City of Chesterfield

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

## BOARD OF ADJUSTMENT

# AUGUST 9, 2007

**At the July meeting, the Board was advised that the meeting for August would be moved to one of the alternative dates it provided. The date selected was August 9, 2007. Attached please find the packet for this meeting.**

**Please contact the Department of Planning at 636-537-4746 to confirm that you can attend or if you have questions. Please note, the packet is also viewable in the "Agendas & Minutes" section of the City of Chesterfield website, www.chesterfield.mo.us.**

# Board of Adjustment Meeting Agenda
# Thursday, August 9, 2007
# 7:00 p.m.
# City Council Chambers, 690 Chesterfield Parkway West

I. Introduction of the Board and City Staff

II. Approval of July 5, 2007 Meeting Summary

III. Request for Affidavit of Publication

IV. Public Hearing Items:

**A.** **B.A. 09-2007 St. Luke's Episcopal Presbyterian Hospital (Parcel B):** A request for variance from City of Chesterfield Ordinance 2224 Section I.D(4)(1)(a) to permit a proposed development on "MU" Medical Use District- zoned property to maintain a 25-foot front yard setback in lieu of the required 50-foot-front yard setback. [183 South Woods Mill (18Q140206), 175 South Woods Mill (18Q140251)]

And

**B.** **B.A. 10-2007 St. Luke's Episcopal Presbyterian Hospital (Parcel D):** A request for variance from City of Chesterfield Ordinance 2372 Section I.C(1)(b) to permit a proposed development on "MU" Medical Use District- zoned property to maintain a 25-foot front yard setback in lieu of the required 50-foot-front yard setback.. [163 South Woods Mill (18Q420023), 155 South Woods Mill (18Q510014), 133 South Woods Mill (18Q510025), 111 South Woods Mill (18Q510036)]

V. Adjournment

# CITY OF CHESTERFIELD
# BOARD OF ADJUSTMENT MEETING SUMMARY
## Thursday, July 5, 2007

---

**The Board of Adjustment meeting was called to order at 7:00 p.m. on Thursday, July 5, 2007 by Mr. Leon Kravetz, Acting Chair of the Board of Adjustment.**

## I. Introduction of Board and City Staff

The following individuals were in attendance:

Mr. Leon Kravetz
Ms. Dru Thomas
Mr. Alan Baudler
Mr. Bruce DeGroot
Mr. Richard Morris
Mr. Robert Tucker
Ms. Laura Lueking
Mr. Rob Heggie, City Attorney, City of Chesterfield
Councilmember Bruce Geiger
Ms. Aimee Nassif, Senior Planner, City of Chesterfield Department of Planning
Ms. Linda Jones, Executive Secretary, City of Chesterfield Department of Public Works
Court Reporter, Midwest Litigation Services

## II. Request for Affidavit of Publication

## III. Approval of April 5, 2007 Meeting Summary

**Dru Thomas made a motion to approve the meeting summary.**
**Robert Tucker seconded the motion**
**Motion passes 5-0 by voice vote**

**The voice vote was as follows: Dru Thomas, yes; Alan Bauldler, yes; Robert Tucker, yes; Richard Morris, yes; Leon Kravetz, yes.**

## IV. Public Hearing Items:

### A. B.A. 07-2007 12 Baxter Lane: A request for variance from City of Chesterfield Zoning Ordinance Section 1003.105 "NU" Non-Urban District to allow a new resident at 12 Baxter Lane to maintain a 10 ft. side yard setback in lieu of the required 20 feet.

Senior Planner Aimee Nassif presented exhibits supporting the petition requesting a variance permitting the petitioner to maintain a 10' side yard setback in lieu of the required 20' side yard setback. This home was constructed in 1955. After the home was constructed and the subdivision was built, St. Louis County developed development conditions for the site and declared the district zone non-urban . The subdivision indentures allow for a 10' side yard setback. She further stated that last year #7 Baxter Lane asked for the same variance and was approved for a 10' side yard setback.

Chad Baum, owner, stated that he is asking for a 10' variance in order to build a new home at 12 Baxter Lane. The indentures of the subdivision that he received stated 10' sidelines. He presented a copy of the indentures which was marked as Exhibit Seven. When Mr. Baum was asked about approval from the trustees, he presented a letter from them which was marked Exhibit Eight.

Kevin George, KGJ Construction, the company hired to do the building. He stated he also did the work at #7 Baxter Lane which is the home of Chad Baum's brother Scott Baum. He further stated that on inspection of the home it was found that there was a horizontal crack running through the foundation. Because of this crack, they determined that it was not suitable to add on to the existing home and to build a new structure. He described the new house to be built. He further stated that he was not aware of the City of Chesterfield zoning requirements. He was only aware of the subdivision's requirement of a 10' setback.

Scott Baum, resident at #7 Baxter Lane, stated that when Chad Baum got his set of indentures which stated a 10' setback, he thought they had been updated for the subdivision after his meeting with the Board last year.

There were no speakers present in opposition.

CONCLUSION:

As a result of discussion and questions held by the Board members and Petitioner, it was determined that a variance permitting a 10' side yard setback be granted in lieu of the required 20' setback to allow the petitioner to build a new home.

V. **Alan Baudler made a motion to approve the variance request. Robert Morris seconded the motion.**
**Motion passes 5-0 by voice vote**

**The voice vote was as follows: Dru Thomas, yes; Alan Baudler, yes; Leon Kravetz, yes; Robert Morris, yes; Robert Tucker, yes.**

VI. **Adjournment**

Meeting adjourned at 7:25 p.m.

**Notice of Public Hearing**
**City of Chesterfield**
**Board of Adjustment**

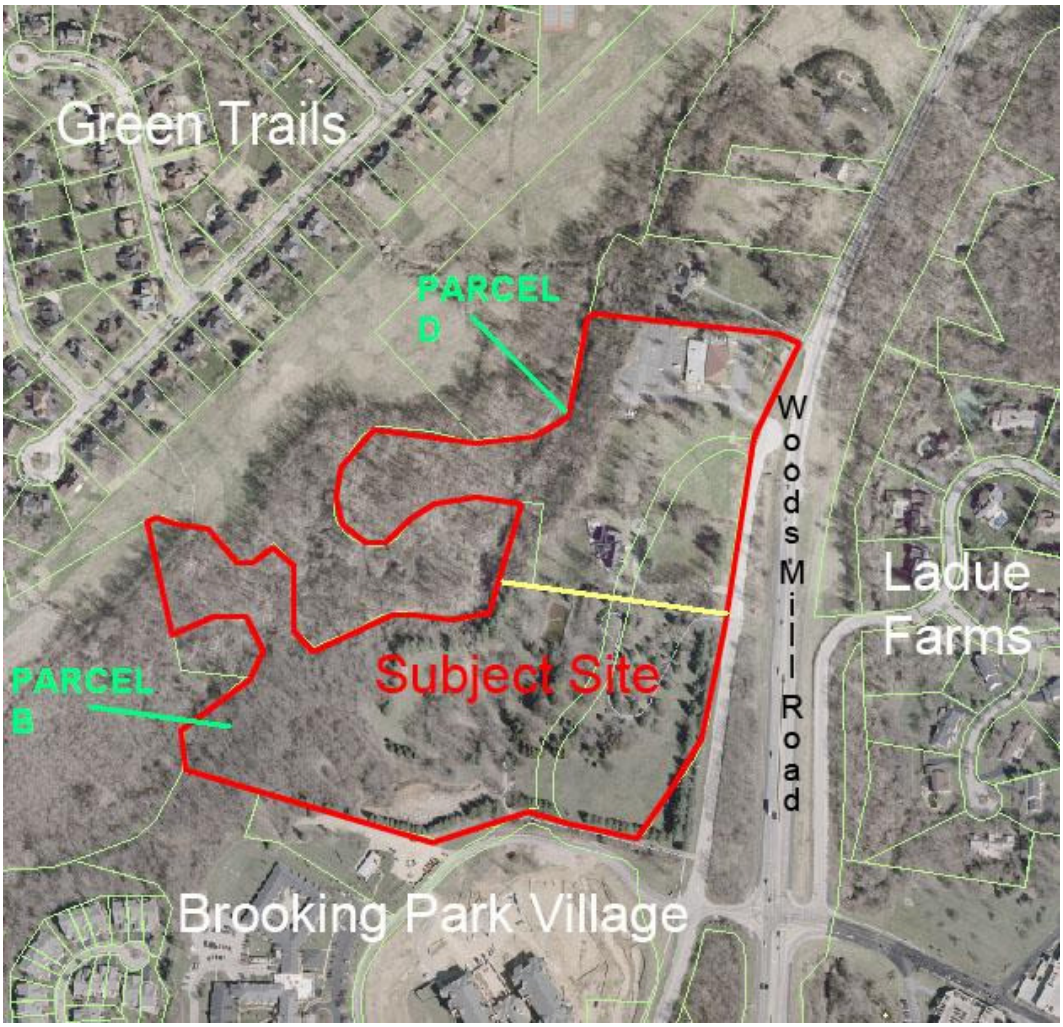
**NOTICE IS HEREBY GIVEN** that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, August 9, 2007 at 7:00 p.m. in the City Council Chambers at the City of Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri, 63017

The Board will consider the following:

**B.A. 09-2007 St. Luke's Episcopal Presbyterian Hospital (Parcel B):** A request for variance from City of Chesterfield Ordinance 2224 Section I.D(4)(1)(a) to permit a proposed development on "MU" Medical Use District- zoned property to maintain a 25-foot front yard setback in lieu of the required 50-foot-front yard setback. [183 South Woods Mill (18Q140206), 175 South Woods Mill (18Q140251)]

**and**

**B.A. 10-2007 St. Luke's Episcopal Presbyterian Hospital (Parcel D)**A request for variance from City of Chesterfield Ordinance 2372 Section I.C(1)(b) to permit a proposed development on "MU" Medical Use District- zoned property to maintain a 25-foot front yard setback in lieu of the required 50-foot-front yard setback. [163 South Woods Mill (18Q420023), 155 South Woods Mill (18Q510014), 133 South Woods Mill (18Q510025), 111 South Woods Mill (18Q510036)]



All interested parties are invited to appear and be heard at the hearing.

Copies of the request are available for review at the City Government Center Monday through Friday, from 8:30 a.m. to 4:30 p.m. If you should need additional information about this project, please contact Annissa McCaskill-Clay, Assistant Director of Planning by telephone at 636-537-4737 or by email at amccaskill@chesterfield.mo.us

City of Chesterfield

Annissa McCaskill-Clay, AICP
Assistant Director of Planning.

IV.A.

City of Chesterfield

690 Chesterfield Pkwy W ● Chesterfield MO 63017-0760
Phone: 636-537-4000 ● Fax 636-537-4798 ● www.chesterfield.mo.us

July 18, 2007

Board of Adjustment
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: **B.A. 09-2007 St. Luke's Episcopal Presbyterian Hospital (Parcel B):** A request for variance from City of Chesterfield Ordinance 2224 Section I.D(4)(1)(a) to permit a proposed development on "MU" Medical Use District-zoned property to maintain a 25-foot front yard setback in lieu of the required 50-foot-front yard setback. [183 South Woods Mill (18Q140206), 175 South Woods Mill (18Q140251)]

and

**B.A. 10-2007 St. Luke's Episcopal Presbyterian Hospital (Parcel D):** A request for variance from City of Chesterfield Ordinance 2372 Section I.C(1)(b) to permit a proposed development on "MU" Medical Use District- zoned property to maintain a 25-foot front yard setback in lieu of the required 50-foot-front yard setback.. [163 South Woods Mill (18Q420023), 155 South Woods Mill (18Q510014), 133 South Woods Mill (18Q510025), 111 South Woods Mill (18Q510036)]

Dear Board Members:

Michael Doster of Doster, Mickes, James, Ullom, Benson and Guest, on behalf of St. Luke's Episcopal Presbyterian Hospital, has submitted the above-referenced requests to the Board of Adjustment for review at its August 9, 2007 meeting. In review of the Petitioners' request, the Department of Planning Submits the following report:

## Background

1. St. Luke's Episcopal Presbyterian Hospital is the owner of the subject tracts, which are located on South Woods Mill Road.
2. Parcel B: is 21.21 acres and was zoned "MU" Medical Use District via City of Chesterfield Ordinance 2224 on December 5, 2005.

3. Parcel D totals 14 acres and was zoned "MU" Medical Use District via City of Chesterfield Ordinance on June 18, 2007.
4. Per section 1003.127 of the City of Chesterfield Zoning Ordinance, the purpose of "MU" Medical Use District regulations is "…to facilitate the establishment of medical developments with ancillary commercial uses in locations appropriate under the terms and conditions set forth in the approved governing ordinance. Such approved ordinances, plans and conditions shall be consistent with good planning practice and compatible with permitted developments and uses in adjoining districts, so to protect the general welfare."
5. As part of the zoning to "MU" Medical Use District, a site specific ordinance is written for the site, similar to the process for a "PC" Planned Commercial or "PI" Planned Industrial District.
6. However, unlike those districts, the "MU" District establishes minimum yard setbacks from the front, side and rear. There is no ability written into the District to permit relief of these requirements.
7. The minimum front yard setback required is fifty (50) feet.
8. Development on the two parcels will be interrelated, although they are governed by separate site-specific ordinances.

**Statement of practical difficulties and unnecessary hardships warranting action by the Board and Basis for appeal of the above-action:**

From Petitioner's Application, Exhibit C: "*The subject property has been rezoned to "MU" Medical Use District. The "MU" District is a planned district, but it is the only planned district in Chesterfield that has a minimum front setback of fifty (50) feet. All other planned districts allow the setbacks to be set in the conditions of the site specific ordinance to fit the specific situation of the site.*

*The topography of the site is such that it slopes eastward toward Highway 141. There is a severe drop-off to a creek on the western side of the buildable portion of the subject site. A residential subdivision is located further to the west, and representatives of that subdivision have requested the buildings of the development on the subject site to be moved closer to Highway 141 so that the buildings will appear lower to them given their line-of-sight; in addition, the movement would allow the construction of a planted berm on the west side of the buildings that would provide additional line-of-site buffering. This cannot be done unless the front setback is reduced from fifty (50) feet to twenty-five (25) feet. Given the "MU" minimum front setback, the reduction cannot be accomplished without a variance.*

*Based upon the foregoing, there is a practical difficulty, and Petitioner requests the granting of a variance to allow the reduction in the front setback from fifty (50) feet to twenty-five (25) feet.*

**Approval Criteria**

St. Luke's is seeking two (2) variances to allow Parcels B and D to maintain twenty-five (25)-foot front yard setbacks, as opposed to the fifty (50) foot setbacks required by their respective governing ordinances.

1. In order to grant a variance, there must be proof that the applicant did not bring the burden upon himself through some action, but instead had the burden imposed on him.

2. An individual cannot create a situation and then claim he needs a variance. *Wolfner v. Board of Adjustment of City of Warson Woods*, 114 S.W.3d 298 (Mo.App.E.D.,2003).

3. The burden of proving the elements is on the applicant.

4. Missouri Revised Statute Chapter 89.090 requires that a Board of Adjustment may only grant variances when the applicant has established the necessary "practical difficulties or unnecessary hardship" and when "the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done."

5. Section 2-216 of the City of Chesterfield Municipal Code states that the Board of Adjustment shall have the following powers:

   "To permit a variation in the yard requirements of any zoning district or the building or setback lines from major highways as provided by law where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided that such variance will not seriously affect any adjoining property or the general welfare of the public;"

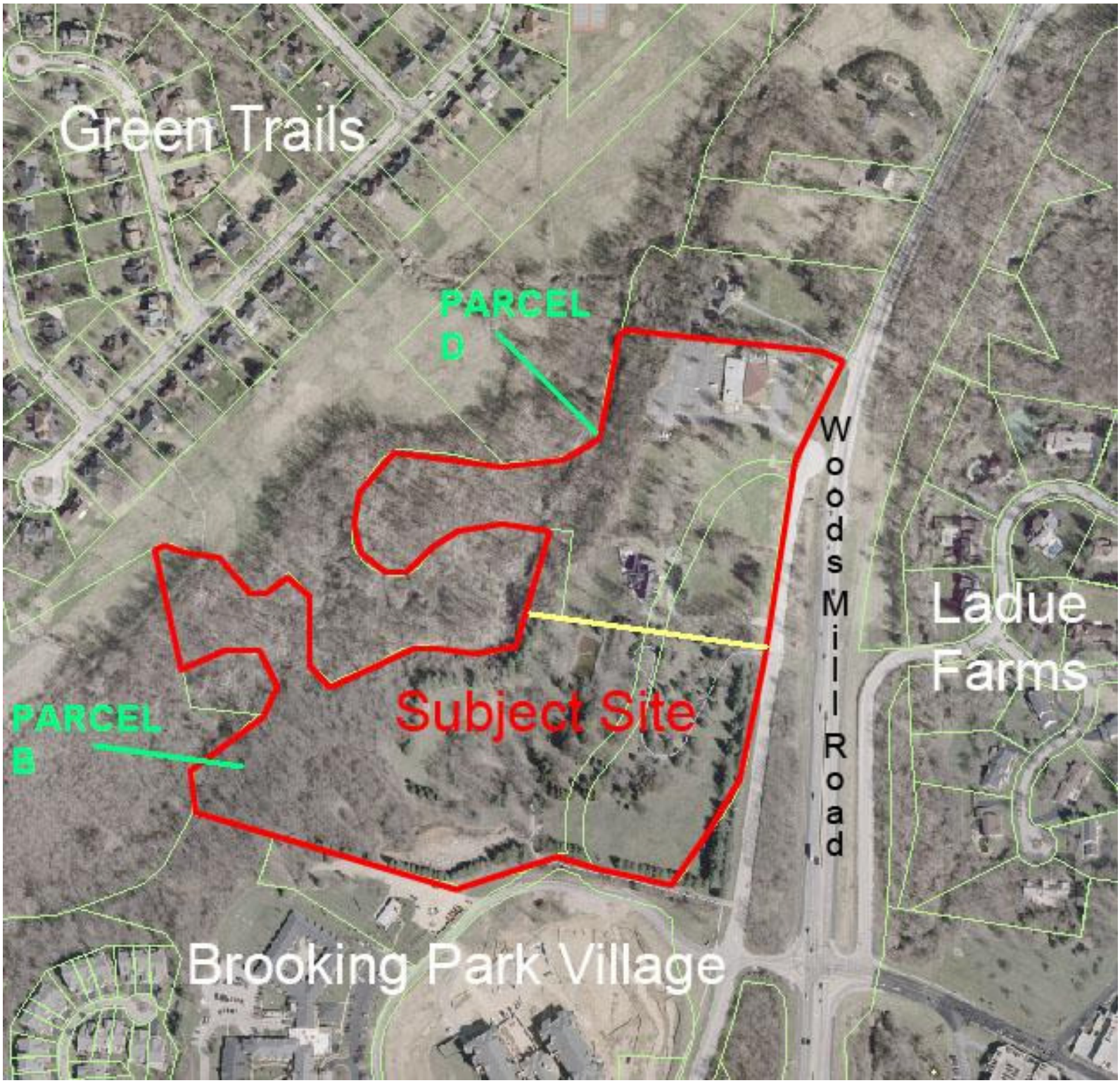
**A separate vote must be taken on the two petitions. Action is requested on B.A. 9-2007 and B.A. 10-2007.**

Respectfully Submitted,

Annissa McCaskill-Clay

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

Exhibits:
1. City of Chesterfield Zoning Ordinance (not in packet)
2. Notice of Publication.
3. Affidavit of Publication (not in packet)
4. Staff Report
5. Petitioner's Applications
   A. Application to Board of Adjustment –Parcel B
   B. Application to Board of Adjustment –Parcel D
6. 11x17 Color Plans
   A. Requested 25 ft. setback
   B. Required 50 ft. setback
7. Ordinances 2224 and 2372


Green Trails
PARCEL D
Woods Mill Road
Ladue Farms
Subject Site
PARCEL B
Brooking Park Village

# City of Chesterfield

## DEPARTMENT OF PLANNING

07-10-07 P02:44 IN

RECEIVED
JUL 10 2007
PLANNING DEPARTMENT

## APPLICATION TO THE BOARD OF ADJUSTMENT FOR A VARIANCE

*The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. Its responsibility is to hear appeals from decisions of the City of Chesterfield Department of Planning and to consider requests for variances and exceptions. A variance is an approved departure from the provisions of the zoning requirements for a specific parcel, without changing the zoning ordinance underlying zoning of the parcel. A variance usually is granted only upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zone district. For questions about this application, please contact the "Planner of the Day" at 636-537-4733. For information about this and other projects under review by the Department of Planning, please visit "Planning Projects" at www.Chesterfield.mo.us.*

**Check (✓) the type of variance for which you are applying:**

[X] **Area (bulk) variance: A request to allow deviation from the dimensional (i.e. height, bulk yard) requirements of a zoning district.**

[ ] **Appeal of an Administrative determination**

**Note: A $70 fee applies**

Please note areas in gray will be completed by the Department of Planning.

**STATE OF MISSOURI** )
)
**CITY OF CHESTERFIELD** )

**BOA NUMBER** B.A. 9-2007
**HEARING DATE** 8.9.2007

**Petition for Appeal from Zoning Regulations**

## I. APPLICANT INFORMATION

**Owner(s) of record of the hereinafter described property according to St. Louis County Assessor's Record:** St. Luke's Episcopal Presbyterian Hospitals, a Missouri Corporation

**Address:** 232 South Woods Mill Road

**City:** Chesterfield **State:** MO **Zip:** 63017

**Tel.:** (314) 205-6027 **Fax:** (314) 205-6824

**Petitioner, if other than owner(s):** Same

**Address:**

**City:** **State:** **Zip:**

**Tel.:** **Fax:**

**Legal Interest:** Owner

(Provide date of contract and date of expiration of contract)

***Attach additional sheets as necessary for other Parties of Interest (Architect, Engineer, etc.)**

## II. PROPERTY INFORMATION

**Project Address:** See Exhibit "A"

**Locator Number(s):** See Exhibit "A"

(List additional locator numbers on separate sheet and attach to petition)

**Acreage:** 21.8 (To the nearest tenth of an acre)

**Subdivision Name (If applicable):** N/A

**Current Zoning District:** "MU" Medical Use District

**Legal Description of Property:** See Exhibit "B"

(Attach additional sheets as necessary)

## III. NATURE OF REQUEST FOR VARIANCE

**Unique physical characteristics of the lot (e.g., size, slope, etc.):** None

(Attach additional sheets as necessary)

**Description of the necessity of the proposed improvement:**

See Exhibit "C"

(Attach additional sheets as necessary)

**Ordinance Number and section to which a variance is sought:**

Ordinance #2224 Section I.D(4)(1)(a) Specific Criteria ---- Structure and Parking Setbacks ---- Structure Setbacks

(Attach additional sheets as necessary)

**Basis for appeal of the above action:** See Exhibit "C"

(Attach additional sheets as necessary)

**Do deed restrictions or subdivision trust indentures for the property prohibit the use or construction which is requested by this petition?** Check (✓) one [ ] **Yes** [X] **No**

**Specify the action to which the appeal is sought:**

See Exhibit "C"

(Attach additional sheets as necessary)

**Description of the effect or impact on neighboring properties:** None

(Attach additional sheets as necessary)

**Statement of any other hardship or information for this appeal:**

See Exhibit "C"

(Attach additional sheets as necessary)

***Please complete the sections below as applicable:***

**A. Setbacks/Height:**

**The Petitioner(s) request the following setback(s):**

**Front yard:** 25 feet from any road right-of-way line
**Side yard:**
**Rear yard:**
**Height:**

**The City of Chesterfield Zoning Ordinance Regulations require the following setback(s) for this site:** Ordinance 2224 requires:

**Front yard:** 50 feet from any road right-of-way line.
**Side yard:**
**Rear yard:**
**Height:**

**The following information correctly presents the true conditions and also describes the practical difficulties and unnecessary hardships warranting action by the Board.**

See Exhibit "C"

**Include two (2) completed copies of this application with original signatures and two (2) copies of the following:**

1. A site development plan showing:
   - The dimensions and location (including distance from property lines) of all existing and proposed buildings and structures.
   - Letters from abutting property owners stating their position.
2. A $70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
3. A copy of the City of Chesterfield rejection or denial.

**B. Signage:** N/A

**Number and size of allowable attached business signs by ordinance:** _____

**Number and size of allowable freestanding business signs by ordinance:** _____

**The petitioner further represents that the increased sign size or height would not be injurious to the neighborhood, or otherwise be detrimental to the public welfare for the following reasons:** _____

**Include two (2) completed copies of this application with original signatures and two (2) copies of the following:**

1. A site plan showing:
   - The subject property with adjoining streets, existing buildings, major parking lot, and distance to property lines.
   - The location of proposed signs.
   - If attached wall signs, the cross section of wall on which sign is to be placed with dimensions and total square feet (or portion of total wall that will contain petitioner's business)
2. A detail sign plan indicating:
   - Dimension of signs with detail sign lettering layout.
   - Total square feet of signs. If attached, what percent of wall.
   - Light detail, if any.
3. Letters from abutting property owners stating their position.
4. A $70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
5. A copy of the City of Chesterfield rejection or denial.

## III. COMPLIANCE

Is property in compliance with all previous conditions of approval of all applicable Ordinance requirements?

[ X ] **Yes** [ ] **No. If no, please explain:** _____

_____

_____

Is property in compliance with all Zoning, Subdivision, and Code requirements?

[ X ] **Yes** [ ] **No. If no, please explain:** _____

_____

_____

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

## IX. LIENS AND FINES CERTIFICATION

**Project Name:** St. Luke's Hospital **Ward:** One (I)

**STATE OF MISSOURI, CITY OF CHESTERFIELD**

[I] [we], Michael J. Doster (a duly licensed attorney or title insurance company
(print, type or stamp name of attorney or title company)

in the State of Missouri), do hereby certify to the Council of the City of Chesterfield that [I] [we] have examined the title to the herein described property; that [I] [we] find the title to the property is vested to St. Luke's Episcopal Presbyterian - ; that there are no fines and/or liens of record on the property
(name of owner(s)) - Hospitals, a Missouri Corporation

by or owed to the City of Chesterfield [or] that the following fines and/or liens are owed to the City of Chesterfield:

1. N/A
2.
3.
4.

(Attorney-at-law licensed in Missouri) Date: July 5, 2007

Missouri Bar # 23018

-or-

N/A (Officer of title insurance company) Date: N/A

N/A
Print, type or stamp name and title

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

## XI. STATEMENT OF CONSENT

Consent is required from the property owner(s) and contract purchaser, if applicable, to their agent if the property owner(s) or contract purchaser do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded warranty deed for subject property.

**STATEMENT OF CONSENT**

I hereby give CONSENT to Michael J. Doster (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge of the property I have an ownership interest in is the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the City of Chesterfield, Missouri, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

**OWNER/CONTRACT PURCHASER INFORMATION:**

I am the [x ] owner [ ] contract purchaser. (check (✓) one)

Gary Olson, President & CEO
(Name- type, stamp or print clearly)

(Signature)

232 South Woods Mill Road
Chesterfield, Missouri 63017
(Address, City, State, Zip)

St. Luke's Episcopal Presbyterian Hospitals
(Name of Firm)

Note: Attach additional sheets as necessary.

**NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD**

The foregoing instrument was subscribed and sworn to before me this 9th day of July, 20 07.

Signed Print Name:
Notary Public

Seal/Stamp:

"NOTARY SEAL"
Vivian A. Smith, Notary Public
St. Louis County, State of Missouri
My Commission Expires 3/30/2010
Commission Number 06456313

My Commission Expires: 3-30-2010

## XII. AFFIDAVIT OF COMPLETENESS AND ACCURACY

**INSTRUCTIONS**: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

**Project Name**: St. Luke's Hospital **Submittal Date**: _____

### STATEMENT OF COMPLETENESS AND ACCURACY

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify that all owners and petitioners have been provided a complete copy of all material, attachments and documents submitted to the City of Chesterfield relating to this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the City of Chesterfield, Missouri and will not be returned. I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required by the City of Chesterfield to process this application. I further represent and warrant that I have not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly, to any official, employee, or appointee of the City of Chesterfield with respect to this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

**Check (✓) one:** [ ] I am the property owner. [ ] I am the contract purchaser.

[X ] I am the duly appointed agent of the petitioner.

Michael J. Doster
(Name- type, stamp or print clearly)

(Signature)

Doster Mickes James Ullom
Benson & Guest, LLC
(Name of Firm)

17107 Chesterfield Airport Road, Ste.300
Chesterfield, Missouri 63005
(Address, City, State, Zip)

Note: Attach additional sheets as necessary.

### NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 5th day of July, 20 07.

Signed Janice Howell Batye Print Name: JANICE HOWELL BATYE
Notary Public

My Commission Expires: 3/17/2011

Seal/Stamp: JANICE HOWELL BATYE
Notary Public - Notary Seal
State of Missouri
St. Charles County
My Commission Expires Mar. 17, 2011
Commission # 07390346

**STAFF / BOA USE ONLY**

**Intake Date:** _____

**This petition is granted / denied** (circle one) **on the** _____ **day of** _____ **20** ____

**Signed:** _____

**Chairman**

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

*Exhibit "A"*

# St. Luke's Hospital – Property Information Parcel B (BOA)

1. 183 SOUTH WOODS MILL ROAD

| | |
|---|---|
| Locator Number: | 18Q-14-0260 |
| Acreage: | 16.78 acres |
| Subd. Name: | Seeger Lots A & B Bdy Adj. |
| Plat Book / Page: | Plat Book: 302 / Page: 204 |

2. 175 SOUTH WOODS MILL ROAD

| | |
|---|---|
| Locator Number: | 18Q-14-0251 |
| Acreage: | 4.88 acres |
| Subd. Name: | Seeger Lots A & B Bdy Adj. |
| Plat Book / Page: | Plat Book: 302 / Page: 204 |

RECEIVED
JUL 10 2007
PLANNING
DEPARTMENT

*Exhibit "B"*

# St. Luke's Hospital – Parcel B Legal Description (BOA)

A tract of land being all of Seegar Subdivision, Lots A & B, Boundary Adjustment Plat, a subdivision according to the plat thereof recorded in Plat Book 302 Page 204 of the St. Louis County Records, and being located in U.S. Survey 109 and Section 7, Township 45 North, Range 5 East, and Section 12, Township 45 North, Range 4 East of the 5th Principal Meridian, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northeasterly corner of above said Seegar Subdivision; thence along the Easterly, Southerly, Westerly and Northerly lines of said Seegar Subdivision the following courses and distances; thence South 07 degrees 37 minutes 40 seconds West 710.77 feet to a point on a curve to the right for which the radius point bears North 82 degrees 22 minutes 20 seconds West 2033.68 feet; thence Southwesterly along the arc of said curve, with a chord which bears South 08 degrees 07 minutes 26 seconds West 35.21 feet an arc distance of 35.21 feet to the Southeast corner of above said Seegar Subdivision; thence North 78 degrees 25 minutes 39 seconds West 130.75 feet; thence North 74 degrees 49 minutes 15 seconds West 199.98 feet; thence North 77 degrees 48 minutes 14 seconds West 99.92 feet; thence North 85 degrees 55 minutes 43 seconds West 99.92 feet; thence South 80 degrees 56 minutes 14 seconds West 100.04 feet; thence South 73 degrees 57 minutes 55 seconds West 100.07 feet; thence North 74 degrees 46 minutes 35 seconds West 765.52 feet to the Southwesterly corner of above said Seegar Subdivision; thence North 08 degrees 53 minutes 43 seconds East 115.49 feet; thence North 46 degrees 44 minutes 38 seconds East 205.29 feet; thence South 76 degrees 22 minutes 26 seconds East 12.67 feet; thence North 21 degrees 28 minutes 00 seconds East 97.00 feet; thence North 28 degrees 58 minutes 00 seconds West 86.20 feet; thence North 81 degrees 31 minutes 00 seconds West 99.00 feet; thence South 61 degrees 27 minutes 00 seconds West 127.50 feet; thence North 13 degrees 20 minutes 00 seconds West 366.78 feet to the Northwesterly corner of above said Seegar Subdivision; thence North 85 degrees 54 minutes 00 seconds East 41.00 feet; thence South 64 degrees 50 minutes 00 seconds East 76.68 feet; thence South 83 degrees 59 minutes 00 seconds East 70.00 feet; thence South 48 degrees 04 minutes 00 seconds East 48.00 feet; thence South 30 degrees 11 minutes 00 seconds East 62.00 feet; thence South 64 degrees 57 minutes 00 seconds East 38.00 feet; thence North 65 degrees 11 minutes 00 seconds East 60.00 feet; thence North 42 degrees 39 minutes 00 seconds East 46.00 feet; thence South 45 degrees 54 minutes 00 seconds East 80.00 feet; thence South 00 degrees 50 minutes 00 seconds West 192.17 feet; thence South 46 degrees 45 minutes 00 seconds East 99.00 feet; thence North 67 degrees 23 minutes 00 seconds East 306.05 feet; thence South 71 degrees 42 minutes 00 seconds East 116.65 feet; thence North 75 degrees 00 minutes 00 seconds East 94.80 feet; thence North 17 degrees 00 minutes 00 seconds East 92.65 feet; thence South 85 degrees 33 minutes 00 seconds East 668.92 feet to the **POINT OF BEGINNING** and containing 947,736 square feet or 21.757 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on December 13, 2004.

RECEIVED
JUL 10 2007
PLANNING
DEPARTMENT

*Exhibit "C"*

# St. Luke's Hospital – Parcel B

The subject property has been rezoned to "MU" Medical Use District. The "MU" District is a planned district, but it is the only planned district in Chesterfield that has a minimum front setback of fifty (50) feet. All other planned districts allow the setbacks to be set in the conditions of the site specific ordinance to fit the specific situation of the site.

The topography of the site is such that it slopes eastward toward Highway 141. There is a severe drop-off to a creek on the western side of the buildable portion of the subject site. A residential subdivision is located further to the west, and representatives of that subdivision have requested the buildings of the development on the subject site to be moved closer to Highway 141 so that the buildings will appear lower to them given their line-of-sight; in addition, the movement would allow the construction of a planted berm on the west side of the buildings that would provide additional line-of-site buffering. This cannot be done unless the front setback is reduced from fifty (50) feet to twenty-five (25) feet. Given the "MU" minimum front setback, the reduction cannot be accomplished without a variance.

Based upon the foregoing, there is a practical difficulty, and Petitioner requests the granting of a variance to allow the reduction in the front setback from fifty (50) feet to twenty-five (25) feet

RECEIVED
JUL 10 2007
PLANNING
DEPARTMENT

# City of Chesterfield

## DEPARTMENT OF PLANNING

RECEIVED JUL 10 2007 PLANNING DEPARTMENT

## APPLICATION TO THE BOARD OF ADJUSTMENT FOR A VARIANCE

*The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. Its responsibility is to hear appeals from decisions of the City of Chesterfield Department of Planning and to consider requests for variances and exceptions. A variance is an approved departure from the provisions of the zoning requirements for a specific parcel, without changing the zoning ordinance underlying zoning of the parcel. A variance usually is granted only upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zone district. For questions about this application, please contact the "Planner of the Day" at 636-537-4733. For information about this and other projects under review by the Department of Planning, please visit "Planning Projects" at www.Chesterfield.mo.us.*

**Check (✓) the type of variance for which you are applying:**

[X] **Area (bulk) variance: A request to allow deviation from the dimensional (i.e. height, bulk yard) requirements of a zoning district.**

[ ] **Appeal of an Administrative determination**

**Note: A $70 fee applies**

Please note areas in gray will be completed by the Department of Planning.

**STATE OF MISSOURI** )
)
**CITY OF CHESTERFIELD** )

**BOA NUMBER** B.A. 10-2007
**HEARING DATE** 8-9-2007

**Petition for Appeal from Zoning Regulations**

## I. APPLICANT INFORMATION

**Owner(s) of record of the hereinafter described property according to St. Louis County Assessor's Record:** St. Luke's Episcopal Presbyterian Hospitals, a Missouri Corporation
**Address:** 232 South Woods Mill Road
**City:** Chesterfield **State:** MO **Zip:** 63017
**Tel.:** (314) 205-6027 **Fax:** (314) 205-6824

**Petitioner, if other than owner(s):** Same
**Address:**
**City:** **State:** **Zip:**
**Tel.:** **Fax:**
**Legal Interest:** Owner
(Provide date of contract and date of expiration of contract)

***Attach additional sheets as necessary for other Parties of Interest (Architect, Engineer, etc.)**

## II. PROPERTY INFORMATION

**Project Address:** See Exhibit "A"

**Locator Number(s):** See Exhibit "A"

(List additional locator numbers on separate sheet and attach to petition)

**Acreage:** 14.0 (To the nearest tenth of an acre)

**Subdivision Name (If applicable):** N/A

**Current Zoning District:** "MU" Medical Use District

**Legal Description of Property:** See Exhibit "B"

(Attach additional sheets as necessary)

## III. NATURE OF REQUEST FOR VARIANCE

**Unique physical characteristics of the lot (e.g., size, slope, etc.):** None

(Attach additional sheets as necessary)

**Description of the necessity of the proposed improvement:**

See Exhibit "C"

(Attach additional sheets as necessary)

**Ordinance Number and section to which a variance is sought:**

Ordinance #2372 Section I.C(1)(b) Specific Criteria --- Setbacks

(Attach additional sheets as necessary)

**Basis for appeal of the above action:** See Exhibit "C"

(Attach additional sheets as necessary)

**Do deed restrictions or subdivision trust indentures for the property prohibit the use or construction which is requested by this petition?** Check (✓) one [ ] **Yes** [X] **No**

**Specify the action to which the appeal is sought:**

See Exhibit "C"

(Attach additional sheets as necessary)

**Description of the effect or impact on neighboring properties:** None

(Attach additional sheets as necessary)

**Statement of any other hardship or information for this appeal:**

See Exhibit "C"

(Attach additional sheets as necessary)

***Please complete the sections below as applicable:***

**A. Setbacks/Height:**

**The Petitioner(s) request the following setback(s):**

**Front yard:** Setback from Old Woods Mill Road: 25 feet
**Side yard:**
**Rear yard:**
**Height:**

**The City of Chesterfield Zoning Ordinance Regulations require the following setback(s) for this site:** Ordinance #2372 requires:
Setback from Old Woods Mill Road: 50 feet

**Front yard:**
**Side yard:**
**Rear yard:**
**Height:**

**The following information correctly presents the true conditions and also describes the practical difficulties and unnecessary hardships warranting action by the Board.**

See Exhibit "C"

**Include two (2) completed copies of this application with original signatures and two (2) copies of the following:**

1. A site development plan showing:
   - The dimensions and location (including distance from property lines) of all existing and proposed buildings and structures.
   - Letters from abutting property owners stating their position.
2. A $70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
3. A copy of the City of Chesterfield rejection or denial.

**B. Signage:** N/A

**Number and size of allowable attached business signs by ordinance:** _____

**Number and size of allowable freestanding business signs by ordinance:** _____

**The petitioner further represents that the increased sign size or height would not be injurious to the neighborhood, or otherwise be detrimental to the public welfare for the following reasons:** _____

**Include two (2) completed copies of this application with original signatures and two (2) copies of the following:**

1. A site plan showing:
   - The subject property with adjoining streets, existing buildings, major parking lot, and distance to property lines.
   - The location of proposed signs.
   - If attached wall signs, the cross section of wall on which sign is to be placed with dimensions and total square feet (or portion of total wall that will contain petitioner's business)

2. A detail sign plan indicating:
   - Dimension of signs with detail sign lettering layout.
   - Total square feet of signs. If attached, what percent of wall.
   - Light detail, if any.

3. Letters from abutting property owners stating their position.

4. A $70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)

5. A copy of the City of Chesterfield rejection or denial.

## III. COMPLIANCE

Is property in compliance with all previous conditions of approval of all applicable Ordinance requirements?

[ X ] **Yes** [ ] **No. If no, please explain:** _____

_____

_____

Is property in compliance with all Zoning, Subdivision, and Code requirements?

[ X ] **Yes** [ ] **No. If no, please explain:** _____

_____

_____

## [THIS SPACE INTENTIONALLY LEFT BLANK]

## IX. LIENS AND FINES CERTIFICATION

**Project Name:** St. Luke's Hospital **Ward:** One (I)

**STATE OF MISSOURI, CITY OF CHESTERFIELD**

[I] [we], Michael J. Doster (a duly licensed attorney or title insurance company
(print, type or stamp name of attorney or title company)

in the State of Missouri), do hereby certify to the Council of the City of Chesterfield that [I] [we] have examined the title to the herein described property; that [I] [we] find the title to the property is vested to St. Luke's Episcopal Presbyterian - ; that there are no fines and/or liens of record on the property
(name of owner(s)) - Hospitals, a Missouri Corporation

by or owed to the City of Chesterfield [or] that the following fines and/or liens are owed to the City of Chesterfield:

1. N/A
2.
3.
4.

(Attorney-at-law licensed in Missouri) Date: July 5, 2007

Missouri Bar # 23018

-or-

N/A (Officer of title insurance company) Date: N/A

N/A
Print, type or stamp name and title

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

## XI. STATEMENT OF CONSENT

Consent is required from the property owner(s) and contract purchaser, if applicable, to their agent if the property owner(s) or contract purchaser do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded warranty deed for subject property.

**STATEMENT OF CONSENT**

I hereby give CONSENT to Michael J. Doster (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge of the property I have an ownership interest in is the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the City of Chesterfield, Missouri, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

**OWNER/CONTRACT PURCHASER INFORMATION:**

I am the [X ] owner [ ] contract purchaser. (check (✓) one)

Gary Olson, President & CEO
(Name- type, stamp or print clearly)

(Signature)

232 South Woods Mill Road
Chesterfield, Missouri 63017
(Address, City, State, Zip)

St. Luke's Episcopal Presbyterian Hospitals
(Name of Firm)

Note: Attach additional sheets as necessary.

**NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD**

The foregoing instrument was subscribed and sworn to before me this 9th day of July, 20 07.

Signed _____ Print Name: Vivian A Smith
Notary Public

Seal/Stamp: "NOTARY SEAL" Vivian A. Smith, Notary Public St. Louis County, State of Missouri My Commission Expires 3/30/2010 Commission Number 06456313

My Commission Expires: 3-30-2010

## XII. AFFIDAVIT OF COMPLETENESS AND ACCURACY

**INSTRUCTIONS**: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

**Project Name**: St. Luke's Hospital **Submittal Date**: _____

### STATEMENT OF COMPLETENESS AND ACCURACY

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify that all owners and petitioners have been provided a complete copy of all material, attachments and documents submitted to the City of Chesterfield relating to this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the City of Chesterfield, Missouri and will not be returned. I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required by the City of Chesterfield to process this application. I further represent and warrant that I have not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly, to any official, employee, or appointee of the City of Chesterfield with respect to this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

**Check (✓) one:** [ ] I am the property owner. [ ] I am the contract purchaser.

[X ] I am the duly appointed agent of the petitioner.

Michael J. Doster
(Name- type, stamp or print clearly)

(Signature)

Doster Mickes James Ullom
Benson & Guest, LLC
(Name of Firm)

17107 Chesterfield Airport Road, Ste.300
Chesterfield, Missouri 63005
(Address, City, State, Zip)

Note: Attach additional sheets as necessary.

### NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 5th day of July, 20 07.

Signed Janice Howell Batye Print Name: Janice Howell Batye
Notary Public

My Commission Expires: 3/17/2011

Seal/Stamp: JANICE HOWELL BATYE
Notary Public - Notary Seal
State of Missouri
St. Charles County
My Commission Expires Mar. 17, 2011
Commission # 07390346

**STAFF / BOA USE ONLY**

**Intake Date:** _____

**This petition is granted / denied** (circle one) **on the** _____ **day of** _____ **20** ___

**Signed:** _____

**Chairman**

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

*Exhibit "A"*

# St. Luke's Hospital – Property Information Parcel D (BOA)

1. 163 SOUTH WOODS MILL ROAD

   Locator Number: 18Q-42-0023
   Acreage: 0.47 acres
   Subdivision Name: N/A
   Plat Book / Page: N/A

2. 155 SOUTH WOODS MILL ROAD

   Locator Number: 18Q-51-0014
   Acreage: 2.75 acres
   Subd. Name: N/A
   Plat Book / Page: N/A

3. 133 SOUTH WOODS MILL ROAD

   Locator Number: 18Q-51-0025
   Acreage: 7.00 acres
   Subd. Name: N/A
   Plat Book / Page: N/A

4. 111 SOUTH WOODS MILL ROAD

   Locator Number: 18Q-51-0036
   Acreage: 3.81 acres
   Subd. Name: N/A
   Plat Book / Page: N/A

*Exhibit "B"*

# St. Luke's Hospital – Parcel D Legal Description (BOA)

A tract of land being all of that property as acquired by St. Luke's Episcopal Presbyterian Hospital and recorded in Book 14566 Page 1766 and Book 16903 Page 1109 of the St. Louis County Records, and being located in part of U. S. Survey 109, Township 45 North, Range 4 and 5 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

BEGINNING at the intersection of the Northern line of Adjusted lot A of Seeger Subdivision Lots "A" & "B" a subdivision according to the plat thereof recorded in Plat Book 302, Page 24 of the St. Louis County, Missouri, records with the Western line of Woods Mill Road (100.00' wide) thence North 85 degrees 33 minutes 00 seconds West along the Northern line of above said Adjusted Lot A and Adjusted Lot B a distance of 668.92 feet to the centerline of Creve Coeur Creek; thence along the centerline of Creve Coeur Creek the following courses and distances: thence North 17 degrees 00 minutes 00 seconds East 222.67 feet; thence North 81 degrees 22 minutes 26 seconds West 73.24 feet; thence North 85 degrees 37 minutes 26 seconds West 125.00 feet to a non tangent curve to the left for which the radius point bears South 03 degrees 22 minutes 41 seconds West 100.00 feet; thence along said curve with a chord which bears South 54 degrees 07 minutes 56 seconds West 126.53 feet, an arc length of 136.99 feet to a point on a curve to the right for which the radius point bears North 72 degrees 04 minutes 19 seconds West 125.00 feet; thence along said curve with a chord which bears South 41 degrees 59 minutes 32 seconds West 101.94 feet, an arc length of 105.00 feet to a point on a curve to the right for which the radius point bears North 11 degrees 47 minutes 31 seconds East 200.00 feet; thence along said curve with a chord which bears North 50 degrees 59 minutes 36 seconds West 182.93 feet, an arc length of 189.99 feet to a point on a curve to the right for which the radius point bears North 89 degrees 47 minutes 03 seconds East 400.00 feet; thence along said curve with a chord which bears North 13 degrees 23 minutes 32 seconds East 188.22 feet, an arc length of 190.00 feet to a point on a curve to the right for which the radius point bears South 67 degrees 20 minutes 34 seconds East 125.00 feet; thence along said curve with a chord which bears North 42 degrees 49 minutes 28 seconds East 86.19 feet, an arc length of 88.00 feet to a point on a curve to the right for which the radius point bears South 08 degrees 06 minutes 39 seconds East 400.00 feet; thence along said curve with a chord which bears South 85 degrees 56 minutes 08 seconds East 168.72 feet, an arc length of 170.00 feet; thence South 78 degrees 57 minutes 26 seconds East 125.00 feet; thence North 78 degrees 37 minutes 34 seconds East 82.50 feet; thence South 84 degrees 07 minutes 26 seconds East 37.00 feet; thence North 76 degrees 37 minutes 34 seconds East 130.00 feet to a non tangent curve to the left for which the radius point bears North 30 degrees 36 minutes 32 seconds West 100.00 feet; thence along said curve with a chord which bears North 36 degrees 28 minutes 15 seconds East 77.89 feet an arc length of 80.01 feet; thence North 21 degrees 34 minutes 56 seconds East 74.43 feet; thence North 09 degrees 43 minutes 36 seconds East 106.30 feet; thence North 04 degrees 08 minutes 47 seconds West 85.59 feet to the Southern line of property conveyed to Richard A. and Charlotte C. Clark by instrument recorded in Deed Book 6308 page 1735 of above said records; thence South 83 degrees 25 minutes 35 seconds East along said southern line 632.83 feet to the Western line of above said Woods Mill Road and being on a non tangent curve to the left for which the radius point bears South 57 degrees 44 minutes 09 seconds East 985.37 feet; thence along said Western line the following courses and distances: thence along said curve with a chord which bears South 26 degrees 19 minutes 34 seconds West 203.88 feet, an arc length of 204.24 feet to a point of non tangency; thence South 23 degrees 45 minutes 32 seconds West 88.38 feet to a non tangent curve to the left for which the radius point bears South 68 degrees 40 minutes 08 seconds East 985.37 feet; thence along said curve with a chord which bears South 14 degrees 20 minutes 53 seconds West 239.60 feet, an arc length of 240.19 feet; thence South 07 degrees 21 minutes 54 seconds West 42.02 feet; thence North 83 degrees 04 minutes 27 seconds West 19.85 feet; thence South 07 degrees 37 minutes 43 seconds West 220.03 feet to the POINT OF BEGINNING, containing 611,232 square feet or 14.032 acres more or less according to the calculations performed by Stock and Associates Consulting Engineers, Inc. on January 16, 2006.

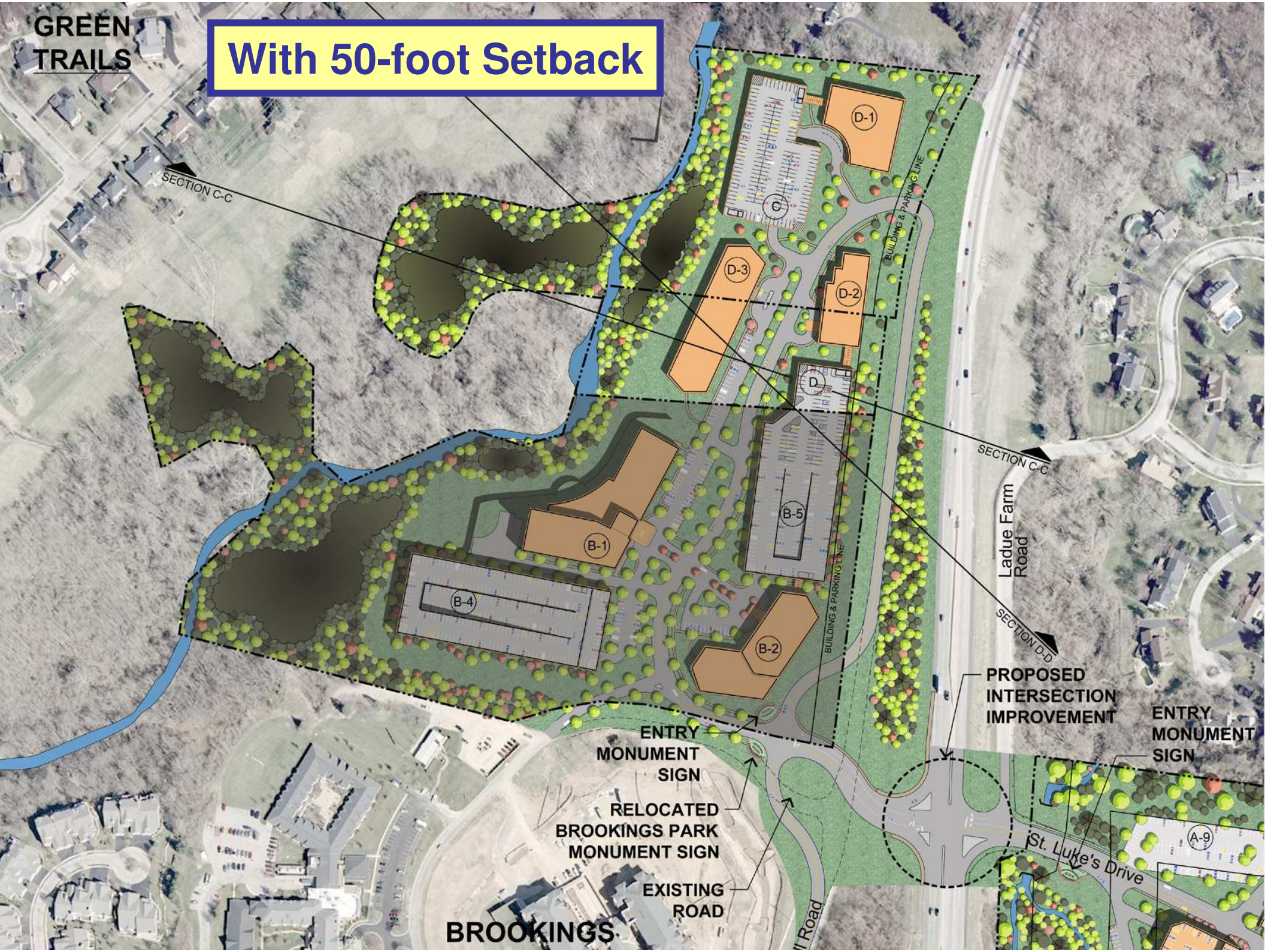
*Exhibit "C"*

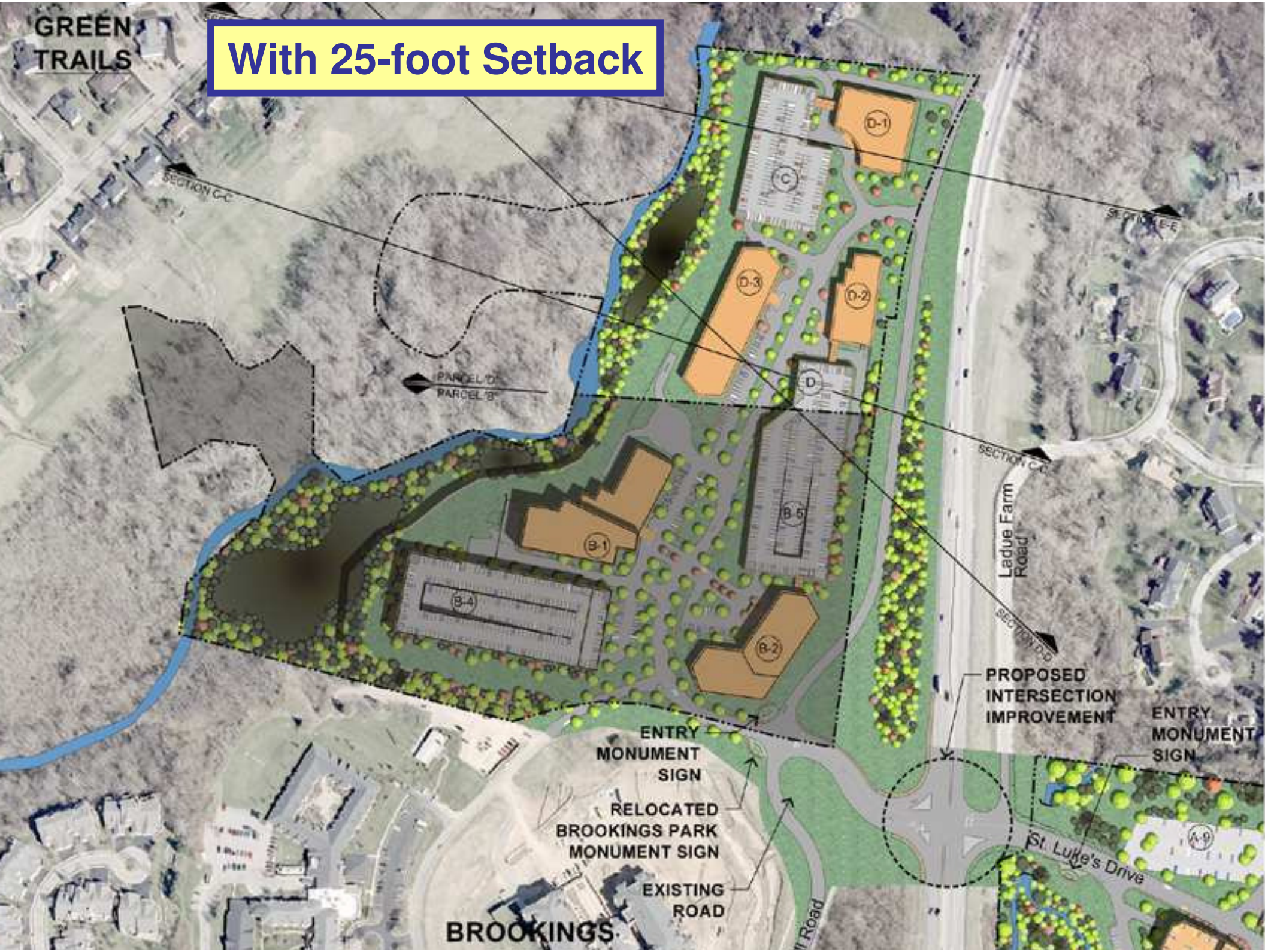
# St. Luke's Hospital – Parcel D

The subject property has been rezoned to "MU" Medical Use District. The "MU" District is a planned district, but it is the only planned district in Chesterfield that has a minimum front setback of fifty (50) feet. All other planned districts allow the setbacks to be set in the conditions of the site specific ordinance to fit the specific situation of the site.

The topography of the site is such that it slopes eastward toward Highway 141. There is a severe drop-off to a creek on the western side of the buildable portion of the subject site. A residential subdivision is located further to the west, and representatives of that subdivision have requested the buildings of the development on the subject site to be moved closer to Highway 141 so that the buildings will appear lower to them given their line-of-sight; in addition, the movement would allow the construction of a planted berm on the west side of the buildings that would provide additional line-of-site buffering. This cannot be done unless the front setback is reduced from fifty (50) feet to twenty-five (25) feet. Given the "MU" minimum front setback, the reduction cannot be accomplished without a variance. The preliminary development plan that was submitted during the rezoning process for the subject property showed a twenty-five (25) foot setback, but the Planning Commission, City Council and the residents understood that the plan could not be implemented without a variance.

Based upon the foregoing, there is a practical difficulty, and Petitioner requests the granting of a variance to allow the reduction in the front setback from fifty (50) feet to twenty-five (25) feet


GREEN TRAILS
With 50-foot Setback
SECTION C-C
D-1
C
D-3
D-2
D
B-5
B-1
B-4
B-2
BUILDING & PARKING LINE
BUILDING & PARKING LINE
SECTION C-C
Ladue Farm Road
SECTION D-D
PROPOSED INTERSECTION IMPROVEMENT
ENTRY MONUMENT SIGN
ENTRY MONUMENT SIGN
RELOCATED BROOKINGS PARK MONUMENT SIGN
EXISTING ROAD
St. Luke's Drive
A-9
BROOKINGS


With 25-foot Setback
GREEN TRAILS
SECTION C-C
PARCEL 'D'
PARCEL 'B'
D-1
C
D-3
D-2
D
B-5
B-1
B-4
B-2
SECTION C-C
Ladue Farm Road
SECTION D-D
PROPOSED INTERSECTION IMPROVEMENT
ENTRY MONUMENT SIGN
ENTRY MONUMENT SIGN
RELOCATED BROOKINGS PARK MONUMENT SIGN
EXISTING ROAD
BROOKINGS
St. Luke's Drive
A-9

**BILL NO. 2401** **ORDINANCE NO. 2224**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY ESTABLISHING A "MU" MEDICAL USE DISTRICT FOR THREE (3) PARCELS OF LAND TOTALING 75.22 ACRES OWNED BY ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITALS LOCATED AT THE INTERSECTION OF WOODS MILL ROAD AND CONWAY ROAD. (P.Z. 8-2005 ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITALS)**

**WHEREAS,** in the interest of facilitating the establishment of medical developments with ancillary commercial uses in locations appropriate under the terms and conditions set forth in the approved governing ordinance, and;

WHEREAS, such approved ordinances, plans and conditions shall be consistent with good planning practice and compatible with permitted developments and uses in adjoining districts, so as to protect the general welfare; and

**WHEREAS**, the petitioner, St. Luke's Episcopal Presbyterian Hospitals requested rezoning to "MU" Medical Use District for five (5) parcels located at the intersection of Woods Mill Road and Conway Road; and,

**WHEREAS,** two (2) parcels identified as Parcel C were subsequently withdrawn; and,

**WHEREAS,** the Planning Commission held a Public Hearing on the matter on May 9, 2005; and,

**WHEREAS,** the Planning Commission, having considered said request, recommended approval of the requested change of zoning to "MU" Medical Use District subject to the conditions set forth in the Attachment A by a vote of 6-2, and;

**WHEREAS,** the City Council, having also considered said request, approved P.Z. 8-2005 St. Luke's Episcopal Presbyterian Hospitals with changes regarding permitted uses and the thresholds for improvements.

**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 Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the "NU" Non-Urban District to the "MU" Medical Use District three (3) parcels of land located at the intersection of Woods Mill Road and Conway Road. The Conditional Use Permit (CUP) located on Parcel A is vacated. Descriptions of the subject sites are as follows:

## PROPERTY DESCRIPTIONS

### Areas to be Rezoned

### PARCEL A

A tract of land in U.S. Survey 365, Township 45 North, Range 5 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at the intersection of the West line of property conveyed to William McCurdy, Jr. by deed recorded in Book 7086 Page 1660 of the St. Louis County Records with a South line of "LADUE FARMS ESTATES PLAT THREE", a subdivision according to the plat thereof recorded as Daily No. 483 on July 14, 1978 in the St. Louis County Records; thence Southwardly along the said West line of the McCurdy property South 31 degrees 01 minutes 51 seconds West 236.13 feet to the Southwest corner thereof; thence Eastwardly along the south line of said McCurdy property and the South line of property conveyed to Paul B. Akin and wife by deed recorded in Book 6264 Page 288 of the St. Louis County Records, South 63 degrees 38 minutes 59 seconds East 742.99 feet to a point in the West line of property conveyed to Paul B. Akin and wife by deed recorded in Book 3966 Page 563 of the St. Louis County Records; thence Southwardly along the said West line of the Akin property, South 09 degrees 25 minutes 36 seconds West, 1,128.12 feet to a point in the relocated North line of Conway Road as dedicated by "Right-of-way Dedication Survey" recorded in Book 6746 Page 1419 of the St. Louis County Records; thence Westwardly along said relocated North line of Conway Road, the following courses and distances: North 76 degrees 34 minutes 00 seconds West 23.90 feet, North 62 degrees 31 minutes 50 seconds West 41.23 feet, North 76 degrees 34 minutes 00 seconds West 320.00 feet, North 87 degrees 52 minutes 36 seconds West 50.99 feet, North 76 degrees 34 minutes 00 seconds West 258.22 feet, along a curve to the right whose radius point bears North 13 degrees 26 minutes 00 seconds East 924.93 feet from the last mentioned point, a distance of 282.86 feet, North 59 degrees 02 minutes 40 seconds West 236.22 feet, along a curve to the left whose radius point bears South 30 degrees 57 minutes 20 seconds West 439.26 feet from the last mentioned point, a distance of 125.76 feet, North 60 degrees 20 minutes 00 seconds West 5.70 feet, South 86 degrees 31 minutes 00 seconds West 5.20 feet, along a curve to the left whose radius point bears South 13 degrees 11 minutes 17 seconds West 439.26 feet from the last mentioned point, a distance of 109.56 feet, along a curve to the left whose radius point bears South 01 degrees 06 minutes 09 seconds East 597.23 feet from the last mentioned point, a distance of 153.82 feet, and South 74 degrees 06 minutes 30 seconds West 248.99 feet to a point being 102.00 feet perpendicularly distant Northwest of said relocated Conway Road centerline Station 16+21.12 feet, said point being also in the East line of property conveyed to the Missouri Highway and Transportation Commission by deed recorded in Book 7736 Page 1197 of the St. Louis County Records, said property conveyed to the Missouri Highway and Transportation Commission for State Route 141 relocation; thence along said East line of State Route 141 (relocated) the following courses and distances: North 43 degrees 36 minutes 10 seconds West 87.41 feet to a point being 122 feet radially distant East of Missouri state Route 141 (relocated) centerline Station 112+00; thence along a curve to the left whose radius point bears North 74 degrees 27 minutes 45 seconds West 3,941.72 feet from the last mentioned point 878.98 feet to a point being 122.00 feet radially distant East of Missouri Route 141 (relocated) centerline Station 103+48.21; thence along a line being 122.00 feet perpendicularly distant East of and parallel to the

said centerline of Missouri State Route 141 (relocated) North 02 degrees 45 minutes 39 seconds East 139.21 feet to a point being opposite centerline Station 102+09; thence North 67 degrees 51 minutes 22 seconds East 61.74 feet to a point being 178.00 feet East of Missouri State Route 141 (relocated) centerline Station 101+83; thence North 12 degrees 46 minutes 08 seconds East 51.79 feet to a point being 187.00 feet East of Missouri State Route 141 (relocated) centerline Station 101+32; thence North 04 degrees 12 minutes 18 seconds East 119.04 feet to a point being 190.00 feet East of Missouri Route 141 (relocated) centerline Station 100+13; thence North 07 degrees 03 minutes 00 seconds East 39.46 feet to a point, in the South line of "Ladue Farm Estates Plat One", a subdivision according to the plat thereof recorded as Daily Number 268 on August 28, 1979 in the St. Louis County Records; thence leaving the aforesaid East line of Missouri State Route 141 (relocated) as described by deed recorded in Book 7736 page 1197 of the St. Louis County Records Eastwardly along the said South line of "Ladue Farm Estates Plat One" and a South line of aforesaid "Ladue Farm estates Plat Three" South 81 degrees 47 minutes 43 seconds East 520.18 feet to a point; thence continuing along the boundary line of said "Ladue Farm Estates Plat Three" North 08 degrees 07 minutes 33 seconds East 160.94 feet and South 81 degrees 47 minutes 43 seconds East 704.43 feet to the point of beginning.

## PARCEL B

A tract of land being all of Seegar Subdivision, Lots A & B, Boundary Adjustment Plat, a subdivision according to the plat thereof recorded in Plat Book 302 Page 204 of the St. Louis County Records, and being located in U.S. Survey 109 and Section 7, Township 45 North, Range 5 East, and Section 12, Township 45 North, Range 4 East of the 5th Principal Meridian, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northeasterly corner of above said Seegar Subdivision; thence along the Easterly, Southerly, Westerly and Northerly lines of said Seegar Subdivision the following courses and distances; thence South 07 degrees 37 minutes 40 seconds West 710.77 feet to a point on a curve to the right for which the radius point bears North 82 degrees 22 minutes 20 seconds West 2033.68 feet; thence Southwesterly along the arc of said curve, with a chord which bears South 08 degrees 07 minutes 26 seconds West 35.21 feet an arc distance of 35.21 feet to the Southeast corner of above said Seegar Subdivision; thence North 78 degrees 25 minutes 39 seconds West 130.75 feet; thence North 74 degrees 49 minutes 15 seconds West 199.98 feet; thence North 77 degrees 48 minutes 14 seconds West 99.92 feet; thence North 85 degrees 55 minutes 43 seconds West 99.92 feet; thence South 80 degrees 56 minutes 14 seconds West 100.04 feet; thence South 73 degrees 57 minutes 55 seconds West 100.07 feet; thence North 74 degrees 46 minutes 35 seconds West 765.52 feet to the Southwesterly corner of above said Seegar Subdivision; thence North 08 degrees 53 minutes 43 seconds East 115.49 feet; thence North 46 degrees 44 minutes 38 seconds East 205.29 feet; thence South 76 degrees 22 minutes 26 seconds East 12.67 feet; thence North 21 degrees 28 minutes 00 seconds East 97.00 feet; thence North 28 degrees 58 minutes 00 seconds West 86.20 feet; thence North 81 degrees 31 minutes 00 seconds West 99.00 feet; thence South 61 degrees 27 minutes 00 seconds West 127.50 feet; thence North 13 degrees 20 minutes 00 seconds West 366.78 feet to the Northwesterly corner of above said Seegar Subdivision; thence North 85 degrees 54 minutes 00 seconds East 41.00 feet; thence South 64 degrees 50 minutes 00 seconds East 76.68 feet; thence South 83 degrees 59 minutes 00 seconds East 70.00 feet; thence South 48 degrees 04

minutes 00 seconds East 48.00 feet; thence South 30 degrees 11 minutes 00 seconds East 62.00 feet; thence South 64 degrees 57 minutes 00 seconds East 38.00 feet; thence North 65 degrees 11 minutes 00 seconds East 60.00 feet; thence North 42 degrees 39 minutes 00 seconds East 46.00 feet; thence South 45 degrees 54 minutes 00 seconds East 80.00 feet; thence South 00 degrees 50 minutes 00 seconds West 192.17 feet; thence South 46 degrees 45 minutes 00 seconds East 99.00 feet; thence North 67 degrees 23 minutes 00 seconds East 306.05 feet; thence South 71 degrees 42 minutes 00 seconds East 116.65 feet; thence North 75 degrees 00 minutes 00 seconds East 94.80 feet; thence North 17 degrees 00 minutes 00 seconds East 92.65 feet; thence South 85 degrees 33 minutes 00 seconds East 668.92 feet to the **POINT OF BEGINNING** and containing 947,736 square feet or 21.757 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on December 13, 2004

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.

Section 3. The City Council, pursuant to the petition filed by St. Luke's Episcopal Presbyterian Hospitals in P.Z. 8-2005, 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 9th day of May, 2005 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 5th day of December, 2005.

MAYOR

ATTEST:

CITY CLERK

# ATTACHMENT A

In keeping with the following Comprehensive Plan policies, these conditions have been developed:

1.4 Quality New Development
2.1.5 Provide Buffer for Existing Residential Development
4.1 Buffering of Neighborhoods
4.2 High Density Office Development
7.2 Multi-Modal Transportation Design
7.2.1 Maintain Proper Level of Service
7.2.3 Maintain Proper Traffic Flow
7.4.2 Encourage Sidewalks
8.2.2 Underground Electric Service
8.3 Stormwater Control
10.1 Open Space Preservation and Creation
10.1.3 Landscape Buffers
10.2 Preservation of Natural Features and Open Space

## I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall be limited to those conditions specified in Section A, General Criteria-Concept Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. DEFINITIONS

1. Site Development Concept Plan is a conceptual plan for development in a planned district being done in phases. A concept plan provides an overall picture of a development that is being divided into sections to be developed in phases.

2. A Site Development Section Plan is a plan for development for sections of the overall concept plan.

3. Site Development Plan is a plan for development in planned districts that is being done in one phase.

4. Permitted and Ancillary Uses for this development are as defined below:

   a. Permitted Land Uses:

      i. Educational Services to the Public related to Health Care – Services provided to the Public which provide education regarding health matters, with the objective of improving physical and emotional health status.

      ii. Health Services; including clinics of doctors and dentists – Health care services offered by appointment on an ambulatory basis. Services may include, but is not limited to, outpatient surgery, examination, diagnosis, and treatment of a variety of medical conditions on a non-emergency basis, and laboratory and other diagnostic testing as ordered by staff or outside physician referral.

      iii. Hospitals and Medical Centers – An institution providing medical and surgical care for humans only, for both in-and out-patients, including medical service, training and research facilities.

      iv. Laboratories – Specialized facilities capable of providing a variety of procedures specific to clinical laboratory services to health provider organizations, which are available on a regular and conveniently basis.

      v. Medical Care Facilities – Facilities providing health care services, including, but not limited to, hospitals, medical centers, ambulatory clinics, physicians offices, surgical centers, skilled nursing centers, long-term care centers, assisted living, residential care and treatment facilities, diagnostic centers, psychiatric care, medical imaging centers, reproductive health and fertility centers, physical rehabilitation, respiratory therapy, dentistry, hospice and home health services.

      vi. Research Facilities – Facilities where research is conducted in support of clinical care and the collection of research data for clinical research programs.

      vii. Residential Care and Treatment Facilities – Facilities that provide custodial care and/or treatment services to persons who are not able to live independently. Residential facilities may include, but are not limited to, nursing homes, assisted living facilities, group homes or supported living arrangements.

viii. Schools for the Handicapped – Centers equipped and staffed to provide education, support and encouragement to handicapped individuals and their families.

b. Ancillary Uses:

i. Assisted Living –A senior residence assisted by congregate meals, housekeeping, and personal services for persons who have difficulties with one or more essentials of daily living, but for whom full-time professional medical care is unnecessary.

ii. Cafeterias for use by employees and guests of primary uses – A restaurant in which employees and guests of primary users are served at a counter and carry their meals on trays to tables after paying.

iii. Day Care, including Adult Day Care – A facility providing care for five (5) or more children under the age of thirteen (13), for less than twenty-four (24) hours per day. Adult day care facilities are those that receive payment for the care of persons over 18 years of age for less than twenty-four (24) hours per day. The adult day-care center shall provide a structured program of personalized care for adults who are not capable of full independent living as a result of physical disability, developmental disabilities, emotional impairment, or frailty resulting from advanced age.

iv. Dormitories –A dwelling containing sleeping rooms without separate cooking facilities fro a number of persons customarily unrelated by associated with an educational, religious, charitable or service institution.

v. Duplicating, Mailing, Stenographic and Office Services – Services which provide reproduction of text, drawings, plans, maps, or other copy, by blueprinting, photocopying, mimeographing, reproducing shorthand or other methods of duplication, and providing clerical or professional services.

vi. Dwellings, Multiple-family – A building or portion thereof designed for or occupied exclusively by three (3) or more families.

vii. Florists – A shop where flowers and ornamental plants are sold.

viii. Gift Shops – A shop that sells miscellaneous articles appropriate as gifts.

ix. Group Housing (group house arrangement) – Any combination of dwelling units comprised of two (2) or more residential buildings designed as a functional unit on and with the specific parcel of land on which they are to be erected.

x. Heliport – A facility for the servicing, take-off and landing of helicopters.

xi. Hospitality Houses – Facilities that provides lodging and other supportive services to patients and their families.

xii. Orthopedic Stores – A store where orthopedic support devices for physically impaired individuals are sold and additional services, such as proper measurement and fitting of devices, and education on the proper use/maintenance of said devices is provided.

xiii Parking Structures, Public or Private –

Parking area – An area of land used or intended for off-stree parking facilities for motor vehicles (City of Chesterfield Zoning Ordinance)

Parking space – A durably dust-proofed, properly graded for drainage, usable space, enclosed in a main building or in an accessory building, or unenclosed, reserved for the temporary storage of one vehicle, and connected to a street, alley, or other designated roadway by a surfaced aisle or driveway. Each such designated space shall comply with the dimensional requirements set forth in Section 1003.165, "Off-Street Parking and Loading Requirements."(City of Chesterfield Zoning Ordinance)

xiv. Pharmacies – A facility where prescription drugs are dispensed or compounded under the supervision of a registered pharmacist.

xv. Places of Worship – A place for worship or religious assembly.

xvi. Restaurants, under 2,000 sqft gross floor area without drive-thrus or drive-ins – An establishment engaged in the preparation of food and beverages which may be consumed on the premises or carried-out. Said establishment contains no more than 2,000 gross square feet and does not provide drive-thru service.

xvii. Schools and training facilities related to the Medical Professions, including, but not limited to schools for nursing – Facilities which provide education and training, including but not limited to

licensing and/or certifications, of individuals working in various areas of health care.

xviii. Social Services – Services or activities undertaken to advance the welfare of citizens in need. Such services or activities may include, but are not limited to:

a. Assistance and counseling to patients and their families dealing with social, emotional and environmental problems associated with illness or disability.

b. Outpatient social work services – the above provided in ambulatory settings

c. Emergency department social work services the above provided in Emergency department settings within a hospital/medical center facility.

xix. Substance Abuse Treatment Facility, Outpatient – Organized hospital/medical services that provide medical care and/or rehabilitative treatment services to outpatients for whom the primary diagnosis is alcoholism or other chemical dependency on an out-patient basis.

xxi. Terminals for buses and other Public Mass Transit vehicles – A depot building or area specifically designated for the storage of transfer of persons or material, or temporary storage and service of operable vehicles used in the transport of persons, goods or materials.

For organizational purposes, the conditions of this 1,277,800 square foot development include those specific for Parcel A, located east of Route 141/Woods Mill Road and Parcel B, located west of Route 141/Woods Mill Road, as well as those of a general nature.

## C. PARCEL A – SEE EXHIBIT A

### 1. PERMITTED USES

1. The uses allowed this "MU" Medical Use District shall be:

PARCEL A PERMITTED USES

1. Educational services to the public related to health care
2. Health services, including clinics of doctors and dentists
3. Hospitals and medical centers
4. Laboratories

5. Medical Care Facilities
6. Research Facilities
7. Residential care and treatment facilities

PARCEL A ANCILLARY USES

1. Cafeterias for use by employees and guests of primary uses
2. Day Care, including adult day care
3. Duplicating, mailing, stenographic and office services
4. Florists
5. Gift shops
6. Heliport
7. Hospitality houses
8. Orthopedic stores
9. Parking structures, public or private
10. Pharmacies
11. Places of worship
12. Restaurants, under 2,000 square feet in gross floor area without drive-thrus or drive-ins
13. Schools and training facilities related to the medical professions including but not limited to schools for nursing
14. Social services.
15. Terminals for buses and other Public Mass Transit Vehicles.

2. The above uses in the "MU" Medical Use District shall be restricted as follows:

   a. The use allowed by this permit shall be that of a five hundred (500) bed maximum general acute hospital.

   b. No overnight accommodation rooms shall be permitted in the medical office buildings.

   c. The purpose of ancillary uses is to serve the occupants and patrons of the principal permitted uses within the building. No separate access from the exterior building shall be permitted with respect to these uses.

**2. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

1. FLOOR AREA

   a. Total building floor area shall not exceed 937,800 square feet

      i. Existing and proposed medical office buildings shall not exceed three hundred eighty-six thousand (386,000) square feet in gross floor area.

ii. The existing medical office building shall not exceed seven (7) stories in height and the new medical office building shall not exceed eight (8) stories in height.

iii. No parking garage shall exceed seven (7) stories in height. The eastern parking garage shall be limited to a three (3) level parking garage of approximately 500 parking spaces. The combination of parking garage and surface parking shall result in a net gain of 270 parking spaces on the eastern portion of the campus.

2. HEIGHT

a. The height of proposed additions shall match the existing structure on Parcel A and be no more than one hundred forty-eight (148) feet.

b. The existing medical office building shall not exceed seven (7) stories in height and the new medical office building shall not exceed eight (8) stories in height.

c. No parking garage shall exceed seven (7) stories in height. The eastern parking garage shall be limited to a three (3) level parking garage of approximately 500 parking spaces. The combination of parking garage and surface parking shall result in a net gain of 270 parking spaces on the eastern portion of the campus.

3. BUILDING REQUIREMENTS

a. Open Space: A minimum of 52.6% open space is required for Parcel A. Open space includes all areas excluding the building or areas for vehicular circulation.

b. Floor Area Ratio: Parcel A shall have a maximum Floor Area Ratio (F.A.R.) of 39% F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two calculations: one calculation for those areas above grade and another that includes building area below grade.

## 3. STRUCTURE AND PARKING SETBACKS

1. STRUCTURE SETBACKS

a. No portion of any new building shall be located within the following setbacks:

(1) Two hundred and eighty (280) feet of right-of-way of Conway Road and new State Highway 141 (Woods Mill Road).

(2) Four Hundred (400) feet to the east property line. To a maximum of seven hundred (700) feet from Conway Road. After seven hundred (700) feet the setback shall be six hundred (600) feet. The sole purpose of said reduction of setback shall be for a three (3) level parking garage and surface parking shall result in a net gain of 270 parking spaces on the eastern portion of the campus.

(3) Two hundred (200) feet of the north property line.

b. No off-street parking stalls or loading spaces shall be located within the following setbacks:

(1) Two hundred (200) feet from the right-of-way of Conway Road, with the exception of the surface parking located on the east side of the hospital. This area may not be located closer than one hundred twenty-five (125) feet from Conway Road and shall be limited to that shown on the Preliminary Plan.

(2) Two hundred fifty (250) feet of the right-of-way of Highway 141 (Woods Mill Road).

(3) Two (200) feet from the east property line.

(4) One hundred (100) feet of all other property lines.

**4. ARCHITECTURAL**

1. Plant additional landscaping between Conway Road entrance and the property line to the east, running parallel to the road all the way to the north, including 6 to 10 feet coniferous, evergreen plants that would provide additional year round screening for the properties to the east and north.

2. A six (6) foot high black anodized aluminum (with wrought iron look) fence configured for security purposes consistent with the appearance of fences in Pointe Conway, is to be installed from the Conway Road right of way parallel with the east property line, around the northeastern corner, and to join the existing wood cedar fence on the northern property line of St. Luke's. This fence is to be located on the western side of the McCurdy road easement near the eastern boundary of the St. Luke's property. Said fence shall have an appropriate end cap similar in materials to St. Luke's or the entry monument of Ponte Conway.

3. A forty-eight (48) inch parapet wall shall be required on the east side of the eastern parking structure.

4 Lighting on the eastern parking structure shall be down directed box type fixtures limited to twelve feet in height.

5. Entrance to the eastern parking garage shall be limited to the north, west and south.

**5. ACCESS**

1. Access to the Parcel A (that portion of the development east of Route 141) from State Route 141 shall be as directed by the Missouri Department of Transportation and the City of Chesterfield Department of Public Works.

2. Access to the Parcel A from Conway Road shall be as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works.

**6. CONSTRUCTION ENTRANCE**

1. Construction entrance, if approved by St. Louis County and the City of Chesterfield shall be located as far west of the current entrance as possible.

**7. LANDSCAPE, TREE AND BUFFER REQUIREMENTS**

1. All exterior trash areas shall be enclosed with a six (6) foot high sight proof fence.

2. A sloped earth berm shall be required on the east elevation against the height and length of the parking structure so that only the upper deck parapet walls are visible from the east. The earth berm shall be planted with evergreen coniferous trees from 6 feet to 10 feet tall, staggered and landscaped in such a manner to provide year round screening to the east.

3. An additional berm and green space east of the surface parking lot directly east of the proposed parking structure as indicated on the Preliminary Plan.

**8. PUBLIC/PRIVATE ROAD IMPROVEMENTS**

1. Improvements as may be required by the City of Chesterfield and/or the Missouri Department of Transportation to the shared access of Ladue Farms Estates Subdivision and Parcel A shall be completed prior to occupancy of any new construction adding square footage to Parcel A excluding the CDICU expansion of 22,000 sq. ft.

### 9. STORMWATER AND SANITARY SEWER

1. Any increase to the amount of impervious area on the Parcel A over the existing condition as of June 2005, will require that detention be provided for the entire main campus. Detention for the Parcel A will be required to meet the City standards which are current at the time of the proposed improvements.

## D. PARCEL B – SEE EXHIBIT B

### 1. PERMITTED USES

1. The uses allowed this "MU" Medical Use District shall be:

PARCEL B PERMITTED USES

1. Educational services to the public related to health care.
2. Health services; including clinics of doctors and dentists
3. Laboratories
4. Medical care facilities—excluding hospitals
5. Research facilities
6. Residential care and treatment facilities
7. Schools for the Handicapped

PARCEL B ANCILLARY USES

1. Assisted Living Services
2. Cafeterias for use by employees and guests of primary uses
3. Day Care, including Adult Day Care
4. Duplicating, Mailing, Stenographic and Office Services
5. Florists
6. Gift Shops
7. Hospitality Houses
8. Orthopedic Stores
9. Parking Structures, Public or Private
10. Pharmacies
11. Places of Worship
12. Restaurants, under 2,000 sq. ft. gross floor area without drive-thrus or drive-ins
13. Schools and training facilities related to the Medical Professions, including, but not limited to schools for nursing
14. Social Services
15. Substance Abuse Treatment Facility, Outpatient
16. Terminals for buses and other Public Mass Transit Vehicles.

2. The above uses in the "MU" Medical Use District shall be restricted as follows:

a. The purpose of ancillary uses is to serve the occupants and patrons of the principal permitted uses within the building. No separate access from the exterior building shall be permitted with respect to these uses.

## 2. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. FLOOR AREA

   Total building floor area shall not exceed 340,000 square feet

2. HEIGHT

   The maximum height of buildings, exclusive of roof screening, shall not exceed five stories or one hundred (100) feet.

## 3. BUILDING REQUIREMENTS

1. Open space: A minimum of 64.4% open space is required for Parcel B. Open space includes all areas excluding the building or areas for vehicular circulation

2. Floor Area Ratio: Parcel B shall have a maximum Floor Area Ratio (F.A.R.) of 36% F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two calculations: one calculation for those areas above grade and another that includes building area below grade.

## 4. STRUCTURE AND PARKING 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. Fifty (50) feet from any road right-of-way line.

   b. Twenty-five (25) feet from any side or rear property line.

      i. For property lines adjacent to properties in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" or "E" Residence District, no setback shall be closer than twenty-five (25) feet plus one (1) foot for each two feet of building height, measured from grade.

2. Parking and Loading Space Setbacks

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

a. Fifty (50) feet from any road right-of-way line.

b. Twenty-five (25) feet from any side or rear property line.

i. For property lines adjacent to properties in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" or "E" Residence District, no setback shall be closer than twenty-five (25) feet plus one (1) foot for each two feet of building height, measured from grade.

## 5. ACCESS

1. Access to the Parcel B (that portion of the development west of Route 141) from Old Woods Mill Road shall be as approved by the City of Chesterfield.

2. No direct access to State Route 141 or the connector between South Woods Mill Road and State Route 141 will be allowed from the Parcel B (that portion of the site west of Route 141).

3. Any drive/street internal to the Parcel B, specifically the area of buildings B-1 and B-2 and the parcels to north as shown on the preliminary plan, will be required to be private.

4. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access to the adjacent properties to the south of the Parcel B as directed by the City of Chesterfield.

## 6. OCCUPANCY PERMIT/FINAL OCCUPANCY

Prior to the issuance of any occupancy permits on the Parcel B in excess of the threshold established on the site development concept plan/site development section plan consistent with those approved in Section II. H. TRAFFIC STUDY, improvements to South Woods Mill Road shall be completed and approved.

## 7. PUBLIC/PRIVATE ROAD IMPROVEMENTS

The developer shall be responsible for improvements to South Woods Mill Road. The extent of development of the Parcel B (that portion of the development west of Route 141) at which the improvements to South Woods Mill Road are required shall be indicated on the site development concept plan and/or site development section plan, as

directed by the Department of Public Works. The Department of Public Works shall establish thresholds of development based upon a percentage of the square footage that is completed consistent with those approved in Section II.H. TRAFFIC STUDY. The improvements shall be designed and approved, and an appropriate escrow shall be established prior to the issuance of building permits on the Parcel B in excess of said threshold.

The improvements to South Woods Mill Road shall be constructed within one year of issuance of any building permit or prior to occupancy of any building in excess of said threshold for Parcel B as directed by the Department of Public Works. If, near the end of the improvement completion period, the South Woods Mill Road improvements have not been completed in accordance with the approved plans, the developer may request an extension to the improvement completion period. If, after review by the Department of Public Works, such longer period is deemed necessary to facilitate adequate and coordinated provisions for transportation, utility facilities, or other required improvements, the Director of Public Works may grant an extension so long as all guarantees are extended. The Director may require as a condition of the extension completion of certain items, recalculation of deposit amounts or other reasonable conditions as he may deem necessary.

## II. PARCEL A AND PARCEL B DEVELOPMENT CRITERIA

**The following criteria shall be applicable to Parcel and to Parcel B:**

### A. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking and Access

    a. No construction related parking shall be permitted within the State Route 141, South Woods Mill Road or Conway Road rights-of-way.

    b. Provide adequate off-street stabilized parking area(s) for construction employees and a wash down 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.

3. If existing City maintained streets are to be used as construction access to his site, prior to approval of a grading permit or improvement plans, or any construction related traffic or delivery of any construction equipment to the site, the following items must be addressed:

a. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.

b. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.

c. An appropriate bond must be submitted, as approved by the City of Chesterfield, to ensure that any damage to existing pavement is repaired. Repair of damage to existing streets will not be included in the subdivision escrow; a separate bond must be established.

d. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load per 60,000 gross vehicle weight and that no tri-axle trucks are to be used. Weight tickets may be used to determine conformance with this requirement.

e. Additional protective measures, as deemed necessary by the Department of Public Works, may also be required.

f. 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. LANDSCAPE, TREE AND BUFFER REQUIREMENTS

1. The developer shall submit a landscape plan, tree stand delineation; and tree preservation plan in accordance with the City of Chesterfield Code.

2. Buffering:
   a. A minimum of a twenty (20) foot wide-buffer strip between the proposed development and residential subdivisions.
   b. In addition, a thirty (30) foot wide buffer strip will be required along collectors/arterials

3. If the estimated cost of new landscaping indicated on the Site Development Section Plan as required by the Planning Commission exceeds one thousand ($1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

4. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

## C. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the Missouri Department of Transportation, the St. Louis County Department of Highways and Traffic and the City of Chesterfield, as directed, for sight distance considerations prior to installation or construction.

2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.

3. All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. This sign and landscaping shall be as approved by the Planning Commission on the Site Development Plan.

4. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

## D. LIGHT REQUIREMENTS

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

2. The location and height of the light standards will be as approved by the Planning Commission.

3. Except for required street lighting, no source of illumination will be situated so that light is cast on any public right-of-way or adjoining property.

## E. 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. Trash enclosures: The location 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. The material will be as approved by the Planning Commission in conjunction with the Site Development Plan.

3. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

## F. ACCESS/ACCESS MANAGEMENT

Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance No. 2103 and as may be amended from time to time.

## G. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the west side of South Woods Mill Road along the entire length of the site. If existing sidewalk is removed for the possible realignment of South Woods Mill Road it shall be replaced with a 5 foot wide sidewalk with the appropriate transition to a 4 foot wide section as needed.

2. Any changes to the location or geometry of the intersection of South Woods Mill Road with Brooking Park (Private Drive) and the section of street connecting State Route 141 to South Woods Mill Road shall be as approved by the Department of Public Works and the Missouri Department of Transportation. The Developer shall obtain any required rights-of-way and easements necessary and construct the proposed intersection.

3. Improve South Woods Mill Road along the entire frontage of the site to a 60 foot right of way and a 39 foot pavement, including curb, required tapers, and storm drainage facilities as directed by the Department of Public Works. Additional turn lanes and right-of-way may be required for changes to the location or geometry of the intersection of South Woods Mill Road with Brooking Park (Private Drive) and the section of street connecting State Route 141 to South Woods Mill Road as directed by the Department of Public Works.

4. Provide any additional right-of-way and construct any improvements to State Route 141 as required by the Missouri Department of Transportation.

5. Provide any additional right-of-way and construct any improvements to Conway Road as required by the St. Louis County Department of Highways and Traffic.

6. Internal streets, if any, shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield.

## H. TRAFFIC STUDY

Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation and/or the St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required. The study shall also identify the thresholds of development at which intersection and roadway improvement will be required to be constructed. Said thresholds are to be reviewed and approved by the City of Chesterfield Department of Public Works.

The traffic study shall be submitted with the Site Development Concept Plan/Site Development Section (whichever is the first to occur) and shall also include transportation model information. Said study shall be updated as deemed necessary by the Department of Planning.

## I. POWER OF REVIEW

City Council shall have automatic power of review of site plans for the subject development. The City Council will then take appropriate action relative to the proposal.

## J. STORMWATER AND SANITARY SEWER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. The adequacy and condition of the existing downstream systems shall be verified and upgraded if necessary.

2. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the Department of Public Works.

3. Downstream sanitary sewers need to be evaluated to ensure adequate capacity. Downstream sanitary sewers may need to be replaced or upgraded.

4. Detention may be required for the entire site such that the release rates will not exceed the allowable release rates for the post develop peak flow of the 2-year and 100-year, 24-hour storm event. Stormwater must be discharged at an adequate discharge point. Wetland mitigation will not be allowed within the detention basin area.

5. Detention/retention is to be provided in each watershed as required by the City of Chesterfield. Detention of storm water runoff is required by providing permanent detention/retention facilities, such as dry reservoirs, ponds, underground vaults or other alternatives acceptable to the Department of Public Works. The maximum fluctuation from the permanent pool elevation to the maximum ponding elevation of a basin shall be three (3) feet, as directed. Wetland mitigation shall not be permitted within a detention/retention basin. The detention/retention facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of detention/retention facilities shall be identified on the Site Development Plan.

   The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the 100-year high water.

## K. ROADWAY IMPROVEMENTS AND CURB CUTS.

1. Obtain approval from the City of Chesterfield Department of Public Works, St. Louis County Highways and Traffic and the Missouri Department of Transportation for the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

## L. GEOTECHNICAL REPORT.

1. 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 the Site Development Plan.

2. If cut or fill slopes in excess of the standard maximum of 3:1 horizontal run to vertical rise are desired, approval for the steeper slopes must be obtained from the Director of Public Works. Approval of steeper slopes is limited to individual and isolated slopes, rock dikes, undisturbed and stable natural slopes and slopes blending with the natural terrain. Design of the steep slopes must be performed by a registered professional engineer and include recommendations regarding construction methods and long-term

maintenance of the slope. Any steep slope proposed on a Site Development Plan shall be labeled and referenced with the following note: *Approval of this plan does not constitute approval of slopes in excess of 3:1. Steep slopes are subject to the review and approval of the Director of Public Works. Review of the proposed steep slope will be concurrent with the review of the grading permit or improvement plans for the project.*

## M. GRADING AND IMPROVEMENT PLANS.

1. A grading permit or improvement plan approval is required prior to issuance of a building permit, as directed.

2. A grading permit or improvement plan approval is required prior to any clearing or grading. The Site Development Plan and Tree Preservation Plan/Tree Removal Permit must be approved prior to issuance of a grading permit or approval of improvement plans. No grading that results in a change in watersheds will be permitted.

3. Prior to approval of a grading permit or improvement plans, a Storm Water Pollution Prevention Plan (SWPPP) must be submitted and approved. The SWPPP shall address installation and maintenance of required erosion control practices specific to site conditions. The purpose of the SWPPP is to ensure the design, implementation, management and maintenance of Best Management Practices (BMPs) to control erosion and reduce the amount of sediment and other pollutants in storm water discharges associated with land disturbance activities, and ensure compliance with the terms and conditions stated in the Sediment and Erosion Control Manual.

4. Prior to Site Development Plan approval, depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways and driveways 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.

5. If street grades in excess of six percent (6%) are desired, steep grade approval must be obtained. In no case shall slopes in excess of twelve percent (12%) be considered. Any request for steep street grades must include justification prepared, signed and sealed by a registered professional engineer and include plans, profiles, boring logs, cross-sections, etc in accordance with the Street Grade Design Policy. The justification should clearly indicate site conditions and alternatives considered. If steep grades are approved for this site, a disclosure statement shall be provided to all potential buyers and a note indicating

that priority snow removal will not be given to this site shall be included on the Site Development Plan and Record Plat.

6. Prior to grading permit or improvement plan approval, provide comments/approvals from the appropriate Fire District, St. Louis County Department of Highways and Traffic, Missouri Department of Transportation, and the Metropolitan St. Louis Sewer District.

7. Prior to approval of a grading permit or improvement plans, copies of recorded easements, including book and page of record, for all off-site work and off-site areas inundated by headwater from on-site improvements must be submitted.

## N. MISCELLANEOUS

1. If the property is subdivided, access/utility easements shall be required throughout the development, as directed.

2. If the property is subdivided and should the design of the subdivision include retaining walls that serve multiple properties, those walls shall be located within common ground or special easements, including easements needed for access to the walls.

3. This development may require an NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb one (1) or more acres.

4. 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 outboundaries 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.

5. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Study and Floodplain Development Permit/Application as directed by the Department of Public Works. The Floodplain Study must be approved prior to approval of the Site Development Plan, as directed. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA). The LOMR must be issued by FEMA

prior to the final release of any escrow held for improvements in the development.

If any lot is proposed to be located in an existing, or proposed, Special Flood Hazard Area the lot shall be clearly labeled as being located in the floodplain on the Site Development Plan and improvement plans. The lowest Reference Level (floor), as defined by FEMA, shall be constructed a minimum of two (2) feet above the base flood elevation. The Reference Level (floor) of structures in areas removed from or within 100 feet of the Special Flood Hazard Area shall be constructed a minimum of two (2) feet above the highest base flood elevation in the vicinity of the lot unless other actions are taken that assure the structures are reasonably safe from flooding as defined by FEMA and approved by the Department of Public Works. The minimum elevation for the Reference Level for each lot shall be indicated on the Site Development Plan and improvement plans, and an Elevation Certificate, on the form developed by FEMA for that purpose, shall be submitted immediately after construction of each structure. Occupancy permits shall not be issued for structures for which an Elevation Certificate has not been submitted.

6. 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.

   a. Sleeves for future telecommunication services are required to be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

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

1. TIME PERIOD FOR PLAN SUBMITTAL

   a. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the Preliminary Development Plan. This requirement shall be accomplished prior to issuance of building permits.

   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 Preliminary Development Plan by the City.

c. Failure to comply with these submittal requirements will result in the expiration of the preliminary development plan 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. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.

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-SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

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

1. Outboundary plat and legal description of the property.

2. Density Calculations.

3. Zoning district lines and floodplain boundaries.

4. Location map, north arrow, and plan scale.

5. Conceptual location, and size, including height, of all proposed buildings, parking and loading areas, and lots.

6. Specific structure and parking setbacks along all roadways and property lines.

7. Parking calculations.

8. Provide the green space percentage for each lot on the plan.

9. Provide open space percentage.

10. Address trees and landscaping in accordance with the City of Chesterfield Code.

11. Provide a lighting plan in accordance with the City of Chesterfield Code.

12. Provide Floor Area Ratio (F.A.R.)

13. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

14. Provide size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements, and curb cuts on and adjacent to property in question.

15. Provide location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.

16. Show existing and proposed contours at intervals of not more than two (2) feet, and extending one hundred fifty (150) feet beyond the limits of the site.

17. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

18. Preliminary storm water and sanitary sewer facilities.

19. The scale shall be no greater than one (1) inch equals one hundred (100) feet.

20. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

21. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri

Board for Architects, Professional Engineers and Land Surveyors requirements.

22. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation.

## V. GENERAL CRITERIA -SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

A. In addition to the above referenced requirements, the Site Development Section Plan shall adhere to the following criteria:

1. Show location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures, and landscaping.

2. Show confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.

3. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

4. Prior to plan approval depict existing and proposed improvements, easements, right-of-ways, and off-site easements and right-of-way required for proposed improvements within one hundred fifty (150) feet of the site as directed by the City of Chesterfield. Improvements include, but are not limited to, roadways and driveways 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.

5. Show the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.

6. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

7. The Site Development Plan and Tree Preservation Plan must be approved prior to any clearing or grading.

## VI. GENERAL CRITERIA – SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

A. Site Development Plan shall include, but is not limited to, the following:

1. Outboundary plat and legal description of the property.

2. Density Calculations.

3. Zoning District lines and floodplain boundaries.

4. Location map, north arrow, and plan scale.

5. Conceptual location and size, including height, of all proposed buildings, parking and loading areas, and lots.

6. Parking calculations.

7. Specific structure and parking setbacks along all roadways and property lines.

8. Provide the green space percentage for each lot on the plan.

9. Provide open space percentage.

10. Address trees and landscaping in accordance with the City of Chesterfield Code.

11. Provide a lighting plan in accordance with the City of Chesterfield Code.

12. Provide Floor Area Ratio (F.A.R.)

13. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

14. Scale shall be no greater than one (1) inch equals one hundred (100) feet.

15. Confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.

16. Size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements and curb cuts on and adjacent to property in question.

17. Show location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.

18. Show existing and proposed contours at intervals of not more than two (2) feet, and extending one hundred fifty (150) feet beyond the limits of the site.

19. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

20. Show preliminary storm water and sanitary sewer facilities.

21. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

22. 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.

23. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation.

24. Show location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures and landscaping.

25. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

26. Prior to plan approval; depict existing and proposed improvements, easements, right-of-ways, and off-site easements and right-of-way required for proposed improvements within one hundred fifty (150) feet of the site as directed by the City of Chesterfield. Improvements include, but are not limited to, roadways and driveways 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.

27. Show the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.

28. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

29. The Site Development Plan and Tree Preservation Plan must be approved prior to clearing or grading.

## VII. 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.

## VIII. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, the developer will provide the following:

1. Comments/approvals from the Missouri Department of Transportation, the Metropolitan St. Louis Sewer District and the appropriate Fire District and any other applicable agency as required by the Department of Planning.

2. Copies of recorded easements for off-site work, including book and page information, will be provided.

## IX. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements will be met:

1. Notification of Department of Planning

   Prior to the issuance of foundation or building permits, all approvals from the above mentioned agencies and the City of Chesterfield Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

2. Notification of St. Louis County Department of Public Works

   Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Missouri Department of Transportation the St.

Louis County Department of Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

3. Certification of Plans

Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer will be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

## X. OCCUPANCY PERMIT/FINAL OCCUPANCY

Prior to final occupancy of any building and/or release of subdivision escrows, 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.

## XI. FINAL RELEASE OF ESCROW

Prior to the release of final escrow, the developer will provide certification by a Registered Land Surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

All conditions of the Escrow as stated in the Escrow Agreement shall be met and approved by the Department of Public Works per the established Escrow Agreement.

## XII. GENERAL DEVELOPMENT CONDITIONS

A. General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:

1. If the property is subdivided, all required subdivision improvements in each plat of a subdivision shall be completed prior to issuance of more than 85% of the building permits for all lots in the plat.

2. Erosion and siltation control devices shall be installed prior to any clearing or grading and be maintained throughout the project until adequate vegetative growth insures no future erosion of the soil and work is accepted by the owner and controlling regulatory agency.

3. When clearing and/or grading operations are completed or will be suspended for more than 14 days, all necessary precautions shall be taken to retain soil materials on site. Protective measures may include a combination of seeding, periodic wetting, mulching, or other suitable means.

4. If cut and fill operations occur during a season not favorable for immediate establishment of permanent ground cover, unless alternate storm water detention and erosion control devices have been designed and established, a fast germinating annual, such as rye or sudan grasses, shall be utilized to retard erosion.

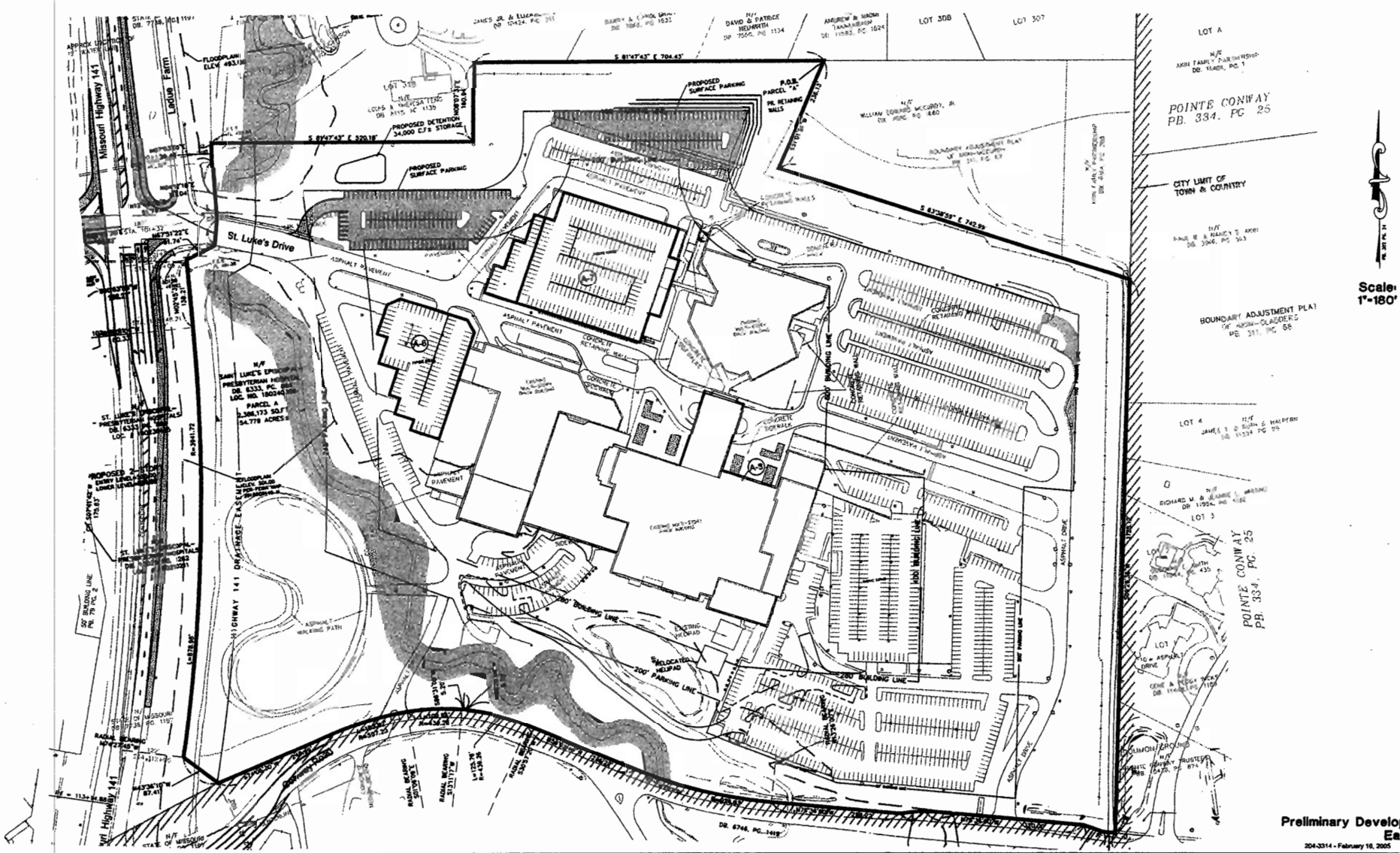
5. All lots shall be seeded and mulched or sodded before an occupancy permit shall be issued, except that a temporary occupancy permit may be issued in cases of undue hardship because of unfavorable ground conditions. Seed and mulch shall be applied at rates that meet or exceed the minimum requirements stated in the Sediment and Erosion Control Manual.

7. Soft soils in the bottom and banks of any existing or former pond sites or tributaries or any sediment basins or traps should be removed, spread out and permitted to dry sufficiently to be used as fill. This material shall not be placed in proposed public right-of-way locations or in any storm sewer location.

8. All fills placed under proposed storm and sanitary sewer lines and/or paved areas, including trench backfill within and off the road right-of-way, shall be compacted to 90% of maximum density as determined by the "Modified AASHTO T-180 Compaction Test" (ASTM D-1557) for the entire depth of the fill. Compacted granular backfill is required in all trench excavation within the street right-of-way and under all paved areas. All tests shall be performed concurrent with grading and backfilling operations under the direction of a geotechnical engineer who shall verify the test results.

## XIII. ENFORCEMENT

1. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Section Plans approved by the City of Chesterfield and the terms of this Attachment A.




**Parcel "A"**
**Preliminary Development Plan**
**East Campus**

204-3314 - February 16, 2005

St. Luke's HOSPITAL

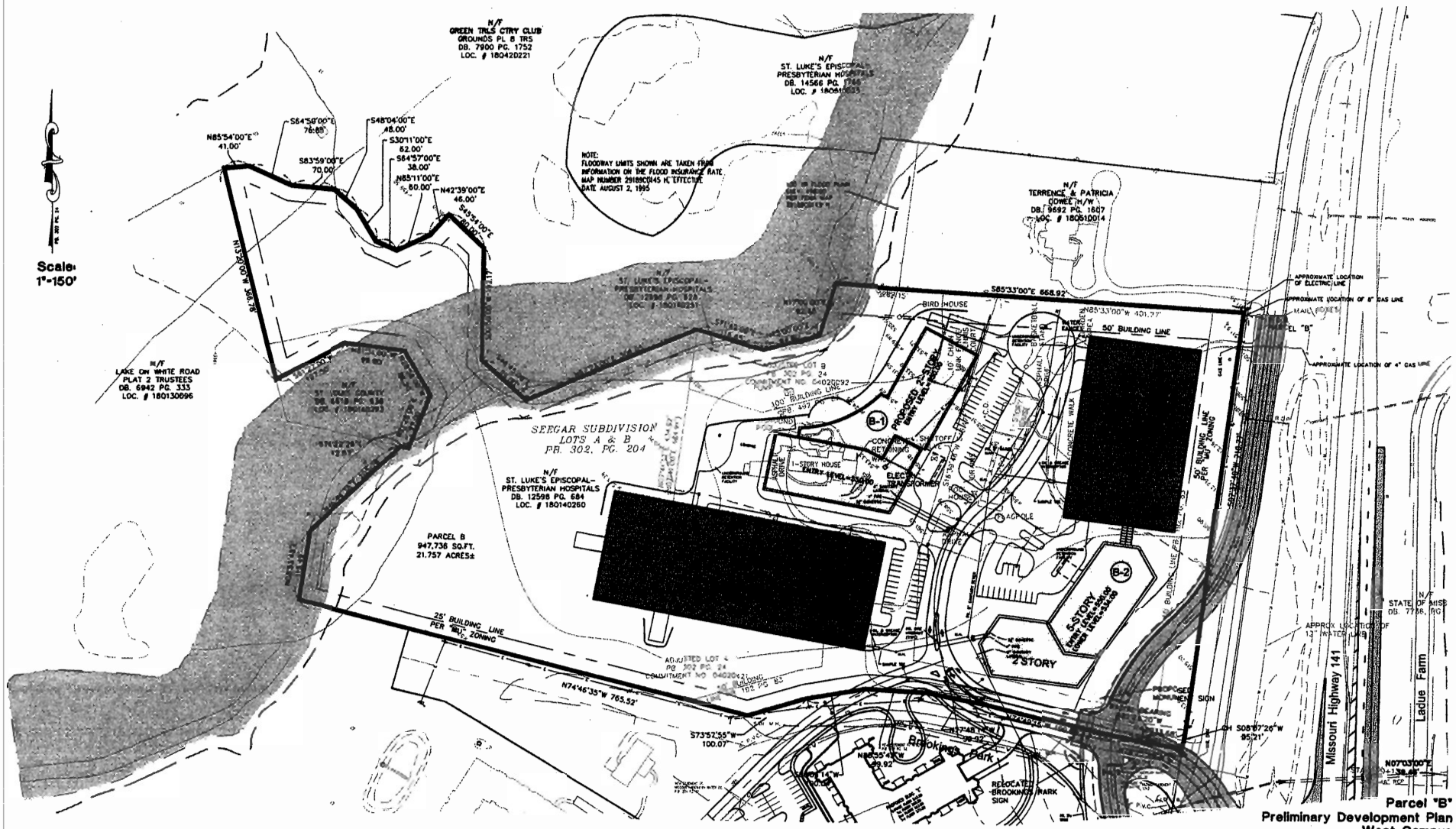
EXHIBIT A

tabbies

# ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITAL CAMPUS

CHESTERFIELD, MISSOURI

| | |
|---|---|
| OWNER'S REPRESENATIVE: | DOSTER, MICKES, JAMES, & ULLOM, LLC |
| HOSPITAL PLANNER: | TKH ARCHITECTS |
| ARCHITECT: | ACI/BOLAND, INC. |
| CIVIL ENGINEER: | STOCK & ASSOCIATES, INC. |
| LANDSCAPE ARCHITECT: | LOOMIS ASSOCIATES |




**Parcel "B"**
**Preliminary Development Plan**
**West Campus**

204-3314 - February 16, 2005

St. Luke's HOSPITAL

# ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITAL CAMPUS

CHESTERFIELD, MISSOURI

| | |
|---|---|
| OWNER'S REPRESENATIVE: | DOSTER, MICKES, JAMES, & ULLOM, LLC |
| HOSPITAL PLANNER: | TKH ARCHITECTS |
| ARCHITECT: | ACI/BOLAND, INC. |
| CIVIL ENGINEER: | STOCK & ASSOCIATES, INC. |
| LANDSCAPE ARCHITECT: | LOOMIS ASSOCIATES |

EXHIBIT B

tabbies

BILL NO. 2551 ORDINANCE NO. 2372

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY ESTABLISHING AN "MU" MEDICAL USE DISTRICT FOR FOUR (4) PARCELS OF LAND TOTALING 14 ACRES OWNED BY ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITALS LOCATED.25 MILES NORTH OF THE WOODS MILL AND CONWAY ROADS INTERSECTION. (P.Z. 9-2006 ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITALS/PARCEL D)**

**WHEREAS,** in the interest of facilitating the establishment of medical developments with ancillary commercial uses in locations appropriate under the terms and conditions set forth in the approved governing ordinance, and;

**WHEREAS,** such approved ordinances, plans and conditions shall be consistent with good planning practice, and comparable with permitted developments and uses in adjoining districts, so as to protect the general welfare; and,

**WHEREAS,** the petitioner, St. Luke's Episcopal Presbyterian Hospitals requested rezoning to "MU" Medical Use District for four (4) parcels located .25 miles north of the intersection of Woods Mill and Conway Roads; and,

**WHEREAS,** the Planning Commission held a Public Hearing on the matter on April 14, 2006; and,

**WHEREAS,** the Planning Commission having considered said request, recommended approval of the change of zoning to "MU" Medical Use District subject to the conditions set forth in the Attachment A by a vote of 8-0, and,

**WHEREAS,** the City Council, having also considered the request and the recommendations of the Planning Commission and Planning and Zoning Committee, voted to approve P.Z. 9-2006 St. Luke's Episcopal Presbyterian Hospitals.

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

**Section 1.** The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the "NU" Non-Urban District, "FPNU" Flood-Plain Non-Urban District and "R1" Residence District/FPR1" Flood-Plain Residence District to the "MU" Medical Use District four (4) parcels of land located.25 miles north of the intersection of Woods Mill and Conway Roads described as follows:

## PROPERTY DESCRIPTION

A tract of land being all of that property as acquired by St. Luke's Episcopal Presbyterian Hospital and recorded in Book 14566 Page 1766 and Book 16903 Page 1109 of the St. Louis County Records, and being located in part of U. S. Survey 109, Township 45 North, Range 4 and 5 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

BEGINNING at the intersection of the Northern line of Adjusted lot A of Seeger Subdivision Lots "A" & "B" a subdivision according to the plat thereof recorded in Plat Book 302, Page 24 of the St. Louis County, Missouri, records with the Western line of Woods Mill Road (100.00' wide) thence North 85 degrees 33 minutes 00 seconds West along the Northern line of above said Adjusted Lot A and Adjusted Lot B a distance of 668.92 feet to the centerline of Creve Coeur Creek; thence along the centerline of Creve Coeur Creek the following courses and distances: thence North 17 degrees 00 minutes 00 seconds East 222.67 feet; thence North 81 degrees 22 minutes 26 seconds West 73.24 feet; thence North 85 degrees 37 minutes 26 seconds West 125.00 feet to a non tangent curve to the left for which the radius point bears South 03 degrees 22 minutes 41 seconds West 100.00 feet; thence along said curve with a chord which bears South 54 degrees 07 minutes 56 seconds West 126.53 feet, an arc length of 136.99 feet to a point on a curve to the right for which the radius point bears North 72 degrees 04 minutes 19 seconds West 125.00 feet; thence along said curve with a chord which bears South 41 degrees 59 minutes 32 seconds West 101.94 feet, an arc length of 105.00 feet to a point on a curve to the right for which the radius point bears North 11 degrees 47 minutes 31 seconds East 200.00 feet; thence along said curve with a chord which bears North 50 degrees 59 minutes 36 seconds West 182.93 feet, an arc length of 189.99 feet to a point on a curve to the right for which the radius point bears North 89 degrees 47 minutes 03 seconds East 400.00 feet; thence along said curve with a chord which bears North 13 degrees 23 minutes 32 seconds East 188.22 feet, an arc length of 190.00 feet to a point on a curve to the right for which the radius point bears South 67 degrees 20 minutes 34 seconds East 125.00 feet; thence along said curve with a chord which bears North 42 degrees 49 minutes 28 seconds East 86.19 feet, an arc length of 88.00 feet to a point on a curve to the right for which the radius point bears South 08 degrees 06 minutes 39 seconds East 400.00 feet; thence along said curve with a chord which bears South 85 degrees 56 minutes 08 seconds East 168.72 feet, an arc length of 170.00 feet; thence South 78 degrees 57 minutes 26 seconds East 125.00 feet; thence North 78 degrees 37 minutes 34 seconds East 82.50 feet; thence South 84 degrees 07 minutes 26 seconds East 37.00 feet; thence North 76 degrees 37 minutes 34 seconds East 130.00 feet to a non tangent curve to the left for which the radius point bears North 30 degrees 36 minutes 32 seconds West 100.00 feet; thence along said curve with a chord which bears North 36 degrees 28 minutes 15 seconds East 77.89 feet an arc length of 80.01 feet; thence North 21 degrees 34 minutes 56 seconds East 74.43 feet; thence North 09 degrees 43 minutes 36 seconds East 106.30 feet; thence North 04 degrees 08 minutes 47 seconds West 85.59 feet to the Southern line of property conveyed to Richard A. and Charlotte C. Clark by instrument recorded in Deed Book 6308 page 1735 of above said records; thence South 83 degrees 25 minutes 35 seconds East along said southern line 632.83 feet to the Western line of above said Woods Mill Road and being on a non tangent curve to the left for which the radius point bears South 57 degrees 44 minutes 09 seconds East 985.37 feet; thence along said Western line the following courses and distances: thence along said curve with a chord which bears South 26 degrees 19 minutes 34 seconds West 203.88 feet, an arc length of 204.24 feet to a point of non tangency; thence South 23 degrees 45 minutes 32 seconds West 88.38 feet to a non tangent curve to the left for which the radius point bears South 68 degrees 40 minutes 08 seconds East 985.37 feet; thence along said curve with a chord which bears South 14 degrees 20 minutes 53 seconds West 239.60 feet, an arc length of 240.19 feet; thence South 07 degrees 21 minutes 54 seconds West 42.02 feet; thence North 83 degrees 04 minutes 27 seconds West 19.85 feet; thence South 07 degrees 37 minutes 43 seconds West 220.03 feet to the POINT OF BEGINNING, containing 611,232 square feet or 14.032 acres more or less according to the calculations performed by Stock and Associates Consulting Engineers, Inc. on January 16, 2006.

**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.

**Section 3.** The City Council pursuant to the petition filed by St. Luke's Episcopal Presbyterian Hospitals in P.Z. 9-2007, 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 April, 2006 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 18th day of June 2007

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

# 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. DEFINITIONS

1. The Permitted and Ancillary Uses for this development are as defined below:

   a. Permitted Land Uses:

      i. Educational Services to the Public related to Health Care—Services provided to the Public which provide education regarding health matters, with the objective of improving physical and emotional health status.

      ii. Health Services; including clinics of doctors and dentists—Health care services offered by appointment on an ambulatory basis. Services may include, but is not limited to, outpatient surgery, examination, diagnosis, and treatment of a variety of medical conditions on a non-emergency basis, and laboratory and other diagnostic testing as ordered by staff or outside physician referral.

      iii. Laboratories—Specialized facilities capable of providing a variety of procedures specific to clinical laboratory services to health provider organizations, which are available on a regular and convenient basis.

      iv. Medical Care Facilities—Facilities providing health care services, including, but not limited to, hospitals, medical centers, ambulatory clinics, physicians' offices, surgical centers, skilled nursing centers, long-term car centers, assisted living, residential care and treatment facilities, diagnostic centers, psychiatric care, medical imaging centers, reproductive health and fertility centers, physical rehabilitation, respiratory therapy, dentistry, hospice and home health services.

v. Research Facilities—Facilities where research is conducted in support of clinical care and the collection of research data for clinical research programs.

vi. Residential Care and Treatment Facilities—Facilities that provide custodial care and/or treatment services to persons who are not able to live independently. Residential facilities may include, but are not limited to, nursing homes, assisted living facilities, group homes or supported living arrangements.

vii. Schools for the Handicapped—Centers equipped and staffed to provide education, support and encouragement to handicapped individuals and their families.

a. Ancillary Uses:

i. Assisted Living—A senior residence assisted by congregate meals, housekeeping, and personal services for persons who have difficulties with one or more essentials of daily living, but for whom full-time professional medical care is unnecessary.

ii. Cafeterias for use by employees and guests of primary users—A restaurant in which employees and guests of primary users are served at a counter and carry their meals on trays to tables after paying.

iii. Day Care, including Adult Day Care—A facility providing care for five (5) or more children under the age of thirteen (13), for less than twenty-four (24) hours per day. Adult day care facilities are those that receive payment for the care of persons over eighteen (18) years of age for less than twenty-four (24) hours per day. The adult day care center shall provide a structured program of personalized care for adults who are not capable of full independent living as a result of physical disability, developmental disabilities, emotional impairment, or frailty resulting from advanced age.

iv. Duplicating, Mailing, Stenographic and Office Services—Services which provide reproduction of text, drawings, plans, maps, or other copy, by blueprinting, photocopying, mimeographing, reproducing shorthand or other methods of

duplication, and providing clerical or professional services.

v. Hospitality Houses—Facilities that provide lodging and other supportive services to patients and their families.

vi. Orthopedic Stores—A store where orthopedic support devices for physical impaired individuals are sold and additional services, such as proper measurement and fitting of devices, and education on the proper use/maintenance of said devices is provided.

vii. Parking Structures, Public or Private—

Parking area-An area of land used or intended for off-street parking facilities for motor vehicles (City of Chesterfield Zoning Ordinance)

Parking Space—A durably dust-proofed, properly graded for drainage, usable space, enclosed in a main building or in an accessory building, or unenclosed, reserved for the temporary storage of one vehicle, and connected to a street, alley, or other designated roadway by a surfaced aisle or driveway. Each such designated space shall comply with the dimensional requirements set forth in Section 1003.165, "Off-Street Parking and Loading Requirements." (City of Chesterfield Zoning Ordinance)

viii. Pharmacies—A facility where prescription drugs are dispensed or compounded under the supervision of a registered pharmacist.

ix. Schools and training facilities related to the Medical Professions, including but not limited to schools for nursing—Facilities which provide education and training, including but not limited to licensing and/or certifications, of individuals working in various areas of health care.

x. Social Services—Services or activities undertaken to advance the welfare of citizens in need. Such services or activities may include, but are not limited to:

a. Assistance and counseling to patients and their families dealing with social, emotional and environmental problems associated with illness or disability.

b. Outpatient social work services—the above provided in ambulatory settings.

c. Emergency department social work services the above provided in emergency department settings within a hospital/medical center facility.

xi. Substance Abuse Treatment Facility, Outpatient—Organized hospital/medical services that provide medical care and/or rehabilitative treatment services to outpatients for whom the primary diagnosis is alcoholism or other chemical dependency on an out-patient basis.

xii. Terminals for buses and other Public Mass Transit vehicles—A depot building or area specifically designated for the storage of transfer of persons or material, or temporary storage and service of operable vehicles used in the transport of persons, goods or materials.

**B. PERMITTED USES**

1. The uses allowed in this "MU" Medical Use District shall be:

   a: Educational services to the public related to health care;

   b. Health services; including clinics of doctors and dentists;

   c. Laboratories;

   d. Medical Care Facilities, Excluding Hospitals;

   e. Research Facilities;

   f. Residential care and treatment facilities;

   g. Schools for the handicapped;

2. The following ancillary uses shall be permitted:

a. Assisted Living;

b. Cafeterias for use by employees and guests of primary users;

c. Day Care, including adult day care;

d. Duplicating, mailing, stenographic and office services;

e. Hospitality houses;

f. Orthopedic stores;

g. Parking structures, public or private;

h. Pharmacies;

i. Restaurants, under 2,000 square feet in gross floor area without drive-thrus or drive-ins;

j. Schools and training facilities related to the Medical Professions, including but not limited to schools for nursing;

k. Social services;

l. Substance Abuse Treatment Facility, Outpatient;

m. Terminals for buses and other Public Mass Transit vehicles.

## C. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. FLOOR AREA

Total building floor area shall not exceed 385,000 square feet.

2. HEIGHT

a. The maximum height of the building, exclusive of roof screening, shall not exceed five stories.

b. The maximum height for the parking structure shall not exceed six levels.

3. BUILDING REQUIREMENTS

   a. A minimum of ~~70.3% greenspace~~ 69% openspace is required for this development.

   b. This development shall have a maximum F.A.R. of (.63).

**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. No development shall be permitted west of the creek as shown on the preliminary plan.

   b. Fifty (50) feet from the right-of-way of Old Woods Mill Road on the eastern boundary of this "MU" District.

   c. Twenty-five (25) feet from the northern or southern boundaries of the "MU" District.

   d. One hundred fifty-five (155) feet from the western boundary of the "MU" 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. No surface parking will be permitted.

   b. Fifty (50) feet from the right-of-way of Old Woods Mill Road on the eastern boundary of this "MU" District.

   c. Twenty-five (25) feet from the northern or southern boundaries of the "MU" District.

   d. One hundred fifty-five (155) feet from the western boundary of the "MU" 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. 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.

   c. No construction related parking shall be permitted within the South Woods Mill Road or Highway 141 rights-of-way.

3. Parking lots shall not be used as streets.

## E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.

## F. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, for sight distance considerations prior to installation or construction.

2. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

## G. LIGHT REQUIREMENTS

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

## 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. 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.

3. 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. An opportunity for recycling will be provided.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

## I. ACCESS/ACCESS MANAGEMENT

1. Access to South Woods Mill Road shall be limited to one main approach and one secondary approach that may only be utilized by emergency vehicles. The location of the drives shall be as directed by the Department of Public Works and the Missouri Department of Transportation.

2. No direct access to State Route 141 will be allowed from this parcel.

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

1. Provide any additional right-of-way and improve South Woods Mill Road along the entire frontage of the site to a 60 foot right-of-way and a thirty-nine (39) foot wide pavement including curb, and storm drainage facilities or equivalent section, as directed by the Department of Public Works. A ten (10) foot wide Roadway Maintenance and Utility Easements on the west side of South

Woods Mill Road will also be required as directed by the Department of Public Works.

2. The improvements to South Woods Mill Road shall be constructed within one year of issuance of any building permit for Parcel D as directed by the Department of Public Works. If, near the end of the improvement completion period, the South Woods Mill Road improvements have not been completed in accordance with the approved plans, the developer may request an extension to the improvement completion period. If, after review by the Department of Public Works, such longer period is deemed necessary to facilitate adequate and coordinated provisions for transportation, utility facilities, or other required improvements, the Director of Public Works may grant an extension so long as all guarantees are extended. The Director may require as a condition of the extension, completion of certain items, recalculation of deposit amounts or other reasonable conditions as he may deem necessary.

3. Should improvements to South Woods Mill Road be required prior to the connection of South Woods Mill Road to Ladue Road, as shown on the MoDOT master plan for improvements to the State Route 141 corridor, a temporary turn around at the terminus of South Woods Mill Road will need to be constructed as directed by the Department of Public Works.

4. Provide any additional right-of-way and construct any improvements to State Route 141 as required by the Missouri Department of Transportation.

5. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the west side of South Woods Mill Road along the entire length of the site as directed by the Department of Public Works

## K. TRAFFIC STUDY (if applicable)

1. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. In general, the study will update the existing traffic study for the overall St. Luke's Hospital development (Parcels A, B, C and D).The scope of the study shall include internal and external circulation and shall include 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 study shall also identify the thresholds of development at which intersection and roadway improvement will be required to be constructed. Said thresholds are to be reviewed and approved by the Department of Public Works.

2. The traffic study shall be submitted with the Site Development Concept Plan/Site Development Section Plan (whichever is the first to occur) and shall be updated as deemed necessary by the Department of Planning.

## M. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

## N. STORMWATER AND SANITARY SEWER

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 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.

3. The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in detention/retention facilities. All structures shall be set at least thirty (30) feet horizontally from the limits of the 100-year high water.

**O. 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.

**P. MISCELLANEOUS**

1. 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.

## 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, and the Missouri Department of Transportation.

### A. SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

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

1. Outboundary plat and legal description of the property.

2. Location of all roadways adjacent to the property and general location, size, and pavement widths of all interior roadways.

3. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.

4. Location and size of any commercial uses, types of uses proposed and general parking layout.

5. Zoning district lines and floodplain boundaries.

6. Density calculations.

7. Provide a conceptual landscape plan in accordance with the City of Chesterfield Code.

8. Provide a lighting plan in accordance with the City of Chesterfield Code.

## B. SITE DEVELOPMENT SECTION 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 one hundred fifty (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 one hundred fifty (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 one hundred fifty (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, and the Missouri Department of Transportation.

20. Compliance with Sky Exposure Plane.

## VII. 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.

## X. 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.