

BILL NO. 2561

ORDINANCE NO. 2410

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 2145 TO ALLOW FOR AN AMENDMENT TO THE PARKING REQUIREMENTS FOR A 9.3 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF SOUTH OUTER 40 ROAD, NORTHEAST OF YARMOUTH POINT DRIVE AND CANDISH LANE (P.Z. 18-2007 STONERIDGE OFFICE BUILDING)

WHEREAS, the petitioner, Stoneridge Investments LLC, has requested an ordinance amendment to the parking requirements to allow for an additional 22 parking spaces; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment request with a vote of 6-0; and,

WHEREAS, the City Council upon review of said request, recommended approval with amendments to one of the uses, landscape bond requirements and lighting requirements.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Ordinance Number 2145 is hereby repealed and those conditions therein are incorporated into the Attachment A, which is attached hereto and made a part hereof for Stoneridge Office Building.

Legal Description

A Tract of land being part of U.S. Survey 369, Township 45 North, Range 4 East of the 5th Principal Meridian, St. Louis County, Missouri, and being part of the property as acquired by the Missouri Department of Transportation by instrument recorded in Book 5054 Page 349 of the Recorder of Deeds Office in St. Louis County, Missouri.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment "A", which is attached hereto and made a part hereof.

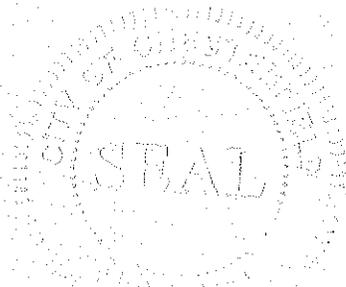
Section 3. The City Council, pursuant to the petition filed Stoneridge Office Building (Ordinance Amendment) in P.Z. 18-2007, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 14th day of May, 2007, does

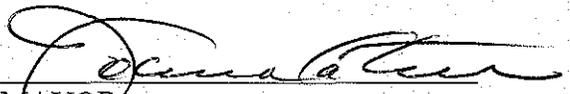
hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of December, 2007.




MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: 6/18/07

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. Offices or office buildings and medical office.
 - b. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
2. The above uses in the "PC" Planned Commercial District shall be restricted as follows:
 - a. One (1) three (3)-story office building, not including basement area.
 - b. One (1) four (4)-level parking structure or two hundred seventy two (272) surface parking spaces.
3. The following ancillary uses shall be permitted:
 - a. Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.
 - b. Cafeterias for employees and guests only.

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

1. FLOOR AREA

- a. Total office building floor area will not exceed one hundred thirty thousand (130,000) square feet excluding basement storage, mechanical receiving and circulation. The square footage constructed will be based on the development's ability to comply with the requirement to provide a minimum of four (4.0) parking spaces per one thousand (1000) square feet of gross floor area for general office use, excluding basement storage, mechanical, receiving, and circulation.
- b. In the event that a fifty-five thousand (55,000) square foot office building is built, a parking structure shall not be permitted and the maximum number of surface parking spaces shall be limited to two hundred seventy-two (272) Note that the square footage for the building is exclusive of basement storage, mechanical receiving and circulation.

2. HEIGHT

- a. The maximum height of the office building will not exceed six hundred four (604) feet above mean sea level, inclusive of mechanical screening, but exclusive of elevator penthouse. The elevator penthouse, if any, shall not exceed an elevation of six hundred eight (608) feet above mean sea level.
- b. The maximum height for the parking structure will not exceed five hundred sixty-five (565) feet above mean sea level, to the top of the uppermost deck, however excluding top rail or circulation enclosure. Said circulation enclosure shall not exceed five hundred seventy-seven (577) feet above mean sea level in height.

3. BUILDING REQUIREMENTS

- a. Greenspace: A minimum of sixty-four percent (64%) greenspace is required for this development.
- b. Floor Area Ratio: The development will have a maximum Floor Area Ratio (F.A.R.) 130,000 square feet on 9.27 acres or thirty-three percent (33%).

C. SETBACKS

1. STRUCTURE SETBACKS

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

- a. Eight (8) feet from the new right of way of South Outer Forty Road on the northern boundary of the Planned Commercial (PC) District.
- b. Nine hundred fifty-five (955) feet from the southern boundary of the PC District.
- c. One hundred (100) feet from the eastern boundary of the PC District.
- d. Twenty (20) feet from the western boundary of the 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. Eighty (80) feet for loading from the right of way of South Outer Forty Road.
- b. Seven hundred (700) feet from the southern boundary of the PC District.
- c. Twenty (20) feet from the eastern boundary of the PC district, exclusive of emergency vehicle drives.
- d. Surface parking shall be no closer than fifteen (15) feet from the western boundary of the PC district, inclusive of emergency vehicle drives.
- e. Garage: One hundred eighty (180) feet from the right-of-way of South Outer Forty Road.
- f. Garage: One hundred ten (110) feet from the northeast property corner of Chesterfield Hill Subdivision Lot 161 (exclusive of the Fire lane, which can be 100 feet from the corner of Lot 161).
- g. Garage: The corner of the garage shall be no closer than fifteen (15) feet from the western boundary of the PC District.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in Section 1003.165 of the City of Chesterfield Zoning Ordinance, with the exception that parking calculations utilized for general office development will be a minimum of four (4.0) cars per one thousand (1,000) square feet, exclusive of basement storage, mechanical, receiving or internal circulation.
2. In the event that a parking structure is not constructed, surface parking shall not exceed two hundred seventy-two (272) spaces.
3. Construction Parking:
 - a. The streets surrounding this development and any street used or 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.
 - c. Adequate on-site parking for construction related vehicles and equipment shall be provided. No parking shall be permitted on the South Outer Forty Road right of way without permission of the City of Chesterfield and the Missouri Department of Transportation.
4. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer will submit a landscape plan in accord with the Tree Manual of the City of Chesterfield Code either as part of the appropriate Site Development Plan or on a separate drawing to be reviewed as part of said plan, to comply with the following:
 - a. Said landscape plan will provide a buffer to serve as a barrier against sound and light from the office building and parking structure in a location approved by the City of Chesterfield, which will include buffer areas within the Chesterfield Hill Subdivision adjacent to the subject property. The buffer shall

- contain an equal ratio of evergreen and deciduous trees and will be perpetually maintained by the owners of the development.
- b. Prior to installation of the landscaping, the developer shall consult with the citizens of the adjacent subdivision of Chesterfield Hill regarding the type and size to be utilized.
 - c. If within the period of two (2) years any trees within fifteen (15) feet on the Chesterfield Hill Subdivision's side of the property line between the site and Chesterfield Hill die, said trees will be replaced by the developer.
 - d. The limits of disturbance for the natural buffer shall be as shown in Exhibit B.
 - i. On the western boundary of the subject site, the limits shall be a minimum of one hundred (100) feet from all property lines in Chesterfield Hill Subdivision except that with respect to the northeast corner of Lot 161 such disturbance shall be no closer than seventy (70) feet to the northeast corner of Lot 161.
 - ii. Upon completion of construction on the subject site, the elevation of the ground within the disturbed area shall be reconstructed to a distance of at least ninety (90) feet, and wherever possible to one hundred (100) feet from the northeast corner of Lot 161 to the now existing ground elevations or higher.
 - iii. The developer shall plant the disturbed area, consisting of three (3) rows of evergreens staggered in spacing, to improve the visual screening. The developer agrees, at the request of the owner of Lot 161, to plan additional evergreens on Lot 161.
 - e. The only items allowed in the detention area shown cross-hatched on Exhibit "B" are utility easements, a detention structure and fire access/turn-around as dictated by the Fire Department.
2. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
 3. The required Landscape Maintenance Bond will be in place for an additional one (1) year for a total of three (3) years.

F. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, will be reviewed by the City of Chesterfield Department of Public Works and/or the Missouri Department of Transportation for sight distance considerations prior to installation or construction.
2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices will be permitted in this development other than allowed within the sign ordinance of the City of Chesterfield.
3. The location and elevations of all signage will be as approved in a signage plan submitted and approved by the Planning Commission with the Site Development Plan.
4. This development will be limited to one (1) monument sign setback five (5) feet from the new South Outer Forty Road right-of-way and will not exceed ten (10) feet in height. The sign will be a maximum of fifty (50) square feet in outline area. Said sign will be constructed with materials similar to the office building and heavily landscaped around its base.
6. Sign package submittal materials shall be required for this development including directional and informational signs. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. All light standards within this development will not exceed a total vertical height of twenty-four (24) feet, except light standards on the top level of the parking structure shall be down directed box type fixtures limited to a maximum of twenty (20) feet in height. Alternative light fixture options for the top level will be presented to assure the lowest possible height, while providing for safety, prior to approval of the light fixtures for the parking garage.
3. All light standards located in the parking lot or on the parking structure, other than those for security purposes, will be turned off by 9:00 p.m., seven (7) days a week.

H. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Those portions of the parking structures which face south or that would allow residential homes in Chesterfield Hill Subdivision to see into or between floors of the parking structure will be louvered between parking levels to block vision from the outside.
3. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
4. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan.
5. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. One general access and one emergency access only to South Outer Forty Road will be permitted for this site. The general access will be located near the east property line of the site in a manner to prevent exiting vehicles from accessing the US Highway 40 entrance ramp near the site. The emergency access will be in the general location of the existing western access to the site. Acceleration lanes, with minimum lengths of one hundred fifty (150) feet from the edge of the drive, will also be provided for the general access. All access will meet requirements of the Missouri Department of Transportation and the City of Chesterfield Department of Public Works. Access to fire lanes shall be gated to prohibit general access and non-emergency traffic.
2. A minimum distance of one hundred twenty-five (125) feet shall be maintained between the south edge of pavement of South Outer

Forty Road and any secondary access off the entrance drive. No parking space will have direct access to the entrance drive.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. The Developer will provide engineering and construction services for any required improvements relative to the Highway 40 Road Trust Fund (Ordinance No. 1652) as directed by the City of Chesterfield.
2. Provide required right of way, roadway, landscaping and/or signalization improvements, at the South Outer Forty Road/Woods Mill Road intersection as directed by the Missouri Department of Transportation with review and comment by the City of Chesterfield. Said requirement may not occur at the same time as the development but shall remain an obligation of any future landowners.

K. POWER OF REVIEW

The Site Development Plan for the development shall be reviewed and approved by the entire City Council.

L. STORMWATER

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. No change in watersheds will be permitted. The adequacy of any existing downstream storm water facilities will be verified and upgraded if necessary as directed by the City of Chesterfield Department of Public Works. Emergency overflow drainage ways to accommodate the 100-year storm will be provided. Off-site easements for areas inundated by headwater from on site improvements will be provided as required by the Department of Public Works.
2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, 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.

M. GEOTECHNICAL REPORT

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

N. MISCELLANEOUS

1. The cul-de-sac or turn around in the rear of the development required by the Fire Protection District shall be limited to emergency and construction vehicles only.
2. If any work is proposed in, near or above the natural watercourse through this site, a hydrologic/hydraulic study evaluating the impacts of the proposed work shall be provided as directed by the City of Chesterfield Department of Public Works. Said study shall evaluate impacts on the entire length of stream, and any maintenance requirements. Appropriate permits and approvals from other agencies shall also be provided.
3. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
4. Prior to granting of a grading permit, proof of a recorded deed restriction, in the form set forth in Section I.Q. 5 below, must be provided to the City of Chesterfield. Said deed restriction shall establish the limits of disturbance referenced in Section I.E. 1. d. (Landscape and Tree Requirements).
5. Prior to any grading permit being issued the land area depicted on Exhibit B within the area of non-disturbance (the Restricted Property) shall be encumbered with a deed restriction containing the following language:

There shall be no buildings, structures or similar improvements built or placed on the Restricted Property by the

owner nor its successors or assigns. Except for utilities described below, there shall be no grading, removal or destruction of trees permitted on the Restricted Property. Notwithstanding the foregoing nothing herein shall prohibit the owner of the Restricted Property nor its successors or assigns or any utility company having an easement within the Restricted Property from constructing, maintaining, repairing or replacing underground utilities within the Restricted Property. All such utilities shall be located as far to the east on the Restricted Property as reasonably practical and in no event shall any such utility be closer than one hundred (100) feet to the western property line.

6. The petitioner will provide adequate detention to eliminate any additional water discharge to encroach MoDot right of way.
7. All drainage detention storage facilities will be placed outside of the standard governmental agency planning and zoning setbacks, or five (5) feet from the new or existing right of way line, whichever is greater.

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

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

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. Site Development Concept Plan, Site Development Section Plan, Site Development Plans.

- 1. Any site development plan shall show all information required on a sketch plan as required in the City of Chesterfield Code.
- 2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
- 3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
- 4. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

B. Site Development Plan Submittal Requirements

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
- 3. Provide open space percentage for overall development including separate percentage for each lot on the plan.

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

18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

- A. The developer will contribute to the Route 40 (I-64) Corridor Trust Fund. This contribution will not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

| <u>Type of Development</u> | <u>Required Contribution</u> |
|----------------------------|------------------------------|
| General Office | \$457.68/Parking Space |
| Loading Space | \$2,246.95/Loading Space |

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

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

Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

If this development is located within a trust fund area, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development, will be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2004 will be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

Traffic generation assessment contributions will be deposited with the City of Chesterfield or St. Louis County, as directed by the City, in the form of a check made payable to the City of Chesterfield prior to the issuance of building permits. If development phasing is anticipated, the developer will provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

VI. RECORDING

Within 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.