

Memorandum

Department of Planning



To: Planning and Public Works Committee

From: Chris Dietz, Planner *CD*

Date: November 19, 2020

RE: **P.Z. 06-2020 15310 Conway Road (SMS Group)**: A request to repeal and replace Ordinance 2463 to establish a new “PC” Planned Commercial District to modify development criteria for a tract of land totaling 1.492 acres located at the southwest corner of the intersection of Chesterfield Parkway East and Conway Road (18S310557).

Summary

Sean Sortor, on behalf of SMS Group, has submitted an Ordinance Amendment petition for 15310 Conway Rd. The petition requests to change the development criteria for the site by changing structure and parking setback requirements and to update the list of permitted uses to accommodate the future development of a commercial building. The current ordinance will be repealed and replaced to reflect current language of the Unified Development Code.

A Public Hearing was held on September 30, 2020, where several issues were raised. The applicant has since responded these issues and has provided an updated proposal.

These issues have since been addressed by the Applicant in an Issues Response Letter On November 9, 2020, the Planning Commission motioned to approve this Ordinance Amendment by a vote of 8 to 0.

Attached to this report, please find a copy of the November 9, 2020 Staff Report, Narrative Statement, Issues Response Letter, Preliminary Development Plan, Survey, Tree Stand Delineation and Draft Attachment A.

Attachments: November 9, 2020 Staff Report
Narrative Statement
Issues response Letter
Preliminary Development Plan
Tree Stand Delineation
Draft Attachment A



Figure 1: Subject Site Aerial

Planning Commission Staff Report

Project Type:	Ordinance Amendment
Meeting Date:	November 9, 2020
From:	Chris Dietz, Planner
Location:	15310 Conway Road
Description:	<u>P.Z. 06-2020 15310 Conway Road (SMS Group)</u> : A request to repeal and replace Ordinance 2463 to establish a new “PC” Planned Commercial District to modify development criteria for a tract of land totaling 1.492 acres located at the southwest corner of the intersection of Chesterfield Parkway East and Conway Road (18S310557).

PROPOSAL SUMMARY

SMS Group has submitted a request for an Ordinance Amendment to modify the development criteria for a tract of land located in the southeast corner of the intersection of Conway Road and Chesterfield Parkway East.

These changes include updating the permitted uses, as well as modifications to parking and structure setbacks. These changes are intended to reflect the development criteria language of the ordinance governing the adjacent parcel to the west, located at 15320 Conway Rd.



Figure 1: Subject Site Aerial

This neighboring parcel was rezoned from “R3” Residence District to a “PC” Planned Commercial District by the same applicant in 2017. The applicant is now requesting this Ordinance Amendment to this site to closely align with the development criteria of this adjoining PC district to create a consistent development between the two properties.

A Public Hearing was held on September 30, 2020 in which several issues were raised by Planning Commission. The applicant has provided an updated proposal for Planning Commission’s consideration including a response to each of these issues.

HISTORY OF SUBJECT SITE

Prior to the incorporation of the City of Chesterfield, this site was rezoned from “R3” —Residence District by St. Louis County. On May 21, 2007 the City rezoned the property to “PC” Planned Commercial District via Ordinance Number 2361. This ordinance was later repealed in 2008 to update the legal description and development criteria for this parcel. These changes were intended to accommodate a Site Development Plan application that was filed simultaneously for a 27,000 square-foot, three (3) story bank building, but was put on hold indefinitely. Today, the site is still governed under the provisions of Ordinance 2463.

LAND USE AND ZONING

The land use and zoning for the properties surrounding the subject site are as follows:

Direction	Zoning	Land Use
North	“PC” —Planned Commercial	Hotel
South	“C8” —Planned Commercial	Office
East	“NU” —Non-Urban	Senior Living Facility
West	“PC” —Planned Commercial	Vacant (Development Pending)

COMPREHENSIVE PLAN

The City of Chesterfield Comprehensive Land Use Map delineates the subject site at the eastern edge of the City Center (Corporate Village) land use designation. The Comprehensive Plan states that the City Center (Corporate Village) supports the ability to concentrate employment opportunities in the City on normal workdays, which generally supports office and technology. Policies regarding the City Center (Corporate Village) that are applicable to this request include:

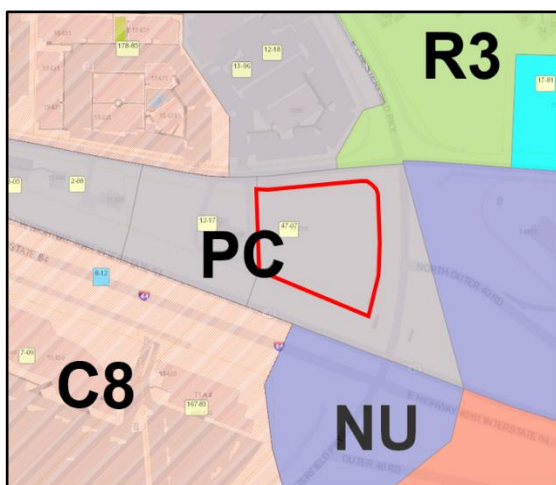


Figure 2: Zoning Map



Figure 3: Land Use Map

- **Connectivity** - Establish an interconnected network of walkable and bikeable streets that connects one or more surrounding neighborhoods to the employment centers.
- **Open Space** - Accommodate small parks, gathering places and community gardens; preserve tree stands; and help reduce stormwater runoff.
- **Public Art** - Incorporated into new construction and re-development projects.
- **Pedestrian Experience** - Buildings should be constructed closer to the roadways to enhance the pedestrian experience.

PUBLIC HEARING

A Public Hearing was held on September 30, 2020 in which several issues were raised by Planning Commission. In light of these issues, the applicant has since provided an updated proposal, provided a resubmission to the City and has provided a response to each issue raised during the Public Hearing.

ISSUES RAISED

- **Issue:** Setbacks—Planning Commission expressed their concern that the proposed parking setbacks along Conway Road do not reflect those for the hotel development across the street.

Response: The applicant has made changes to the proposed setbacks relating to the northern and eastern boundaries along Conway Rd. and Chesterfield Parkway, respectively. The plan now reflects a northern boundary parking setback extended from five feet (5’) to ten feet (10’) to match that of the hotel development across the street. The eastern boundary parking setback has also been extended from the previous request of thirteen feet (13’) to twenty-five feet (25’). These figures are updated in the parking setback table below:

Parking Setbacks	Existing, to be Repealed	Proposed	15320 Conway Rd.
Conway Rd.	18’	5’ 10’	5’
I-64	18’	5’	5’
East	13’	13’ 25’	5’
West	10’	5’	5’

Table 1. Parking Setbacks

- **Issue:** Landscape Buffers—Because of the high visibility of the site from Chesterfield Parkway, Planning Commission noted that landscaping must be closely reviewed and expressed concern about the reduction of Landscape Buffers to match parking setbacks.

Response: By doubling the parking setbacks along Conway and Chesterfield Parkway, the applicant has increased the area of Landscape Buffer to the same depths of 10’ along Conway Rd. and 25’ along Chesterfield Parkway. Figure 4 shows the revised Landscape Buffers that align with parking setbacks in and around the subject site.



Figure 4: Updated Landscape Buffers

- **Issue:** Open Space—The proposal presented at the Public Hearing requested a reduction of open space from 40% to 35%.

Response: The applicant has since removed the request for a reduction in Open Space and has expressed that they are comfortable with leaving the Open Space Requirement at 40% as is currently required under the existing ordinance.

- **Issue:** Building Design—Due to the building’s close proximity to I-64 and Chesterfield Parkway, it was noted that the building should be well-designed and substantially reviewed at the Site Development Plan stage to ensure that it reflects the character of the City Center (Corporate Village).

Response: The Applicant has expressed their intent to have the future building feature an aesthetically-pleasing design on all sides of the building, and has stated that the surrounding developments will be taken into consideration to create a cohesive design throughout the area.

- **Issue:** Public Art—The location and visibility of Public Art was discussed, with a suggestion to possibly relocate the designated Public Art Area to the east side of the proposed building.

Response: The Applicant has acknowledged the need and desire for Public Art to be visible to the public. They have indicated that they will review the best location for the public artwork in conjunction with a comprehensive landscape plan at time of Site Development Plan submittal to balance the visibility with design and with the artwork itself.

STAFF ANALYSIS

Since the September 30, 2020 Public Hearing, the applicant’s request has changed to modify only two (2) sections of the development criteria: Permitted uses and setback requirements. An explanation of each request is provided below.

Request #1: Permitted Uses

The first change would update the permitted uses for this “PC” District to align with those of the adjacent site. During the September 30, 2020 Public Hearing, the Specialized Private School use was discussed. The applicant has since removed the use from the list of proposed uses associated with this petition. The table below shows the differences between the proposed uses and the current permitted uses for the site.

Current Permitted Uses Language:	Proposed Permitted Uses Language:	Permitted Uses for 15320 Conway Rd.
<ul style="list-style-type: none"> • Office or Office buildings • One (1) Parking Garage • Financial Institutions 	<ul style="list-style-type: none"> • Art Gallery • Art Studio • College/University • Financial Institution (No Drive-Through) • Museum • Office - Dental • Office - General • Office – Medical • Recreational Facility* • Veterinary Clinic • Specialized Private School 	<ul style="list-style-type: none"> • Art Gallery • Art Studio • College/University • Financial Institution (No Drive-Through) • Museum • Office - Dental • Office - General • Office – Medical • Recreational Facility** • Veterinary Clinic

* Limited to gymnastics facility, dance, cheer, fitness center, group fitness or athletic training.

**Limited to gymnastics facility, fitness center.

Request #2: Setbacks

The current setbacks were established to accommodate the Preliminary Development Plan for the previously proposed office building. Similar to the permitted uses, the applicant intends to change the setback requirements. The following table demonstrates the change between the current and proposed structure setbacks for the subject site, as well as the existing structure setbacks of 15320 Conway Rd.:

Structure Setbacks	Existing	Proposed	15320 Conway Rd.
Conway Rd.	86’	25’	20’
I-64	50’	10’	10’
East	20’	60’	20’
West	60’	5’	20’

Table 2. Structure Setbacks

The UDC has specific requirements for thirty (30) foot landscape buffers along collector and arterial roadways, which would be required along the north, south and east of this property. If these parking

setbacks are approved at a distance less than thirty (30) feet, these landscape buffers and parking setbacks will essentially become one-and-the-same and will be reflected in the development criteria language of the new ordinance.

PRELIMINARY PLAN

A Preliminary Plan has been submitted in conjunction with this request and depicts the proposed changes to the development criteria listed in the Attachment A section of the governing ordinance. The plan depicts an approximately 13,500 square-foot commercial building located toward the southern end of the site with proposed parking and structure setbacks illustrated as well. The site will have access to Conway Rd. via a cross-access easement on the property to the west. A Tree Stand Delineation has also been provided with the Preliminary Plan. The applicant intends to clear-cut existing tree canopy on site and proposes to provide mitigation in the form of additional plantings on site. This request will be reviewed in conjunction with a Site Development Plan once one is submitted.

Staff has completed its review and has no further comments regarding this petition. A draft version of the Attachment A, Issues Response Letter, Narrative Statement, Preliminary Development Plan, Survey, and Tree Stand Delineation are attached for further consideration.

Attachments: Draft Attachment "A"
 Issues Response Letter
 Project Narrative
 Preliminary Development Plan
 Tree Stand Delineation

15310 Conway Project Narrative

I am writing with our requested amendments to the current zoning ordinance for the property located at 15310 Conway Rd in Chesterfield, which is approximately 1.49 acres. Our intent is to develop this area of Conway Road and make an attractive entrance into the City of Chesterfield.

This property is in an area that will require large infrastructure and site expenditures. The sewer is 850' away from the proposed site, the water and gas mains are located on the north side of Conway Rd, the electric transformer's (2) must be upgraded, the roadway will require curb and gutter, along with storm sewers that will need to be installed and connected. This site will require a large quantity of fill dirt to bring the parking and building pad up to a reasonable grade. In order to build a building that justifies the costs of development and create a design that is an overall benefit to Chesterfield. We do have a few amendment requests to the current zoning/ordinance guidelines. We are asking for these due to the above described unique circumstances of this property and to align this property with the property adjoining to the west (15320 Conway Rd). We believe that these requests will not change the master plan for the area or the overall aesthetics negatively but will be a net positive to the City when completed. Our goal is to enhance the overall look and usability of this section of Conway Rd in the most responsible manner possible.

The proposed max building height is 30' and the proposed floor area ratio (FAR) is .55.

The tree canopy on the site will need to be cleared. We intend to mitigate this with plantings that will be included within the landscape plan. After an arborist review of the current species of trees it was found that most trees fell into the "undesirable" category. Our mitigation plan will provide for a new tree canopy of desirable species that meet the City's guidelines.

AMENDMENT REQUEST 1 - GENERAL DESCRIPTION OF USE

We are looking to amend the zoning of this property to similar zoning in the area and in coordination with the Master Plan. The proposed uses are:

- **Public/Recreational** - Art gallery, art studio, rec-center or recreational facility (limited to gymnastics, dance, cheer, group fitness and athletic training), museum
- **Office** - General, dental or medical
- **Service** - Financial institution - no drive-thru, veterinary clinic
- **Educational** - College/University

AMENDMENT REQUEST 2 - PARKING/BUILDING SETBACKS AND LANDSCAPE BUFFER

We are requesting setbacks that are in line with those of the adjoining property to the west located at 15320 Conway. This request is needed to best utilize the property and provide a cohesive development with the adjoining property. We are requesting the following setbacks:

Building/Parking Setback and Landscape Buffer

- Northern Boundary of Conway Rd
 - Building Setback - 25'
 - Parking Setback - 10'
 - Landscape Buffer - 10'
- Southern Boundary off Highway 64
 - Building Setback - 10'
 - Parking Setback - 5'
 - Landscape Buffer - 5'
- Eastern Boundary off Chesterfield Parkway
 - Building Setback - 60'
 - Parking Setback - 25'
 - Landscape Buffer - 25' to match the 25' easement that is existing
- Western Boundary adjoining 15320 Conway Rd



- Building Setback - 5'
- Parking Setback – 5' to match 15320 Conway Rd
- No Landscape buffer between properties

AMENDMENT REQUEST 3 - OPEN SPACE

We request to keep the current Ordinance language on the open space at 40%

We believe these requests are consistent with the surrounding developments and allow for proper utilization of the site. We have been in contact with the owner of the property to the west to collectively work to bring in the utilities to these parcels.

SUMMARY

In conclusion, we are asking for modifications to the existing zoning ordinance to align more closely with that of the adjoining property to the west (15320 Conway Rd). This will allow for a unified development across the two parcels of ground. Being a 35+ year resident of Chesterfield and owning several businesses in the area I am very excited to continue development for this section of Conway Rd. I look forward to working with the City to bring this development to fruition and create an aesthetically pleasing entrance into Chesterfield at this site!

Thank you all for you time and please do not hesitate to contact me at (314) 575-2594 or via email at sean@seansortor.com.

Sincerely,

Sean Sortor
Owner/Manager
SMS Group LLC



City of Chesterfield
Planning Commission
690 Chesterfield Parkway W
Chesterfield, MO 63017

10/20/2020

RE: Responses to Planning Commission Comments - 15310 Conway Rd

Dear Planning Commission,

Thank you for your time and discussion relating to our Ordinance Amendment Request for the property located at 15310 Conway Rd. Below are the questions that were raised as well as our general responses to the questions raised.

Questions Raised and Responses

1. Setbacks

- a. We have made changes to our proposed setbacks relating to the northern (Conway RD) and eastern (Chesterfield Parkway) boundaries. We have revised our plan and request to reflect a Northern Boundary setback at 10' for both parking and landscape allowing a 5' greater buffer than that of 15320 Conway Rd (adjoining to the west). We also adjusted the Eastern Boundary parking and landscape setbacks from the current 13' to 25' allowing for a greater buffer along Chesterfield Parkway. This is reflected on the project narrative and current site plan.

2. Landscape Buffers

- a. Per section 1 above, we have proposed an increase to the landscape buffer. Additionally we will take great care in devising a plan that is aesthetically pleasing at the intersection of Conway Rd and Chesterfield Parkway. These plans will be presented for review once our landscape plan has been completed.

3. Open Space

- a. Originally we were requesting an amendment to the open space that aligned with the current open space guideline of 35% permitted by code. We are OK in leaving the open space at 40% per the current ordinance. This was amended on the project narrative.

4. Building Design

- a. We are aware of the concern and desire for the building built on this site to be aesthetically pleasing on all 4 sides. We will take that into careful consideration when submitting our building design to the architectural review board. We will also consider the surrounding structures and creating a cohesive design with these.

5. Public Art

- a. We appreciate the desire for the public art to be visible to the community. We will take that into consideration when designing the landscape plan and incorporation of the public art. Based on the lower elevation of this properties base building elevation relative to Chesterfield Parkway, locating the art to the east may or may not be the best location for greatest visibility. Once we have a comprehensive landscape plan we will certainly address how we best balance visibility with design as well as the artwork itself.

Again, thank you for your comments and the opportunity to respond and adjust our plan to better reflect these comments.

Sincerely,

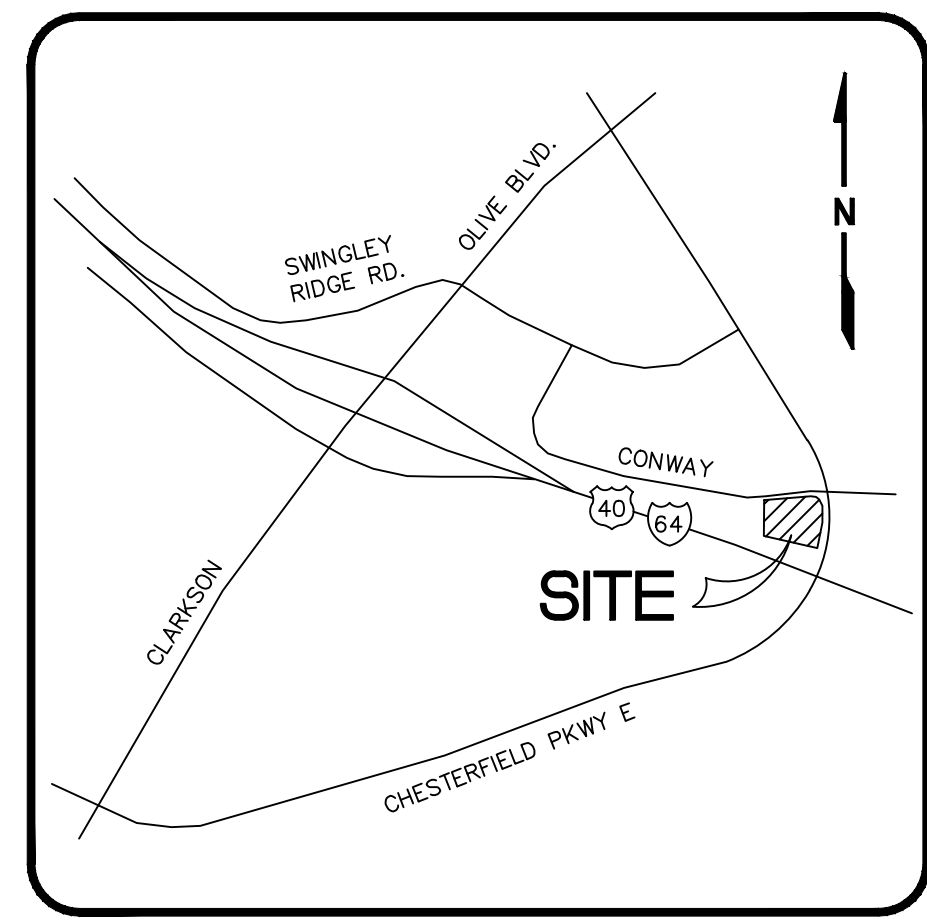
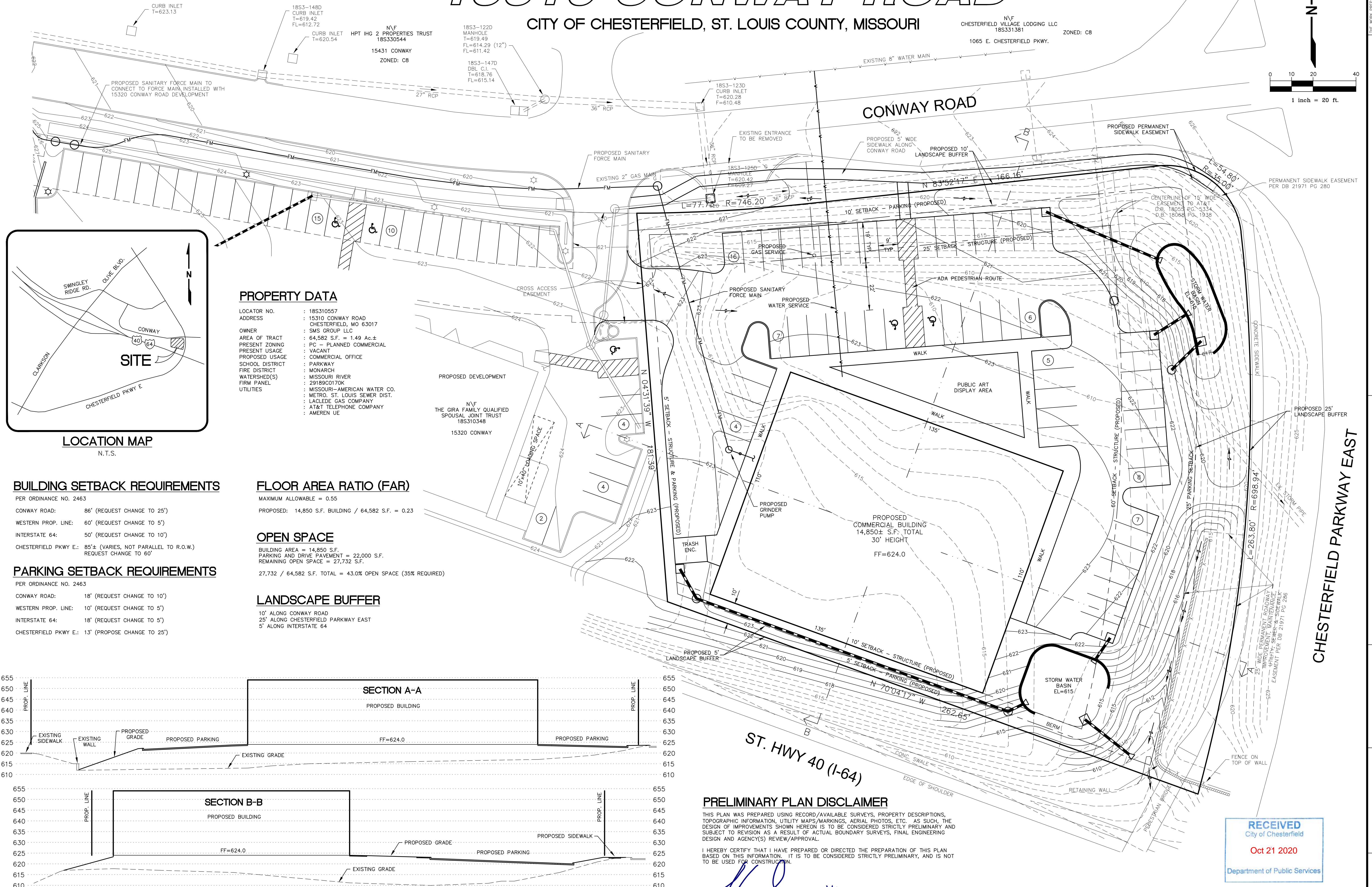
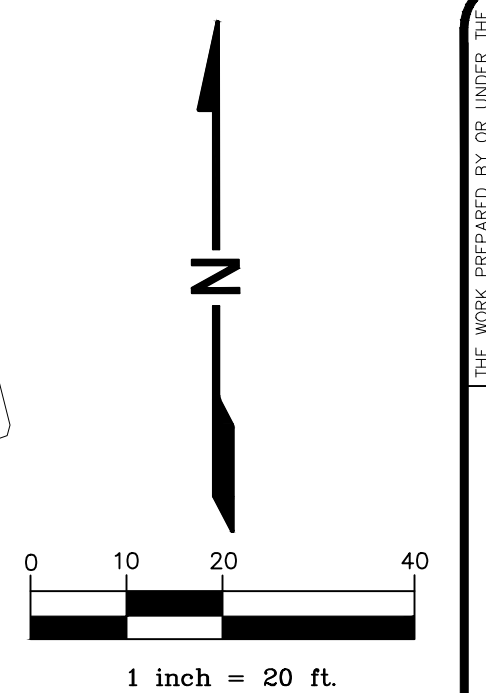
Sean Sortor, manager
SMS Group LLC

PRELIMINARY PLAN

15310 CONWAY ROAD

CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

CHESTERFIELD VILLAGE LODGING LLC
185331381 ZONED: C8
1065 E. CHESTERFIELD PKWY.



LOCATION MAP
N.T.S.

PROPERTY DATA

LOCATOR NO. : 185310557
 ADDRESS : 15310 CONWAY ROAD
 CHESTERFIELD, MO 63017
 OWNER : SMS GROUP LLC
 AREA OF TRACT : 64,582 S.F. = 1.49 Ac.±
 PRESENT ZONING : PC - PLANNED COMMERCIAL
 PRESENT USAGE : VACANT
 PROPOSED USAGE : COMMERCIAL OFFICE
 SCHOOL DISTRICT : PARKWAY
 FIRE DISTRICT : MONARCH
 WATERSHED(S) : MISSOURI RIVER
 FIRM PANEL : 29189C0170K
 UTILITIES : MISSOURI-AMERICAN WATER CO.
 METRO, ST. LOUIS SEWER DIST.
 LACLEDE GAS COMPANY
 AT&T TELEPHONE COMPANY
 AMEREN UE

FLOOR AREA RATIO (FAR)

MAXIMUM ALLOWABLE = 0.55
 PROPOSED: 14,850 S.F. BUILDING / 64,582 S.F. = 0.23

OPEN SPACE

BUILDING AREA = 14,850 S.F.
 PARKING AND DRIVE PAVEMENT = 22,000 S.F.
 REMAINING OPEN SPACE = 27,732 S.F.
 27,732 / 64,582 S.F. TOTAL = 43.0% OPEN SPACE (35% REQUIRED)

LANDSCAPE BUFFER

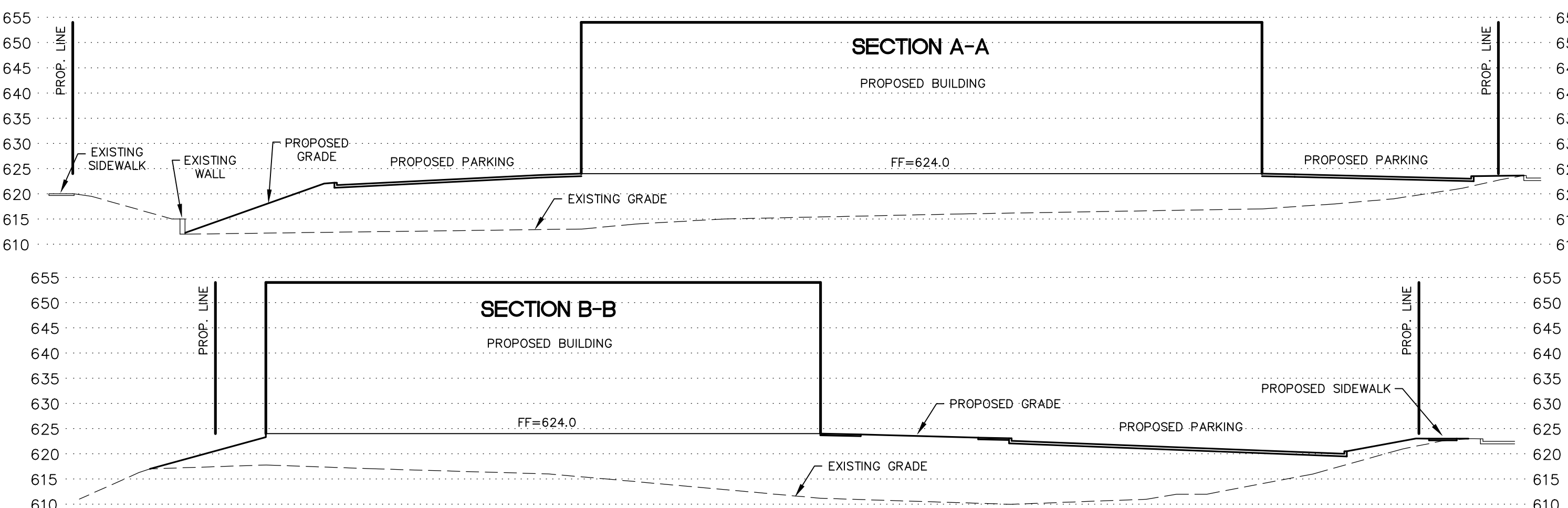
10' ALONG CONWAY ROAD
 25' ALONG CHESTERFIELD PARKWAY EAST
 5' ALONG INTERSTATE 64

BUILDING SETBACK REQUIREMENTS

PER ORDINANCE NO. 2463
 CONWAY ROAD: 86' (REQUEST CHANGE TO 25')
 WESTERN PROP. LINE: 60' (REQUEST CHANGE TO 5')
 INTERSTATE 64: 50' (REQUEST CHANGE TO 10')
 CHESTERFIELD PKWY E.: 85'± (VARIES, NOT PARALLEL TO R.O.W.)
 REQUEST CHANGE TO 60'

PARKING SETBACK REQUIREMENTS

PER ORDINANCE NO. 2463
 CONWAY ROAD: 18' (REQUEST CHANGE TO 10')
 WESTERN PROP. LINE: 10' (REQUEST CHANGE TO 5')
 INTERSTATE 64: 18' (REQUEST CHANGE TO 5')
 CHESTERFIELD PKWY E.: 13' (PROPOSE CHANGE TO 25')



SITE CROSS SECTIONS
SCALE: 1" = 20' (HORIZ. & VERT.)

PRELIMINARY PLAN DISCLAIMER

THIS PLAN WAS PREPARED USING RECORD/AVAILABLE SURVEYS, PROPERTY DESCRIPTIONS, TOPOGRAPHIC INFORMATION, UTILITY MAPS/MARKINGS, AERIAL PHOTOS, ETC. AS SUCH, THE DESIGN OF IMPROVEMENTS SHOWN HEREON IS TO BE CONSIDERED STRICTLY PRELIMINARY AND SUBJECT TO REVISION AS A RESULT OF ACTUAL BOUNDARY SURVEYS, FINAL ENGINEERING DESIGN AND AGENCY(S) REVIEW/APPROVAL.

I HEREBY CERTIFY THAT I HAVE PREPARED OR DIRECTED THE PREPARATION OF THIS PLAN BASED ON THIS INFORMATION. IT IS TO BE CONSIDERED STRICTLY PRELIMINARY, AND IS NOT TO BE USED FOR CONSTRUCTION.

[Signature]
 MICHAEL CLAY VANCE, P.E., E-25616
 VANCE ENGINEERING, INC.



THE WORK PREPARED BY OR UNDER THE AUTHORITY OF THIS SEAL AND DATED HEREON IS THE PROPERTY OF VANCE ENGINEERING, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. VANCE ENGINEERING, INC. SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO IT BY THE CLIENT AND FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. VANCE ENGINEERING, INC. SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS PLAN OR FROM THE NEGLIGENCE OF ANY OTHER PARTY. VANCE ENGINEERING, INC. SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS PLAN OR FROM THE NEGLIGENCE OF ANY OTHER PARTY.

SMS Group LLC
1717 Wilson Avenue
Chesterfield, MO 63005

Vance Engineering, Inc.
10537 Lackland Road
St. Louis, MO 63114
P: 314.427.1800

VANCE ENGINEERING, INC.
MISSOURI STATE CERTIFICATE OF AUTHORITY NO. 2003022194

15310 CONWAY ROAD

PRELIMINARY PLAN

PRELIMINARY

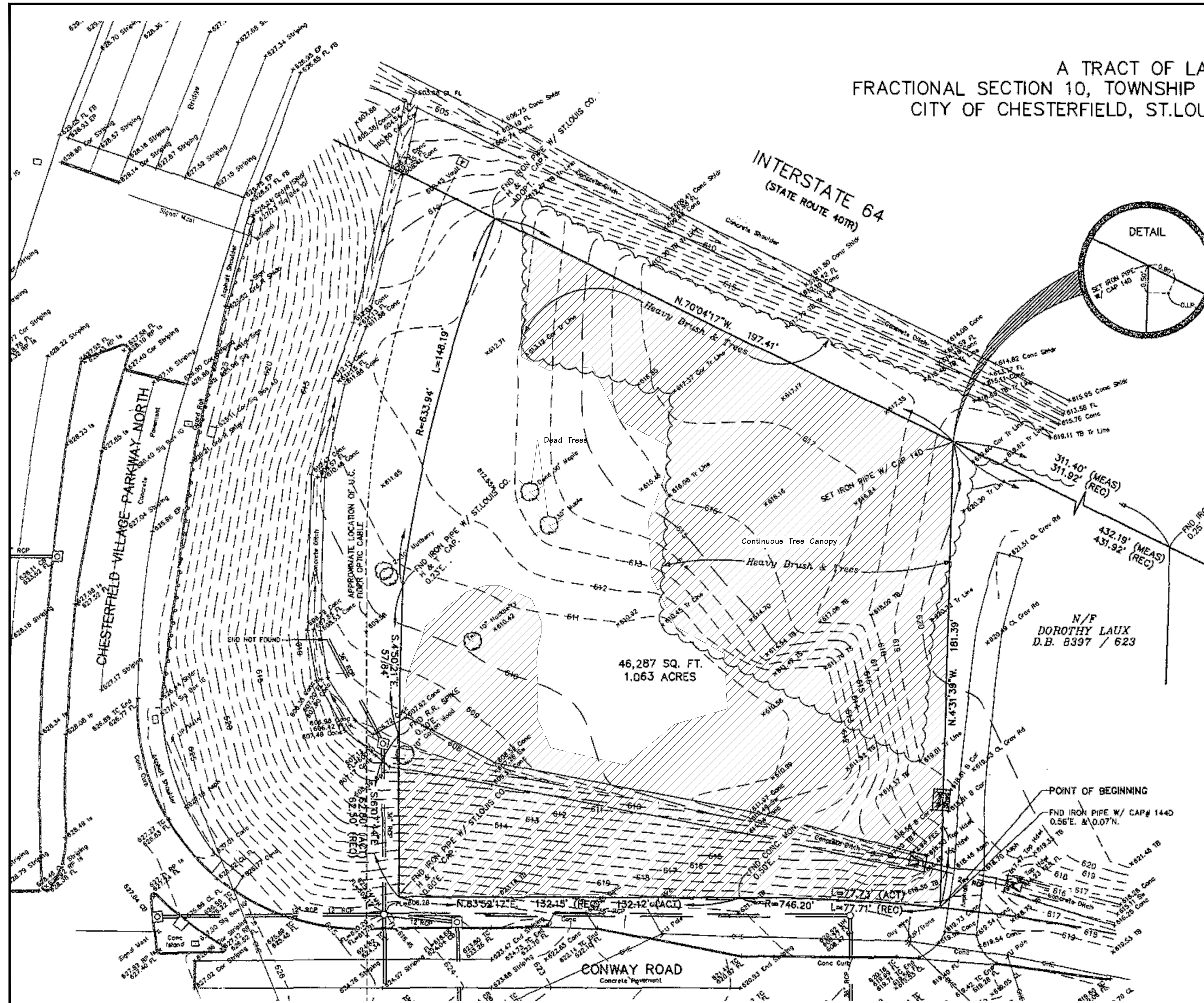
MICHAEL CLAY VANCE, P.E.
E-25616

REVISED

09/21/20 SETBACKS
10/07/20 SETBACKS, CITY

20103
08/12/20
1/1
COPYRIGHT 2020

A TRACT OF LAND IN
 FRACTIONAL SECTION 10, TOWNSHIP 45 NORTH, RANGE 4 EAST
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY MISSOURI



Tree Stand Delineation Plan
 SCALE 1"=20'-0"

Tree Stand Delineation Narrative

The overall Lot comprises a total of 1.06 Ac and has a total of 33,750.8 sq ft of Tree Canopy. Tree Stand Delineation map was completed by field inspection completed on July 7, 2020. The tree canopy is made up of mulberry, Cotton Wood, Allantus and Bradford Pear. The understory is comprised of honeysuckle, grape vines, and poison ivy.

No Monarch, state champion or rare trees were found on the site.

- LEGEND**
- Individual Tree Location
 - Dead Tree
 - continuous Tree Canopy

Tree Stand Delineation Prepared under direction of Dennis Greene of Happy Tree Service Certified Arborist IL-0414-A

Dennis Greene

Base Map Provided by: Vance Engineering, Inc.

Prepared For:
 SMS Group LLC
 1717 Wilson Avenue
 Chesterfield, MO. 63005

Douglas A. DeLong, Landscape Architect LA-81
 Consultants:

**15310 Conway Road
 Chesterfield, MO.**

SMS Group, LLC

Revisions:

Date	Description	No.
10/22/20	City Comments	1

Drawn: BAD
 Checked: DAD

DeLong
 Landscape Architecture, LLC

7620 West Bruno Ave
 St. Louis, MO. 63117
 (314) 346-4856
 delong.la@gmail.com

Missouri State Certificate of Authority: 62013000165

Sheet Title:	Tree Stand Delineation
Sheet No:	TSD
Date:	8/10/2020
Job #:	205.001

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 Planned Commercial “PC” District shall be:
 - a. Art Gallery
 - b. Art Studio
 - c. College/University
 - d. Financial Institution (No Drive-Through)
 - e. Museum
 - f. Office - Dental
 - g. Office - General
 - h. Office – Medical
 - i. Recreational Facility
 - j. Veterinary Clinic
2. The above uses in this PC District shall be restricted as follows:
 - a. Recreational Facility uses shall be limited to gymnastics, dance, cheer and group fitness and athletic training.
 - b. Office—Medical uses shall have a 24-hour limit on patient boarding.
3. Hours of Operation.
 - a. Hours of operation for this Planned Commercial “PC” District shall not be restricted.
4. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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

1. Floor Area

- a. Total building floor area shall not exceed 15,000 square feet.

2. Height

- a. The maximum height of the building, exclusive of roof screening, shall not exceed thirty (30) feet.

3. Building Requirements

- a. A minimum of forty percent (40%) open space is required for this development.
- b. This development shall have a maximum F.A.R. of .55.

C. SETBACKS

1. Structure Setbacks

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

- a. Twenty-five (25) feet from the right-of-way of Conway Road on the northern boundary of the Planned Commercial “PC” District.
- b. Sixty (60) feet from the right-of-way of Chesterfield Parkway East on the eastern boundary of the Planned Commercial “PC” District.
- c. Five (5) feet from the western boundary of the Planned Commercial “PC” District.
- d. Ten (10) feet from the southern boundary of the Planned Commercial “PC” District.

2. Parking Setbacks

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

- a. Ten (10) feet from the right-of-way of Conway Road on the northern boundary of the Planned Commercial “PC” District.

- b. Twenty-Five (25) feet from the right-of-way of Chesterfield Parkway East on the eastern boundary of the Planned Commercial “PC” District.
- c. Five (5) feet from the western boundary of the Planned Commercial “PC” District.
- d. Five (5) feet from the southern boundary of the Planned Commercial “PC” District.

D. PARKING AND LOADING REQUIREMENTS

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

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Landscape buffers shall be required for this development as follow:
 - a. Ten (10) feet from the right-of-way of Conway Road on the northern boundary of the Planned Commercial “PC” District.
 - b. Twenty-Five (25) feet from the right-of-way of Chesterfield Parkway East on the eastern boundary of the Planned Commercial “PC” District.
 - c. Five (5) feet from the southern boundary of the Planned Commercial “PC” District.

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 for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be as shown on the Preliminary Site Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield.
2. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield.
3. Provide a cross access easement(s) to 15320 Conway Road, as may be necessary to allow joint utilization of the shared entrance drive.
4. Access to this development from Chesterfield Parkway East shall not be permitted.
5. Northbound left turns from Chesterfield Parkway East to westbound Conway are currently prohibited and will not be permitted under existing geometric conditions and I-64 ramp location.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right-of-way.
2. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.
3. Provide a 5-foot-wide sidewalk, conforming to ADA standards, along Conway Road. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within right-of-way or on private property within a 6-foot-wide sidewalk access easement dedicated to the City of Chesterfield. Sidewalk construction and maintenance shall be the responsibility of the property owner.
4. Provide an ADA compliant pedestrian route from the sidewalk along Conway Road to the site.
5. Obtain approvals from the City of Chesterfield for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
6. A sidewalk conforming to Saint Louis County ADA standards shall be provided adjacent to Chesterfield Parkway East, as directed by the Saint Louis County Department of Transportation.
7. Road improvements shall be completed prior to the issuance of an occupancy permit. Delays due to utility relocation and adjustments do not constitute a cause to allow occupancy prior to completion of road improvements.
8. Prior to Special Use Permit issuance by the Saint Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, shall be established with the Saint Louis County Department of Transportation to guarantee completion of the required roadway improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by St. Louis County and the City of Chesterfield. 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. The developer's additional road improvement obligation shall be as determined by the approved study.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance. 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. POWER OF REVIEW

The development shall adhere to the Power of Review Requirements of the City of Chesterfield Code.

M. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
3. Storm sewers shall be as approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield.
4. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or to the existing piped system adjacent to Conway Road.
5. Detention/retention and channel protection measures are to be provided in each watershed as required by the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to paving of any driveways or parking areas. The

- location and types of storm water management facilities shall be identified on all Site Development Plans.
6. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
 7. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
 8. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
 9. Formal MSD review, approval, and permits are required.
 10. MSD considers this project to be part of a larger common plan of development with 15320 Conway, 19MSD-00205.
 11. Post-construction BMPs will be required. Stormwater Management facilities and site design strategies shall be applied such that the extents of the projects disturbed areas are managed. The site is considered new development; volume reducing BMP's will be required.
 12. Project is located in a release rate watershed. If the differential runoff exceeds 5 CFS, for the entire common plan of development, the release rates will be in effect for this project.
 13. Flood protection volume may be required based on site and common plan of development differential.
 14. Channel protection volume will be required for this project if additional flood protection volume is required.
 15. The developer will be required to provide a 100-year overland flow path.
 16. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will affect Missouri Department of Transportation (MODOT) right-of-way.
 17. Easements will be required over existing sewers.
 18. New encroachments will not be allowed.

N. SANITARY SEWER

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
2. Sanitary flow estimates must be provided. These shall include the estimated average daily and peak flow rates. These estimates are needed to determine the sanitary requirements for the site. Sanitary improvements may be required based on the flow rates provided.
3. This project will connect to the sewer extension proposed under 19MSD-00205. That project is not approved by MSD. The sanitary connection will not be allowed until 19MSD-00205 has construction approval or a letter is provided from the developer and drain layer for 19MSD-00205.
4. Public sanitary sewers must be extended to serve this development.
5. The developer is proposing a low-pressure sanitary system. When this project is completed, a common force main will be created. Modeling of the common force main system will be required including possible expansion to adjacent properties.

O. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, the developer shall provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Chesterfield. 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.

P. MISCELLANEOUS

1. All off-site easements necessary for installation of proposed improvements, utilities, and grading must be in place prior to acceptance of improvement plans and/or issuance of a grading permit.
2. Any work within Missouri Department of Transportation (MODOT) right-of-way will require a MODOT permit.
3. Utilities shall be installed underground.

4. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
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 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. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
7. Retaining walls along public right of way shall be private and remain private forever and shall be located such that it is not necessary to support any public improvements.
8. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
9. Public Art installations shall be required in the locations depicted on the Preliminary Site Plan attached hereto as "Attachment B".

II. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.

3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is a separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.

19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

III. TRUST FUND CONTRIBUTION

The developer shall be required to 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 required parking spaces by the following rate schedule:

A. ROADS

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$777.11/parking space
General Retail	\$2,331.45/parking space
Loading Space	\$3,815.12/parking space

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

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

If 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 Transportation and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

Traffic Generation Assessment contributions shall be deposited with Saint Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to the issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

If 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 shall be retained in the appropriate trust fund.

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 amount of all required contributions, if not submitted by January 1, 2021, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.

Trust Fund contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits.

IV. 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.

V. 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.

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