. 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 Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- o. Prior to Special Use Permit issuance by the Saint 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 Saint Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.
- p. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

III. Specific Design Criteria: "C-8" Along Olive Street Road

- 1. The uses permitted in this "C-8" Planned Commercial District shall be limited to the following (based upon building group numbers supplied on the preliminary development plan):
 - a. building group F: offices, in addition a maximum of ten (10) percent of each building gross floor area may be utilized for cafeterias or personal services to serve the employees of said building; not to exceed 240,000 square feet;
 - b. building groups G and H: offices and restaurants (one restaurant permitted in building group G and one restaurant permitted in building group H) not to exceed a combined total of 345,000 square feet;
 - i. Maximum size of any one building 300,000 square feet.
 - ii. Maximum footprint of any one building 50,000 square feet.

- c. building group I: offices, restaurant, one (1) service station, and two (2) hotels, day care center and kindergarten or nurse school not to exceed 150,000 square feet. At the time of the Site Development Plan approval, special consideration will be given to landscaping, architectural elevations and lighting at the northeast property line.
- d. The total build out for building groups F, G, H and I would be 500,000 square feet.
- e. In the event that building groups F, G, and H are developed as a single research / laboratory campus, including office, a maximum of 460,000 square feet shall be permitted on these building groups.
 - i. Maximum size of any one building 460,000 square feet.
 - ii. Maximum footprint of any one building 135,000 square feet.
 - iii. Total build out for building groups F, G, H, and I would be 610,000 square feet.
- f. The developer shall be responsible for providing all necessary right-of-way, easements, Temporary Slope Construction License, etc., as required for St. Louis County Project Number AR-1545. All onsite improvements shall be compatible with this project.

For building groups F, G, and H, the word “offices” shall also include the following: medical laboratories and scientific laboratories.

- 2. No parking areas, loading areas or structures, including internal drives except ingress and egress drive shall be located within the following landscaped setbacks:
 - a. Parcel VII:
 - i. Fifteen (15) feet of the proposed right-of-way of Chesterfield Parkway North and the future right-of-way of Olive Street Road;
 - ii. Two hundred (200) feet of the western property line within 1,200 feet of Olive Street Road right-of-way;
 - iii. Thirty (30) feet of the remainder of the western property line.
 - b. Parcel VIII:
 - i. For the uses: offices, restaurant, service station, and hotel:
 - a. Fifteen (15) feet of all roadway rights-of-way and the northwestern property line;
 - b. Thirty (30) feet of the northeastern property line.

- ii. For the uses: day care center and kindergarten or nursery school:
 - a. Thirty (30) feet of Chesterfield Parkway West roadway right-of-way and the northwestern property line;
 - b. Thirty (30) feet of the northeastern property line.
 - c. Fifteen (15) feet along the Hilltown Village Center right-of-way.
3. No building shall be located within the following setbacks:
 - a. Parcel VII:
 - i. Twenty (20) feet of Chesterfield Parkway North right-of-way;
 - ii. Seventy-five (75) feet of the future right-of-way of Olive Street Road;
 - iii. Two hundred (200) feet of the western property line within 1,200 feet of Olive Street Road;
 - iv. Thirty (30) feet of the remainder of the western property line.
 - b. Parcel VIII:
 - i. For the uses: offices, restaurant, service station, and hotel:
 - a. Twenty (20) feet of all roadway rights-of-way and the northwestern property line;
 - b. Thirty (30) feet of the northeastern property line.
 - ii. For the uses: day care center and kindergarten or nursery school:
 - a. Thirty-five (35) feet of all roadway rights-of-way and the northwestern property line;
 - b. Thirty-five (35) feet of the northeastern property line.
4. The following shall be the maximum allowable height for structures:
 - a. building group F: four (4) floors;
 - b. building group G: eight (8) floors;
 - c. building group H: four (4) floors;
 - d. building group I: three (3) floors.

5. The uses listed below shall only be allowed with the following described setbacks:
 - a. the singular allowable eight (8) story building in building group G shall be situated within 500 feet of Chesterfield Parkway North right of way.
 - b. the four (4) story building allowed in building group H shall be located within 300 feet of Chesterfield Parkway North and within 300 feet of Olive Street Road rights-of-way;
 - c. the permitted service station in building group I shall be located within 200 feet of Chesterfield Parkway North and within 200 feet of Henry Hoch Road rights-of-way;
 - d. the permitted restaurant in building group I shall be located within 300 feet of Chesterfield Parkway North right-of-way.
6. In addition to requirements elsewhere in this ordinance and requirements of the City of Chesterfield City Code, the following are additional requirements for building group I on which a daycare is developed:
 - a. The uses of day care center and kindergarten or nurse school shall have a minimum of 30% open space.
 - b. Landscape and Tree Requirements
 - i. Parcel VIII, Building Group I shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
 - c. Access to this development from Chesterfield Parkway West shall be via the one (1) existing entrance, as directed by the St. Louis County Department of Transportation and City of Chesterfield. No new access from Chesterfield Parkway West shall be permitted.
 - d. 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 St. Louis County Department of Transportation.
 - e. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the St. Louis County Department of Transportation for sight distance consideration and approved prior to installation or construction.

- f. The developer is advised that utility companies will require compensation for relocation of their facilities within 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.

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