

# Memorandum

## Planning & Development Services Division



**To:** Planning and Public Works Committee

**From:** Kevin Neill, Project Planner

**Date:** November 8, 2012

**RE:** **P.Z. 11-2012 Stages-St. Louis (1023 E Chesterfield Parkway)**: A request for a change of zoning from a "C-8" Planned Commercial District to a "PC" Planned Commercial District for a 2.174 acre parcel of land located on the southwest corner of E Chesterfield Parkway and Swingley Ridge Road.

### Summary

Stages St. Louis has submitted a request for a change of zoning for an area currently zoned "C-8" Planned Commercial District to a "PC" Planned Commercial District in order to permit requested uses not currently allowed in the planned district ordinance governing this site. Stages St. Louis will be moving from their current location at 444 Chesterfield Center Drive to the site recently vacated by Congregation Kol Am. The change of zoning to "PC" Planned Commercial District will allow for the requested uses of general office, administrative office for educational or religious facility, indoor theater, and educational facility – specialized private schools. No changes to the development requirements currently governing the site or to the existing structure have been proposed.

A Public Hearing was held on October 08, 2012. No issues were raised at that time, however Staff was still awaiting comments from outside agencies. On October 22, 2012 Staff presented this project for a vote and the Planning Commission recommended approval by a vote of 8-0.

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

Respectfully submitted,

Kevin Neill, AICP  
Project Planner

**Cc:** Aimee Nassif, Planning and Development Services Director



# VIII.A

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## Planning Commission Vote Report

**Subject:** Change of Zoning Vote Report

**Meeting Date:** October 22, 2012

**From:** Kevin Neill, AICP  
Project Planner

**CC:** Aimee Nassif, Planning & Development Services Director

**Location:** Southwest corner of the intersection of Chesterfield Parkway East and Swingley Ridge Road (18S331347).

**Petition:** P.Z. 11-2012 Stages-St. Louis (1023 E Chesterfield Parkway).

### Proposal Summary

Stages St. Louis (Stages) has submitted a request for a change of zoning for an area covered by a "C-8" Planned Commercial District to a "PC" Planned Commercial District for a 2.174 acre parcel of land located at the southwestern corner of the intersection of Chesterfield Parkway East and Swingley Ridge Road. The requested change in zoning is being done to accommodate the intended uses of general office, administrative office for educational or religious facility, indoor theater, and educational facility – specialized private schools. The petitioner does not seek to modify the existing Site Development Section Plan approved in 2004 and intends to use the site and building as developed.

### Site Area History

Original site entitlements were granted by St. Louis County prior to the incorporation of the City of Chesterfield. In 1978, a 29.339 acre tract that includes this subject site of land was zoned "C-8" Planned Commercial District via St. Louis County Ordinance 8801. County Ordinance 8801 was amended six times by St. Louis County for changes to permitted uses, building heights, site access, and setback requirements. The City of Chesterfield amended these ordinances three times to permit medical uses, to modify parking setbacks, and to amend the legal description of the site.

In March of 2004, City of Chesterfield Planning Commission approved a Site Development Section Plan for Congregation Kol Am to build a 22,552 square foot building housing classrooms,

administrative office space, and large space for religious ceremonies. In 2011, Congregation Kol Am vacated the site.

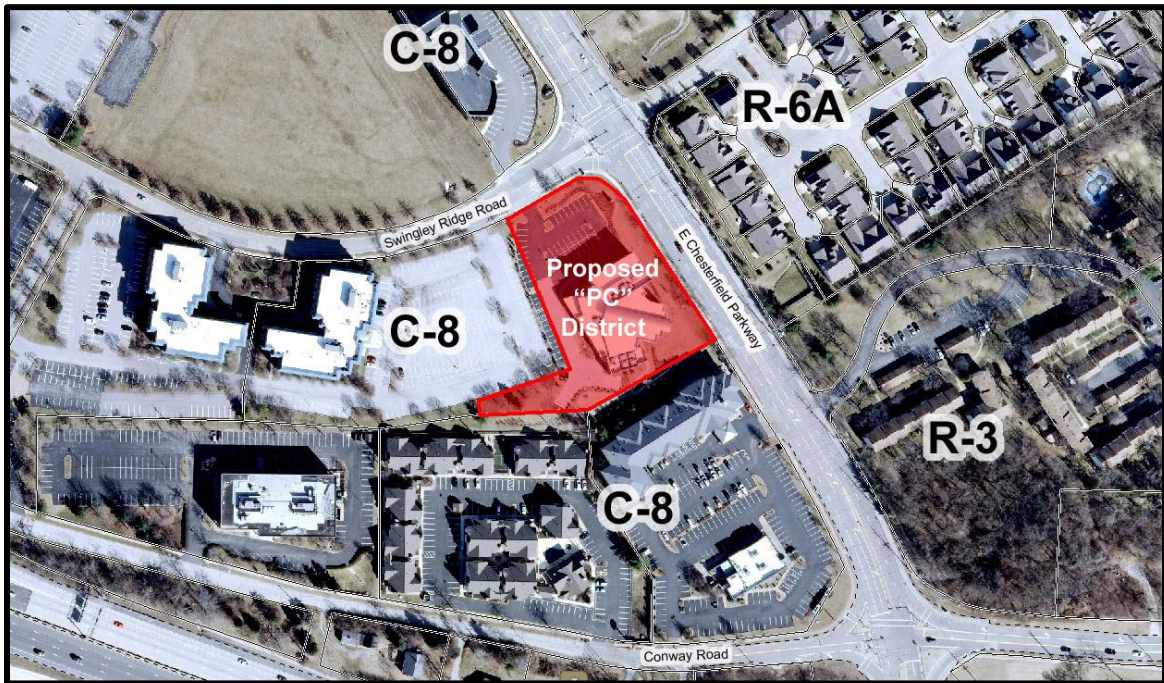
### Zoning Analysis

As stated above, the existing property is currently zoned “C-8” Planned Commercial District. If approved, the zoning change would permit the new requested uses of general office, administrative office for educational or religious facility, indoor theater, and educational facility – specialized private schools.

### Surrounding Land Use and Zoning

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

- North: The property to the north of the subject is an office building in the Herman Stemme Office Park Subdivision.
- South: The properties to the south of the subject site are zoned “C-8” Planned Commercial District and include the Residence Inn extended stay hotel, the Spring Hill Suites hotel, and the Press Box restaurant.
- East: The adjacent properties to the northeast are single family detached houses in the Cambridge Cove Subdivision, zoned “R-6A” Residence District. The adjacent properties to the southeast are attached condominiums in the Conway Cove Subdivision, zoned “R-3” Residence District.
- West: The property to the west of the subject is an office building in the Herman Stemme Office Park Subdivision.





View looking southwest at the site.



View looking west at the site.

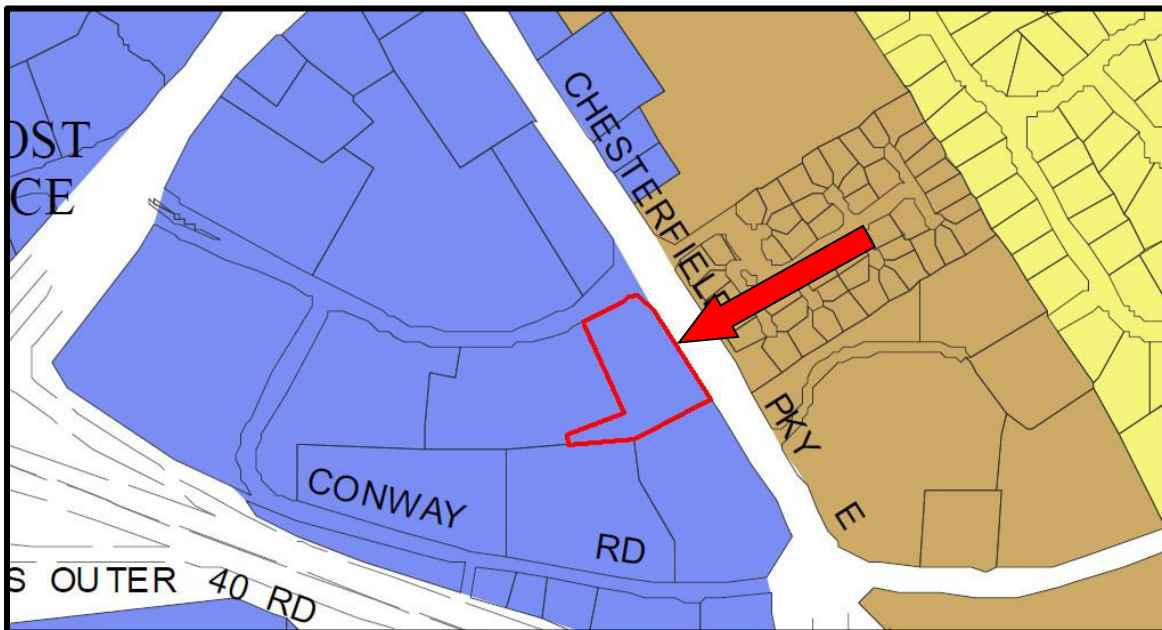


View looking east at the site.

### 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.*



Furthermore, the following general policy set forth to guide future development of the Urban Core is particularly relevant to the requested change of zoning, as the proposed uses contribute to the establishment of a cultural amenity:

*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.*

### Issues

Staff has no outstanding issues regarding this requested change of zoning.

### Request

P.Z. 11-2012 Stages-St. Louis (1023 E Chesterfield Parkway)  
Planning Commission 10/22/2012

Staff has reviewed the requested change of zoning by Stages St. Louis and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on P.Z. 11-2012 Stages-St. Louis (1023 E Chesterfield Parkway).

Attachments

1. Attachment A

## 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 "PC" Planned Commercial District shall be:
  - a. Administrative office for educational or religious facility.
  - b. Education facility – Specialized private schools.
  - c. Office, general.
  - d. Theater, indoor.
2. Hours of Operation.
  - a. Hours of operation for this "PC" District shall not be restricted.

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

1. Height
  - a. No building fronting East Chesterfield Parkway shall exceed two (2) stories in height.

#### **C. SETBACKS**

1. Structure Setbacks

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

  - a. Forty (40) feet from the right-of-way of East Chesterfield Parkway.
  - b. Forty (40) feet from the right-of-way of Swingley Ridge Road.
  - c. Forty (40) feet from the property line of the adjacent Lot 3B of Herman Stemme Office Park.
  - d. Thirty (30) feet from the southern property line.

## 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. Twenty five (25) feet from the right-of-way of East Chesterfield Parkway.
- b. Twenty (20) feet from the right-of-way of Swingley Ridge Road.
- c. Zero (0) feet from the property line of the adjacent Lot 3B of Herman Stemme Office Park.
- d. Fifteen (15) feet from the southern property line.

## **D. PARKING AND LOADING REQUIREMENTS**

1. Parking for this development shall be as required in the City of Chesterfield Code.
2. Loading spaces for this development shall be as required in the City of Chesterfield Code.
3. Construction Parking
  - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
  - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
4. Parking lots shall not be used as streets.

## **E. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

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

#### **I. ACCESS/ACCESS MANAGEMENT**

1. No direct access shall be provided to East Chesterfield Parkway. Access to Swingley Ridge Road shall be limited to one street approach.

#### **J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Provide a four (4) foot wide sidewalk, conforming to ADA standards, along the Swingley Ridge Road frontage of the site.
2. Provide a six (6) foot wide sidewalk, conforming to ADA standards, along the East Chesterfield Parkway frontage of the site. There shall be a five (5) foot wide grass buffer between the back of the curb along East Chesterfield Parkway and the front edge of the sidewalk, per the "Pathway on the Parkway" specifications.
3. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right-of-way.
4. 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.

## **K. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Swingley Ridge Road. 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**

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

## **M. STORM WATER**

1. Provided that the site is developed in general conformance with the Site Development Section Plan approved on March 8, 2004, storm water detention shall not be required.
2. 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.

## **N. GEOTECHNICAL REPORT**

Provide a geotechnical report, prepared by a professional engineer licensed in the State of Missouri, as directed by the Department of Public Services prior to site disturbance including surcharge, clearing, grading, site utilities and

infrastructure or building construction. The geotechnical report shall identify the suitability of soil and geologic conditions for proposed improvements and shall include methods to address any ponds, septic fields, sinkholes, wetlands, compressible soils, steep slopes, or liquefaction risk. A statement of report compliance signed and sealed by the engineer preparing the geotechnical report, shall be included on all Site Development Plans, grading plans, and improvement plans, as directed by the Department of Public Services.

#### **O. MISCELLANEOUS**

1. All utilities will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.

#### **II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS**

- A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D.** Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E.** Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

#### **III. COMMENCEMENT OF CONSTRUCTION**

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

#### **IV. GENERAL CRITERIA**

##### **A. SITE DEVELOPMENT 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 openspace percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. 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, Metropolitan Sewer District, Spirit of St. Louis Airport 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.

## **V. TRUST FUND CONTRIBUTION**

- A.** 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>
General Office	\$611.88
General Retail	\$1,835.75
Loading Space	\$3,003.97

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.

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.

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.

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.

## **VI. RECORDING**

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

## **VII. ENFORCEMENT**

- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- E.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

## **VIII: VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE**

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 the completion of the required roadway improvements.

## **VIII. VERIFICATION PRIOR TO OCCUPANCY PERMITS**

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.