AN ORDINANCE AMENDING CITY OF CHESTERFIELD ORDINANCE 3255 TO ADD AN ADDITIONAL 16.679-ACRES OF LAND ZONED "C-8" PLANNED COMMERCIAL TO AN EXISTING 96.017-ACRES OF LAND ZONED "PC&R" PLANNED COMMERCIAL AND RESIDENTIAL DISTRICT LOCATED SOUTH OF INTERSTATE 64, WEST OF CLARKSON ROAD, AND EAST OF CHESTERFIELD PARKWAY.

**WHEREAS**, the petitioner, the City of Chesterfield, is requesting an ordinance amendment to add an additional 16.679-acres of land zoned "C-8" Planned Commercial to an existing 96.017-acres of land zoned "PC&R" Planned Commercial and Residential District; and,

**WHEREAS,** a Public Hearing was held before the Planning Commission on April 8th, 2024; and,

**WHEREAS**, the Planning Commission having considered said request, recommended approval of the ordinance amendment; and,

**WHEREAS,** the Planning and Public Works Committee, having considered the request, recommended approval of the ordinance amendment; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the ordinance amendment.

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

**Section 1.** City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a "PC&R" Planned Commercial and Residential District for 112.696 acres of land located south of Interstate 64, west of Clarkson Road, and east of Chesterfield Parkway and described as follows:

# AREA 1

Beginning at the southeastern corner of Lot C-108 of Chesterfield Village A Phase One Plat One, a subdivision according to the plat thereof as recorded in Plat Book 158, Page 96 of the St. Louis County records, said point also being located on the northern right-of-way line of West Chesterfield Parkway, variable width; thence along the eastern line of said lot C-108, North 02 degrees 24 minutes 55 seconds East, 153.50 feet to the northeastern corner thereof, thence along the northeastern lines of said Lot C108 and Lot 1 of the Chesterfield Village Area "A" Phase One Plat One Lots C109 and C208 Lot Consolidation Plat, a subdivision according to the plat thereof as recorded in Plat Book 367, Page 521 of above said records, the following courses and distances: North 52 degrees 55 minutes

05 seconds West, 837.00 feet; North 18 degrees 15 minutes 05 seconds West, 305.01 feet and North 64 degrees 14 minutes 40 seconds West, 41.67 feet to the beginning of a non-tangent curve to the left having a radius of 432.37 feet; thence along said curve with an arc length of 106.89 feet and a chord which bears South 60 degrees 42 minutes 07 seconds West, 106.62 feet to the beginning of a nontangent curve to the right having a radius of 338.26 feet an arc length of 254.23 feet and a chord which bears South 73 degrees 46 minutes 00 seconds West, 248.28 feet and North 84 degrees 40 minutes 43 seconds West, 14.47 feet to the eastern right-of-way line of West Chesterfield Parkway, 73 feet wide, said point also being located on a curve to the right having a radius of 763.50 feet; thence along said curve with an arc length of 75.03 feet and a chord which bears North 05 degrees 18 minutes 40 seconds East, 75.00 feet to the southwest corner of Lot C110 of Chesterfield Village Area A Phase 1 Plat 2 according to the plat thereof as recorded in Plat Book 166, Page 84 of above said records, thence along southern and eastern lines of said Chesterfield Village Area A Phase 1 Plat 2 the following courses and distances: South 84 degrees 40 minutes 43 seconds East, 14.48 feet to a non-tangent curve to the left having a radius of 262.50 feet, an arc length of 191.02 feet and a chord which bears North 74 degrees 28 minutes 28 seconds East, 186.83 feet; North 53 degrees 37 minutes 39 seconds East, 8.62 feet to the beginning of a non-tangent curve to the right having a radius of 507.82 feet, an arc length of 160.61 feet and a chord which bears North 62 degrees 41 minutes 17 seconds East, 159.94 feet; North 27 degrees 29 minutes 54 seconds East, 207.73 feet; North 14 degrees 25 minutes 19 seconds East, 758.46 feet and North 08 degrees 46 minutes 20 seconds East, 85.00 feet to the northmost corner of New Section B of the Resubdivision Plat of Lot C101F of Parcel C101F of Chesterfield Village Area A Phase 1 Plat One, Plat Book 334, Pages 65 and 65A; thence along the northern and eastern lines of said New Section B the following courses and distances: South 75 degrees 34 minutes 41 seconds East, 51.88 feet; South 12 degrees 26 minutes 49 seconds East, 123.89 feet and North 77 degrees 33 minutes 11 seconds East, 143.58 feet; thence departing the southern line of said New Section B the following courses and distances: South 12 degrees 23 minutes 25 seconds East, 245.62 feet; North 77 degrees 36 minutes 34 seconds East, 106.66 feet and North 12 degrees 26 minutes 49 seconds West, 5.73 feet to the northern line of above said New Section B; thence along said north line, North 77 degrees 33 minutes 11 seconds East, 451.32 feet and South 12 degrees 26 minutes 49 seconds East, 13.15 feet; thence departing the western line of said New Section B the following: North 77 degrees 33 minutes 11 seconds East, 422.43 feet to the beginning of a nontangential curve to the right having a radius of 500.16 feet; along said curve with an arc length of 62.49 feet and a chord which beard South 25 degrees 27 minutes 14 seconds East, 62.45 fee to its intersection with the north line of said New Section B; thence along said north line, North 77 degrees 33 minutes 11 seconds

East, 61.46 feet and to a point on a non-tangent curve to the left having a radius of 515.00 feet, said point also being located on the west line of Lot C 106 of above said Chesterfield Village A Phase One Plat One; thence along said curve with an arc length of 155.67 feet and a chord which bears North 32 degrees 57 minutes 40 seconds West, 155.08 feet to the western most corner of said Lot C 106; thence along the northwestern lines of said Lot C 106 the following: North 50 degrees 55 minutes 27 seconds East, 245.99 feet and North 32 degrees 52 minutes 18 seconds East, 32.53 feet to its intersection with the southern rightof way line of Chesterfield Airport Road, variable width; thence along said rightof-way line South 57 degrees 07 minutes 42 seconds East, 341.40 feet to the northwest corner of that part of Chesterfield Center vacated by City of Chesterfield Ordinance Number 511, and recorded in Book 8872, Page 2431 of above said records; thence along the north, east and south lines of said vacation the following courses and distances: continuing Southeasterly along said line, South 57 degrees 07 minutes 42 seconds East, 21.18 feet; South 42 degrees 52 minutes 34 seconds East, 8.16 feet to the beginning of a non-tangent curve to the right having a radius of 61.00 feet, an arc length of 31.10 feet and a chord which bears South 13 degrees 33 minutes 13 seconds West, 30.76 feet; South 28 degrees 09 minutes 48 seconds West, 126.11 feet to the beginning of a curve to the right having a radius of 495.58 feet, an arc length of 17.10 feet and a chord which bears South 29 degrees 9 minutes 7 seconds West 17.10 feet; South 30 degrees 07 minutes 59 seconds West, 34.42 feet and North 69 degrees 47 minutes 38 seconds West, 19.46 feet to the eastern most corner of above said Lot C 106; thence along the southern line of said Lot C 106, South 77 degrees 7 minutes 6 seconds West, 290.42 feet; to the east line of New Section A of Lot C101F of above said Resubdivision Plat of Lot C101F of Parcel C101F of Chesterfield Village Area A Phase 1 Plat One; thence along said east lines of said New Section A the following courses and distances: South 12 degrees 26 minutes 49 seconds East, 451.59 feet; South 56 degrees 32 minutes 18 seconds East, 43.09 feet top the beginning of a non-tangent curve to the right having a radius of 473.00 feet, and along said curve with an arc length of 151.21 feet and a chord which bears South 89 degrees 38 minutes 16 seconds East, 150.56 feet; thence crossing Chesterfield Center Drive; South 12 degrees 32 minutes 53 seconds West, 100.14 feet to the north line of Lot C 102 of above said Chesterfield Village A Phase One Plat One, said point also being located on a non-tangent curve to the right having a radius of 373.00 feet; thence along said north line and last said curve with an arc length of 137.75 feet and a chord which bears South 70 degrees 43 minutes 56 seconds East, 136.97 feet; thence South 11 degrees 41 minutes 44 seconds East, 41.56 feet to the western right-of-way line of Clarkson Road, variable width thence along said right-of-way line the following courses and distances: South 34 degrees 27 minutes 25 seconds West, 386.00 feet; South 23 degrees 33 minutes 07 seconds West, 181.60 feet; South 31 degrees 8 minutes 12 seconds West, 828.33 feet and South 85 degrees 41 minutes 13 seconds West, 26.89 feet to the northern right-of-way line of above said West Chesterfield Parkway, said point also being located on a curve to the left having a radius of 1,060.17 feet; thence along said right-of-way line the following courses and distances: along said curve with an arc length of 334.12 feet and a chord which bears North 73 degrees 49 minutes 52 seconds West, 332.74 feet; North 82 degrees 51 minutes 36 seconds West, 126.21 feet; North 82 degrees 52 minutes 12 seconds West, 37.73 feet and South 86 degrees 45 minutes 4 seconds West, 35.95 feet to the POINT OF BEGINNING. Containing 2,902,238 square feet or 66.626 acres, more or less.

# AREA 2

A tract of land being Lot C101D of the Chesterfield Village A Phase One Plat One, a subdivision according to the plat thereof as recorded in Plat Book 158, Page 96 of the St. Louis County records, located in U.S. Surveys 415 and 2002, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at the northernmost corner of above said Lot C101D, said point also being located on the southern right-of-way line of Chesterfield Airport Road, variable width, said point also being located on a curve to the left having a radius of 2,914.93 feet; thence along said right-of-way line the following courses and distances: southeasterly along said curve with an arc length of 477.12 feet and a chord which bears South 40 degrees 27 minutes 57 seconds East, 476.59 feet; South 44 degrees 50 minutes 42 seconds West, 10.00 feet; to the beginning of a curve to the left having a radius of 2,924.93 feet an arc length of 231.79 feet and a chord which bears South 47 degrees 25 minutes 30 seconds East, 231.70 feet to the southeast corner of above said Lot C101D; thence along the southeastern line of said Lot C101D, South 40 degrees 18 minutes 17 seconds West, 194.14 feet to the west line of said Lot C101D; thence along said west line the following courses and distances: North 42 degrees 53 minutes 57 seconds West, a distance of 124.85 feet; South 47 degrees 06 minutes 03 seconds West, 5.00 feet; to the beginning of a non-tangent curve to the left having a radius of 400.00 feet; along said curve with an arc length of 307.06 feet and a chord which bears North 64 degrees 53 minutes 28 seconds West, 299.58 feet to the southwest corner of said Lot C101D; thence along the western lines of said Lot C101D the following: North 12 degrees 26 minutes 49 seconds West, 397.78 feet and North 54 degrees 13 minutes 23 seconds East, 121.24 feet to the POINT OF BEGINNING. Containing 152,812 square feet or 3.508 acres, more or less.

# AREA 3

Tracts of land being Lots C110, C111, C112, and C113 of Chesterfield Village Area A Phase One Plat Two as recorded in Plat Book 166, Page 84; and Part of

Us. Survey 415, as described in Book 10308, Page 1461 both of the St. Louis County Records, located in U.S. Surveys 415 and 2022, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at the southwestern corner of above said Lot C110, said point also being located on the eastern right-of-way line of West Chesterfield Parkway, 73 feet wide, Said point also being located on a non-tangent curve to the right having a radius of 763.50 feet, thence along said right-of-way line the following courses and distances: along said curve with an arc length of 45.90 feet and a chord which bears North 10 degrees 04 minutes 33 seconds East, 45.90 feet; North 11 degrees 34 minutes 17 seconds East, 735.22 feet to the beginning of a curve to the left having a radius of 3,036.50 feet; along said curve with an arc length of 79.87 feet and a chord which bears North 10 degrees 49 minutes 04 seconds East 79.87 feet; North 10 degrees 03 minutes 51 seconds East, 1,599.81 feet to the beginning of a non-tangent curve to the right having a radius of 1,113.50 feet and a chord which bears North 17 degrees 03 minutes 36 seconds East, 269.98 feet and North 71 degrees 18 minutes 34 seconds East, 135.85 feet to its intersection with the southern right-of-way line of Chesterfield Airport Road, variable width; thence along said right-of-way line the following: South 69 degrees 05 minutes 13 seconds East, 32.21 feet and South 59 degrees 27 minutes 09 seconds East, 11.64 feet to the northwest corner of a tract of land as conveyed to First Baptist Church, by instrument recorded in Book 5232, Page 199 of above said records, thence along the west, south and eastern lines of said Church tract the following courses and distances: South 34 degrees 10 minutes 41 seconds West, 180.51 feet; South 55 degrees 53 minutes 58 seconds East, 137.63 feet; North 34 degrees 59 minutes 13 seconds East, 43.04 feet; North 15 degrees 05 minutes 30 seconds East, 47.83 feet and North 27 degrees 03 minutes 38 seconds East, 17.67 feet and North 35 degrees 05 minutes 17 seconds East, 82.29 feet to the southern right-of-way line of above said Chesterfield Airport Road; thence along said right-of-way line the following: South 59 degrees 27 minutes 09 seconds East, 84.03 feet and South 33 degrees 54 minutes 11 seconds East, 408.23 feet to the easternmost corner of above said Lot C111; thence along the eastern and southern lines of said Chesterfield Village Area A Phase One Plat Two the following courses and distances: South 02 degrees 31 minutes 25 seconds West, 74.82 feet; South 28 degrees 18 minutes 26 seconds West, 85.00 feet; South 60 degrees 52 minutes 24 seconds West, 334.47 feet; South 08 degrees 46 minutes 20 seconds West, 912.12 feet; South 14 degrees 25 minutes 19 seconds West, a distance of 758.46 feet; South 27 degrees 29 minutes 54 seconds West, 207.73 feet to the beginning of a nontangent curve to the left having a radius of 507.82 feet; along said curve with an arc length of 160.61 feet and a chord which bears South 62 degrees 41 minutes 17 seconds West, 159.94 feet; South 53 degrees 37 minutes 39 seconds West, a distance of 8.62 feet to the beginning of a non-tangent curve to the right having a radius of 262.50 feet; along said curve with an arc length of 191.02 feet and a chord which bears South 74 degrees 28 minutes 28 seconds West, 186.83 feet and North 84 degrees 40 minutes 43 seconds West, 14.47 feet to the POINT OF BEGINNING. Containing 1,127,465 square feet or 25.883 acres more or less.

# AREA 4

A tract of land being Lot C101C of the Chesterfield Village A Phase One Plat One, a subdivision according to the plat thereof as recorded in Plat Book 158, Page 96 of the St. Louis County records, located in U.S. Surveys 415 and 2002, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at the northernmost corner of above said Lot C101C, said point also being located on the southern right-of-way line of Chesterfield Airport Road, variable width,; thence along said right-of-way line the following courses and distances: South 33 degrees 55 minutes 06 seconds East, 82.93 feet to the beginning of a non-tangent curve to the left having a radius of 2,914.93 feet; along said curve with an arc length of 12.29 and a chord which bears South 34 degrees 02 minutes 13 seconds East, 12.29 feet; South 55 degrees 50 minutes 01 second West, 15.03 feet to the beginning of a curve to the left having a radius of 2,929.93 feet; along said curve with an arc length of 20.37 feet and a chord which bears South 34 degrees 40 minutes 47 seconds East, 20.37 feet; North 55 degrees 44 minutes 16 seconds East, 14.92 feet to the beginning of a nontangent curve to the left having a radius of 2,914.93 feet; along said curve with an arc length of 62.02 feet and a chord which bears South 35 degrees 10 minutes 01 seconds East, 62.02 feet to the northernmost corner of Lot C101D of above said Chesterfield Village A Phase One Plat One; thence along the western line of said Lot C101D the following courses and distances: South 54 degrees 13 minutes 23 seconds West, 121.24 feet; South 12 degrees 26 minutes 49 seconds East, 397.78 feet to the beginning of a non-tangent curve to the right having a radius of 400.00 feet; along said curve with an arc length of 307.06 feet and a chord which bears South 64 degrees 53 minutes 28 seconds East, 299.58 feet; North 47 degrees 06 minutes 03 seconds East, 5.00 feet; South 42 degrees 53 minutes 57 seconds East, 124.85 feet to the northwest corner of Lot C107 of the Boundary Adjustment Plat of plat of Lots C106 & C107 of Chesterfield Village A Phase One Plat One. as recorded in Plat Book 225, Page 39 of above said records; thence along the west lines of said Lot C107 and C106, the following: South 42 degrees 50 minutes 52 seconds East, 411.70 feet to the beginning of a nontangent curve to the right having a radius of 515.00 feet; along said curve with an arc length of 168.39 feet and a chord which bears South 33 degrees 40 minutes 07 seconds East, 167.64 feet to the south line of said Lot C101C,; thence along said south line, South 77 degrees 33 minutes 11 seconds West, 61.46 fee

a non-tangent curve to the left having a radius of 500.16 feet; then departing said south line along last said curve with an arc length of 62.49 feet and a chord which bears North 25 degrees 27 minutes 14 seconds West, 62.45 feet; thence South 77 degrees 33 minutes 11 seconds West, 422.43 feet to the east line of said Lot C101C; thence along the east and south lines of said Lot C101C, the following: North 12 degrees 26 minutes 49 seconds West, 13.15 feet and South 77 degrees 33 minutes 11 seconds West, 451.32 feet; thence departing said south line the following courses and distances: South 12 degrees 26 minutes 49 seconds East, 5.73 feet; South 77 degrees 36 minutes 34 seconds West, 106.66 feet and North 12 degrees 23 minutes 25 seconds West, a distance of 245.62 feet to its intersection with the south line of said Lot C101C; thence along the southern and western lines of said Lot C101C the following: South 77 degrees 33 minutes 11 seconds West, 143.58 feet; North 12 degrees 26 minutes 49 seconds West, 123.89 feet and North 75 degrees 34 minutes 41 seconds West, 51.88 feet to the west line of said Lot C101C; thence along said west line, North 08 degrees 46 minutes 20 seconds East, 177.14 feet to the south line of Lot C101E of Chesterfield Village A Phase One Plat One; thence along the northern and eastern lines of said Lot C101E the following courses and distances: North 36 degrees 46 minutes 20 seconds East, 137.91 feet to the beginning of a nontangent curve to the right having a radius of 400.00 feet; along said curve with an arc length of 284.70 feet and a chord which bears North 57 degrees 09 minutes 42 seconds East, 278.73 feet; North 77 degrees 33 minutes 11 seconds East, 134.34 feet; North 12 degrees 26 minutes 49 seconds West, 419.05 feet and North 28 degrees 18 minutes 26 seconds East, 233.25 feet to the POINT OF BEGINNING. Containing 726,544 square feet or 16.679 acres, more or less.

**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations.

Section 3. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 03-2024 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 a public hearing, held by the Planning Commission on the 8th day of April, 2024, 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 8 of the Unified Development Code of the City of Chesterfield.

its passage and approval.	in full force and effect from and after
Passed and approved this 3rd da	y of <u>June</u> , 2024.
Bob Partion	Bob Action
PRESIDING OFFICER	Bob Nation, MAYOR
ATTEST:	
Vickie Mc Lound	FIRST READING HELD: 5/6/2024
Vickie McGownd, CITY CLERK	

P.Z. 03-2024 Chesterfield Village Mall Planning Commission 4/08/2024 Planning & Public Works Committee 4/18/2024 City Council 1st Reading 5/6/2024

# ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein or to be addressed in the Site Development Concept Plan and/or the Site Development Section Plans.

This ordinance provides a framework for various development requirements established in this ordinance, criteria to be established on the Site Development Concept Plan, and criteria to be established on Site Development Section Plans. This framework is to deliver a "Downtown Concept": a diverse residential and commercial mixed-use environment in which residential and commercial uses that are integrated.

# I. SPECIFIC CRITERIA FOR ALL DEVELOPMENT

Residential and commercial uses may be combined in the same building, combined on the same lot in separate buildings or on separate lots within the development (when each use is permitted on the lot and is consistent with the ordinance and the approved Site Development Concept Plan / Site Development Plan).

# A. PERMITTED USES

- The uses allowed in this PC&R District ("District") shall be:
  - Administrative offices for educational or religious institutions
  - b. Church and other places of worship
  - c. Community center
  - d. Library
  - e. Parks
  - f. Dwelling, multi-family
  - g. Single Family Attached
  - h. Single Family Detached
  - i. Home Occupation
  - j. Art Gallery
  - k. Art Studio
  - Auditorium

**Banquet Facility** m. Club n. Farmer's market 0. Gymnasium p. Museum q. r. Reading Room Recreation Facility S. Office-dental t. Office-general u. Office-medical V. Automobile Dealership (Storefront Only) W. Bakery Χ. Bar у. Z. **Bowling Center** aa. Brewery Brewpub bb. Coffee shop CC. Grocery-community dd. Grocery-neighborhood ee. ff. Grocery-supercenter Newspaper stands. gg. Restaurant-sit down hh. Restaurant-fast food - No Drive Thru ii.

jj.

kk.

Restaurant-takeout

Retail sales establishment – Neighborhood

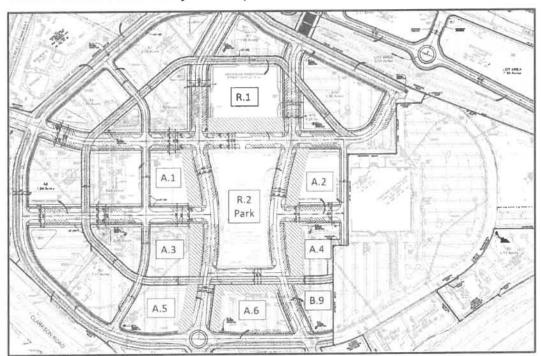
- II. Retail sales establishment Community
- mm. Retail sales establishment Regional
- nn. Animal grooming service
- oo. Barber or beauty shop
- pp. Broadcasting studio
- qq. Commercial service facility
- rr. Day care center
- ss. Drug store and pharmacy
- tt. Dry cleaning establishment
- uu. Financial institution, no drive-thru
- vv. Hospital
- ww. Hotel and motel
- xx. Hotel and motel-extended stay
- yy. Kennel, boarding
- zz. Kennel, private
- aaa. Laboratory-professional, scientific
- bbb. Laboratory
- ccc. Laundromat
- ddd. Nursing home
- eee. Parking area (stand-alone), including garages for automobiles. Not including sales or storage of damaged vehicles for more than 72 hours.
- fff. Professional and technical service facility
- ggg. Research laboratory and facility
- hhh. Theatre, indoor
- iii. Theatre, outdoor
- iji. Veterinary clinic

kkk. College/university

III. Kindergarten or nursery school

mmm. Specialized private school.

- 2. The District shall prioritize the following:
  - a. Ground floor development shall be a mix of pedestrian-oriented commercial/retail in the following locations: on the portion of the parcels that face the primary streets that flank Park Area R2 (parcels A1, A2, A3, A4, A6 and R1) and on the portion of the parcels that face the roundabout and primary street coming off Clarkson Road (parcels A5 and A6) and the corner of the parcel at the primary street and pedestrian walkway (parcel B9) as shown on the Preliminary Development Plan.

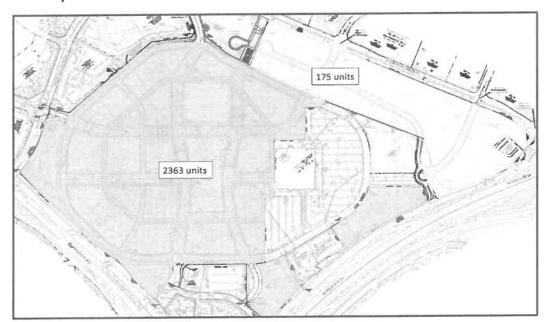


- b. Developer shall prioritize build-to-line, excluding sidewalks, in lieu of prescribed setbacks on the portion of the primary streets that flank Park Area R2 shown on the Preliminary Development Site Plan.
- c. Parcels B1, B2, and B8 as shown on the Preliminary Development Plan shall only be used for commercial uses as defined in Section 405.03.040 J, PC & R Planned Commercial & Residential District of the UDC and as permitted in this Attachment.
- d. Area 4, as shown on the Preliminary Development Plan, shall only be used for commercial uses as permitted in this Attachment.

- 3. Hours of Operation.
  - a. Hours of operation for this "PC&R" District shall not be restricted.
- 4. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

# B. DENSITY, HEIGHT, SET BACKS AND OPEN SPACE REQUIREMENTS

- Density Limitations
  - a. The cumulative gross floor area for Commercial Uses in this District for Areas 1, 2, and 3 shall be limited to not more than a Floor Area Ratio (F.A.R.) = .75 Floor Area Ratio (F.A.R.) shall be Calculated by Total Gross Floor Area of all buildings divided by the Gross Area of land within the "PC&R" District. F.A.R. shall not be calculated on a lot-by-lot basis.
  - b. The maximum number of residential units allowable within Areas 1, 2, and 3 of this District shall not be more than 2363 units cumulatively on Parcels A1-A10, B1, B2, B8, B9, R1, R3, R4 and H-1 on the Preliminary Development Plan and 175 units on Parcels 3A and 3B on the Preliminary Development Plan.



- c. The maximum number of rooms for hotels and lodging in Areas 1, 2, and 3 shall be 300 rooms; the maximum number of square feet for hotels and lodging shall be 350,000 square feet.
- d. Area 4 shall be permitted a maximum of 280,000 square feet of non-residential uses.

e. Developer shall provide a distribution of density by area on the Site Development Concept Plan. The Site Development Concept Plan shall be amended when allocation of density changes.

# 2. Height Requirements

Total building height for any permitted use shall not exceed 200 feet or 15 stories whichever is more as measured from street elevation.

# Setbacks

No setbacks are prescribed herein and build-to-line is permitted. All other setbacks and/or build to lines shall be as approved on the Site Development Concept Plan or Site Development Section Plans.

# Open Space Requirements

Open space in Park Area R2 and Area 3A south of Chesterfield Parkway and Park Circle shall be provided on the Site Development Concept Plan and substantially conform to the Preliminary Development Site Plan. Where known, additional open spaces including pocket parks, plazas, natural areas and seating areas shall be depicted on the Site Development Concept Plan and/or Site Development Sections Plans. Proposed location(s) of public art may be depicted on the Site Development Concept Plan and/or Site Development Section Plans.

# C. BUILDING AND STRUCTURE FUNCTION

- 1. Ground floor of all buildings shall include pedestrian access to retail, restaurant, office, multi-family residential, or hotel use-when those uses are present.
- 2. Private parking access shall not be permitted along portions of the primary streets that flank Park Area R2. Private parking garage access is permitted from other primary streets locations and service alleys.
- Trash pickup, building receiving and loading, utility and service functions shall be located at the rear of buildings along the outer loop road and off service alleys.

# D. PARKING AND LOADING REQUIREMENTS

- Public parking garages and on-street parking satisfies parking requirements for all ground floor commercial (retail, restaurant, art galleries, entertainment, art or other pedestrian-oriented uses), as defined on the Site Development Concept Plan or Site Development Section Plans. All other uses shall provide parking in accordance with this ordinance.
- 2. Public parking in garages and on-street parking for the existing department store in Area R1 meets parking requirements for that use.

3. Parking shall be calculated for each use category as follows:

# Minimum Parking Required

Retail/Restaurant: 4.0 Parking Ratio / 1,000 G.F.A.

Grocery: 5.0 Parking Ratio / 1,000 G.F.A. Office: 3.0 Parking Ratio / 1,000 G.F.A. Residential: 1.5 Parking spaces per unit Hotel: 0.8 Parking spaces per room

- Off-street surface parking shall be allowed as shown on the Site Development Concept Plan but shall be minimized and designed to mitigate the visual impact on the development and be consistent with the purpose and intent of this PC&R District.
- Off-street parking located within Area 4 of the Preliminary Development Plan shall be permitted surface parking. In the event of new development or redevelopment within this Area, surface parking shall be subject to sub-section D.4 above.
- Joint parking to meet minimum parking standards may be permitted through approval of the Site Development Section Plan and shall require an appropriate legal instrument binding the owners of the properties and their successors and assigns to the agreement.
- 7. Parking lots shall not be used as streets.
- No construction related parking shall be permitted within rights of way or on any existing roadways. All construction related parking shall be confined to the District. Construction parking shall be depicted on all Improvement Plans for lots within the district.

# E. LANDSCAPING AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code and submit a Concept Landscape Plan with the Site Development Concept Plan. Landscaping shall enhance the pedestrian experience, compliment architectural features, provide shade and screen utility areas and surface parking. The developer shall provide for street furnishings such as benches, planters, bike racks, drinking fountains, pedestrian trash receptacles, public art and water features in the Site Development Concept Plan. Locations for street furnishings shall be detailed in the Site Development Concept Plan and Site Development Section Plans.

# F. SIGN REQUIREMENTS

 The development shall adhere the City's Sign Code and/or submit a Comprehensive Sign Package by Area as depicted in the Site Development Concept Plan and/or Site Development Section Plans. All individual signs including street and wayfaring signage in the public and private spaces shall be coordinated and consistent with the signage concept contained therein.

# G. LIGHTING REQUIREMENTS

 The development shall adhere to the City's Lighting Code and/or submit an Architectural Specialty Lighting Package. All lighting, in the public and private spaces, shall be coordinated and consistent with the lighting concept contained therein.

# H. ARCHITECTURAL REQUIREMENTS

- 1. The developer shall submit design standards for public spaces and street character in the Site Development Concept Plan and/or Site Development Section Plans. Site Development Concept and/or Section Plans shall contain design standards that create visually appealing development pattern consistent with the intent of the Downtown Concept. Section plans shall contain architectural elevations, colored renderings and building materials to be reviewed by the Architectural Review Board and subject to approval by the Planning Commission.
- Building facades should be articulated by using color, arrangement or change in materials to emphasize the façade elements. The planes of exterior walls may be varied in height, depth, or directions.
- 3. Trash enclosures: The location, material, and elevation of any trash enclosure will be approved on the Site Development Concept Plan or Site Development Section Plan. All exterior trash areas, except pedestrian trash receptables, will be enclosed with a six (6) foot high sight-proof enclosure with materials that match the adjacent structures and complemented by adequate landscaping as approved on the Master Landscape Package.
- 4. Mechanical equipment shall be adequately screened in accordance to the Architecture Review Design Standards.

# I. ACCESS/ACCESS MANAGEMENT

- Access to the development from external roadways shall be shown on the Site Development Concept Plan and as directed by the City of Chesterfield, the Missouri Department of Transportation and the St. Louis County Department of Transportation, as applicable.
- 2. Any improvements within Missouri Department of Transportation's right-of-way will require a permit. The entrance geometries and drainage design shall be in accordance with Missouri Department of Transportation standards.
- 3. No gated streets will be permitted.

Cross access shall be provided to adjoining properties as directed by the City of Chesterfield.

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

- Sidewalks shall substantially conform with the Preliminary Development Plan.
  ADA compliant sidewalks will be required along all roadways and connections
  to existing sidewalks of all roadways adjacent to the District shall be provided.
  The design and layout of the sidewalks and pedestrian ways shall be detailed
  in the Site Development Concept Plan and Site Development Section Plans.
- 2. Sidewalks and pedestrian trails/bicycle path shall provide future connectivity to adjacent developments and/or roadway projects. Sidewalks may be located within a right-of-way controlled by another agency if permitted by that agency, or on private property within an easement dedicated to the City for public use but to be maintained by the property owner.
- 3. Evaluate and provide pedestrian access and connectivity from the District to Central Park in the Site Development Concept Plan.
- 4. On-street parking shall substantially conform with the Preliminary Development Plan. On-street parking stalls shall be designed and located such that vehicles do not back out into an intersection. Corner clearance distance shall be not less than 30 feet between the edge of the parking stall and the intersection. The design and layout of the on-street parking shall be finalized on the Site Development Concept Plan.
- Obtain approvals from the City of Chesterfield, St. Louis County Department of Transportation, and the Missouri Department of Transportation as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
- Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation, St. Louis County Department of Transportation, and the City of Chesterfield.
- 7. Pedestrian crossing of roadways is required to be at a 90-degree angle in order to minimize the crossing distance for pedestrians.
- 8. Internal streets and sidewalks shall be private and remain private forever unless an alternate agreement is reached and executed between the City of Chesterfield and TSG Downtown Chesterfield Redevelopment LLC whereby the City accepts the internal streets and/or sidewalks as public. The City is under no obligation to enter into such an agreement.

# K. TRAFFIC STUDY

- 1. Provide a traffic study as directed by the City of Chesterfield and/or Missouri Department of Transportation and/or St. Louis County Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, an updated model shall be required.
- 2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrances, as directed. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield, St. Louis County Department of Transportation and/or the Missouri Department of Transportation as applicable.

# L. STORM WATER

- 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. Formal review, approval and permits by Metropolitan St. Louis Sewer District is required.
- Stormwater management shall comply with the Chesterfield Village Southwest Quadrant Storm Water Management Plan exhibit (MSD P-002807800) as directed by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

# M. SANITARY SEWER

- Provide public sewer service for the site including sanitary force mains, gravity lines and/or regional pump stations, in accordance with Metropolitan St. Louis Sewer District (MSD) and the City of Chesterfield regulations.
- 2. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
- 3. Extension of public sanitary sewer lines will be necessary to serve this site and proper easements may be required. Private sanitary sewer laterals may not cross property lines. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts to the existing systems.

- 4. The project is in the Caulks Creek Service Area and subject to the Caulks Creek Surcharge. Sanitary flow rates leaving the sites shall be limited to the maximum extent practical. The maximum allowable sanitary flow release rate is 1.98 CFS. The 1.98 CFS rate includes all phases of the development as well as any existing uses.
- 5. MSD will allow the entire site to connect to the public sanitary system as proposed after the completion of the Caulks B Pump Station Replacement project. MSD will allow a portion of the development to connect to the sanitary system prior to completion of the replacement pump station for Caulks B limited by based on the actual flows at the existing pump stations, its capacity, anticipated flows from the development.
- 6. Formal plan submittal and approval will be required by the MSD prior to the issuance of permits.

# N. POWER OF REVIEW

The City Council shall have automatic power of review of all Site Development Plans, Site Development Concept Plans, and Site Development Section Plans for the subject development. The City Council will then take appropriate action relative to the proposal.

# O. CITY COUNCIL REVIEW OF SITE DEVELOPMENT CONCEPT PLANS, SITE DEVELOPMENT PLANS AND SITE DEVELOPMENT SECTION PLANS

The City Council reserves full authority to deny any request for approval of a Site Development Concept Plan, Site Development Plan or Site Development Section Plan (each a "Development Plan"), or to impose conditions on their approval. The City Council shall not approve a Development Plan unless it finds that the application and evidence presented clearly indicate that the proposed Development Plan:

- Will contribute to and promote a diverse residential and commercial mixed-use environment in which residential and commercial uses are integrated pursuant to a downtown concept;
- Will contribute to and promote a creative and coordinated design and architectural styles;
- Will contribute to and promote efficient and effective pedestrian and vehicular circulation;
- Complies with the Unified Development Code (unless modified herein), the City's Comprehensive Plan, as amended from time to time, and the provisions of this Ordinance; and

5. Is consistent with the June 15, 2023 Narrative submitted by the Applicant, Attached hereto as Exhibit C.

In the property owner(s) discretion, a Site Development Concept Plan may be submitted for Area 1, 2, and 3 and a separate Site Development Concept Plan (or Site Development Plan) may be submitted for Area 4.

# P. GEOTECHNICAL REPORT

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

# Q. SUPPLEMENTATION, MODIFICATION, AND/OR ALTERATION

Upon application from a petitioner, any performance standard provided in this Attachment "A" or required by any other District regulation or Ordinance of the City may be supplemented, modified, or altered in the Site Development Concept Plan or Site Development Section Plan provided such supplement, modification and/or alteration will further the purpose and intent of the PC&R District. A public hearing is not required in the process and recommendation by the Planning Commission will be forwarded by the City Council for final approval.

# R. MISCELLANEOUS

- 1. All utilities shall be installed underground.
- 2. Prior to record plat approval, the developer shall cause, at its expense and prior to recording any plat, the reestablishment, restoration or appropriate witnessing of Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary US Survey Corners located on or near the development site must be protected and shall be restored if disturbed due to construction.
- 3. Prior to the release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and the United States Public Land Survey Corners have not been disturbed during construction activities or that have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.

- Any retaining wall along public right of way shall be private and remain private forever and shall be located such that it is not necessary to support any public improvements.
- 5. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- 6. Applicant/Owners of parcels submitting Site Development Section Plans shall be required to contribute a Traffic Generation Assessment (TGA) of the applicable as established by Ordinance 3207 or amendments thereafter to the City of Chesterfield. Allowable credits for required improvements will be awarded as directed by the City of Chesterfield.
- The TGA deposit shall be made prior to the issuance of a Municipal Zoning Approval (MZA) by the City of Chesterfield.
- 8. The developer is advised that utility companies will require compensation for relocation of their facilities with public road right of way. Utility relocation cost shall not be considered an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of the extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.
- 9. Kiosks are allowed in the District provide they do not impede pedestrian and vehicular traffic and meet ADA accessibility requirements. Kiosks can be an arrangement of mobile units, fixed units, or a mixture of both joined together to form a structure not to exceed 100 square feet. Uses within kiosks will be approved uses in this Attachment. A Special Activity Permit may be required as directed by the City of Chesterfield.

# II. GENERAL CRITERIA

# A. SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL

The Site Development Concept Plan shall include all items previously referenced in this Attachment, be consistent with Section O. of this ordinance, and:

 Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code and as required herein.

- 2. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Transportation, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
- Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.
- Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- Out boundary plat and legal description of property.
- A note indicating all utilities will be installed underground.
- Adhere to the Tree Preservation and Landscape requirements of the UDC and submit a Concept Landscape Plan.
- 8. Adhere to the Lighting requirements of the UDC and/or submit a Specialty Lighting package.
- Adhere to the Signage requirements of the UDC and/or submit a Comprehensive Sign Package.
- 10. Provide design standards for all public spaces and street character. The Architectural Review Board shall review all Site Development Concept Plans of the design of public spaces and street character and make recommendations for approval to the Planning Commission.
- 11. Where known, depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
- Specific structure, parking setbacks and build-to lines along all roadways and property lines.
- 13. Indicate location of all existing and proposed freestanding development monument signs.
- Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
- 15. Depict existing and proposed improvements within 150 feet of the site. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.

- 16. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 17. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 18. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
- 20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

# B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plans shall include all items previously referenced in this Attachment and:

- Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Parking calculation, including calculation for all spaces, required and proposed, and the number, size and location for handicap designed.
- For commercial development, provide square footage proposed.
- 4. For residential development provide the number of units proposed to be built.
- For hotel development provide the square footage and number of rooms proposed.
- 6. A note indicating all utilities will be installed underground.
- Address all signage in accordance with the City of Chesterfield Code and provided in the Site Development Concept Plan.
- Address landscaping in accordance with the Tree Preservation and Landscape requirements in the UDC and provided in the Site Development Concept Plan.
- Address all lighting in accordance with the Lighting requirements in the UDC and provided in the Site Development Concept Plan.

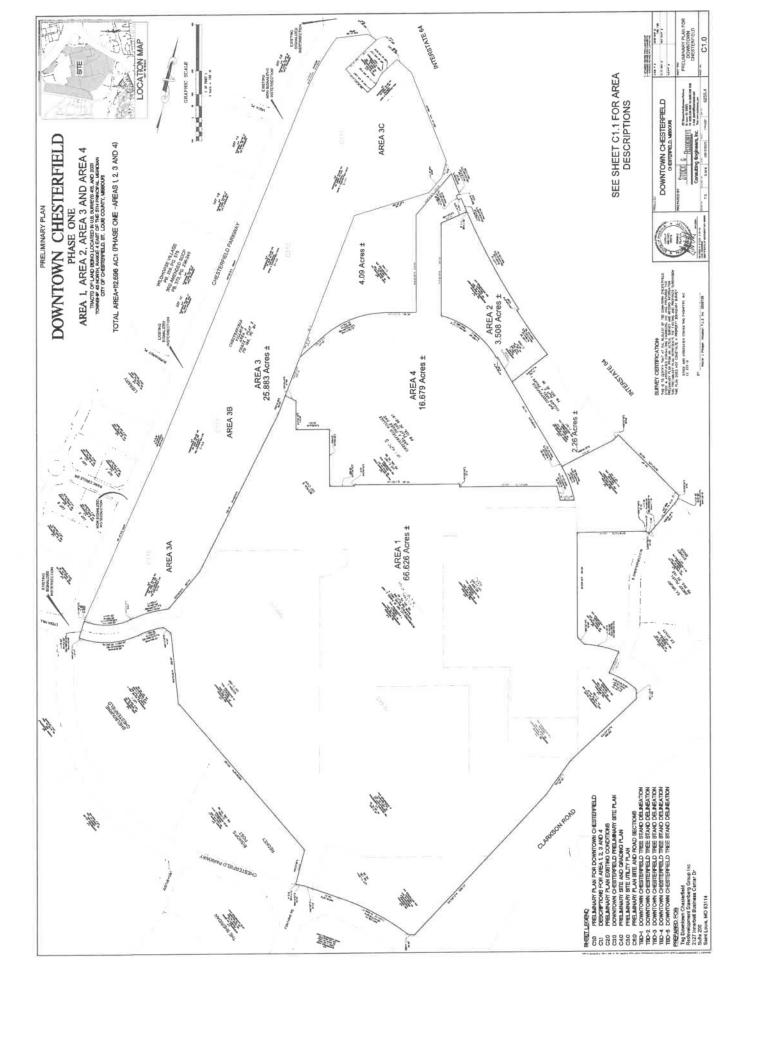
- 10. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
- 11. Specific structure, parking setbacks and build-to lines along all roadways and property lines.
- 12. Indicate location of all existing and proposed freestanding monument signs.
- 13. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
- 14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
- 15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 18. 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.
- Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Transportation, Metropolitan St. Louis Sewer District (MSD), and the Missouri Department of Transportation.
- Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

# III. 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 reapproval of a plan by the Planning Commission.

# IV. 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 interpreted to carry out the overall intent of this Attachment A.



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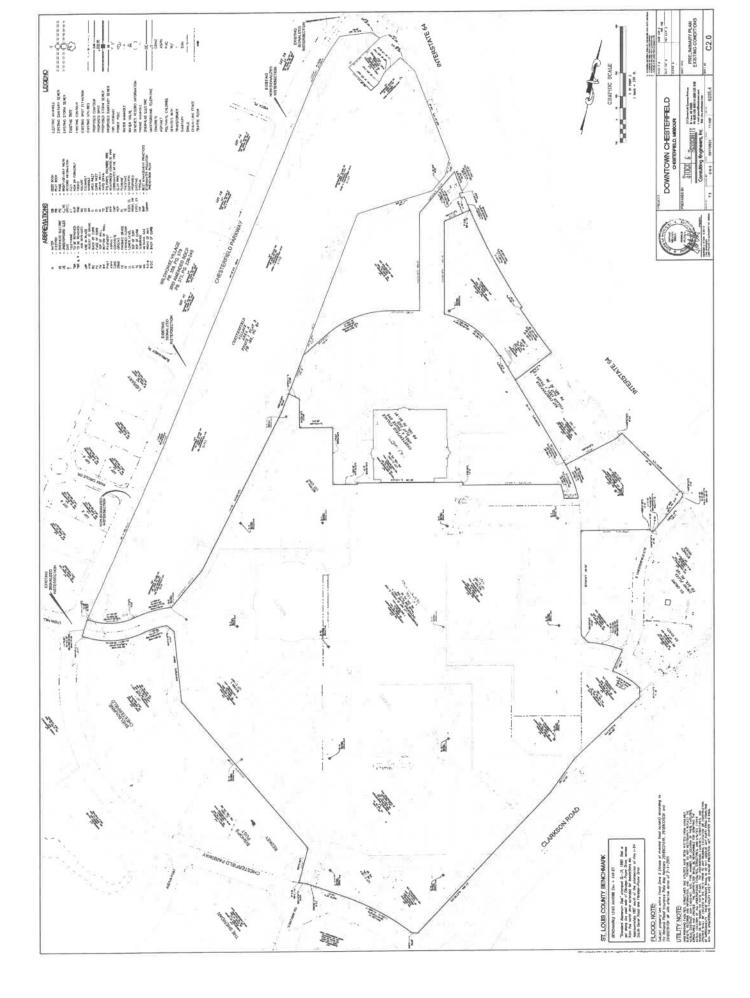
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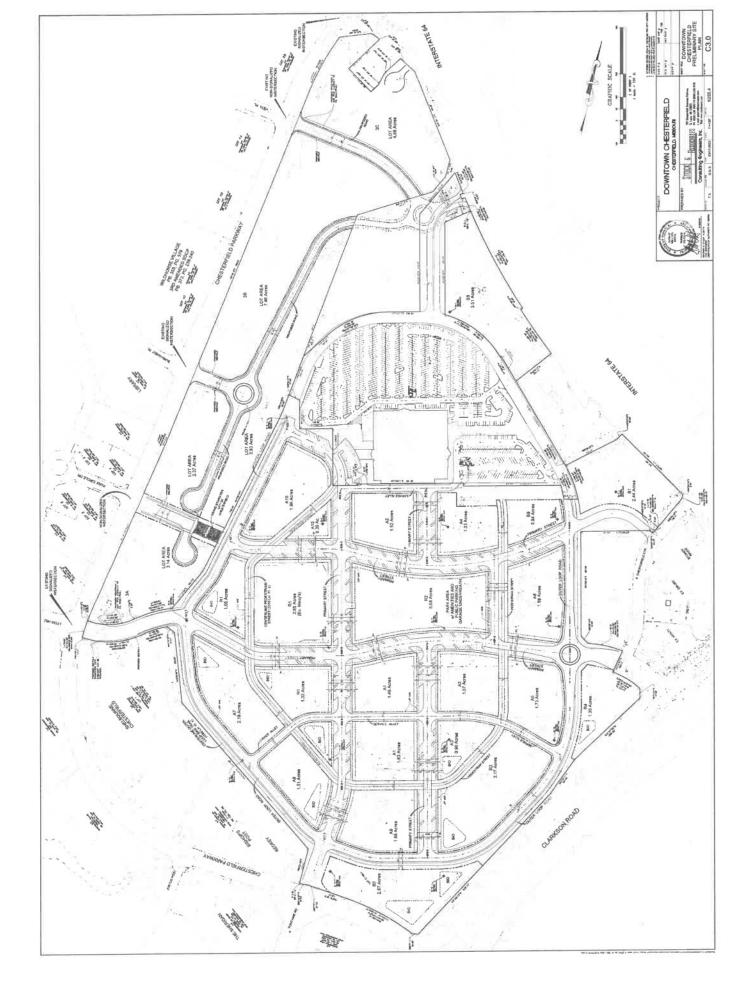
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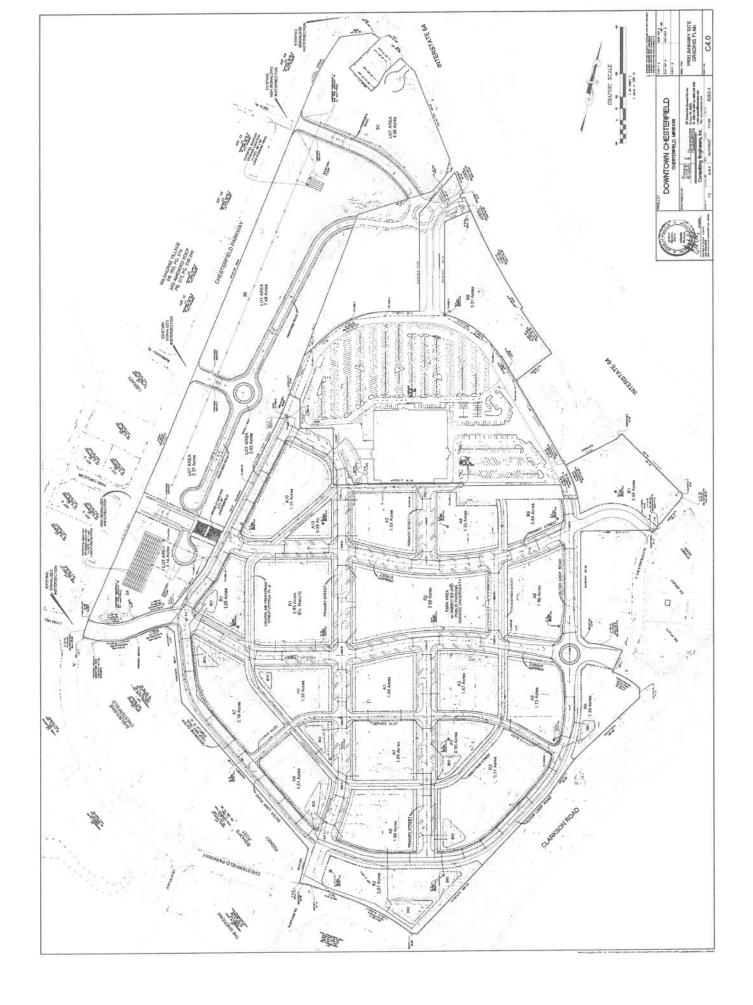


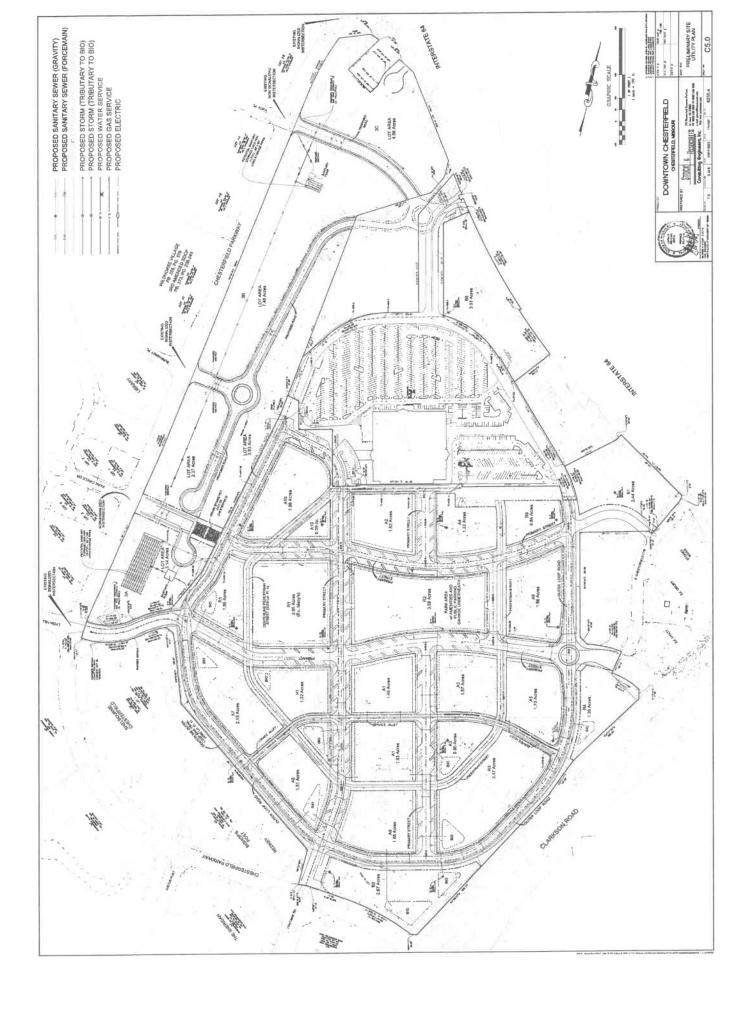
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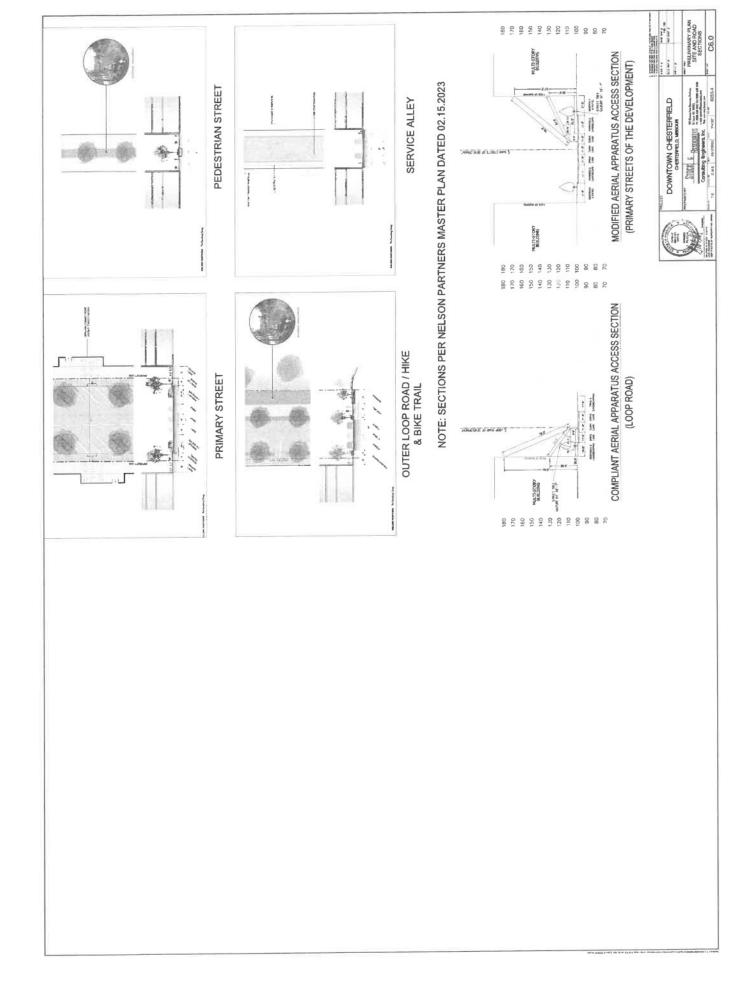
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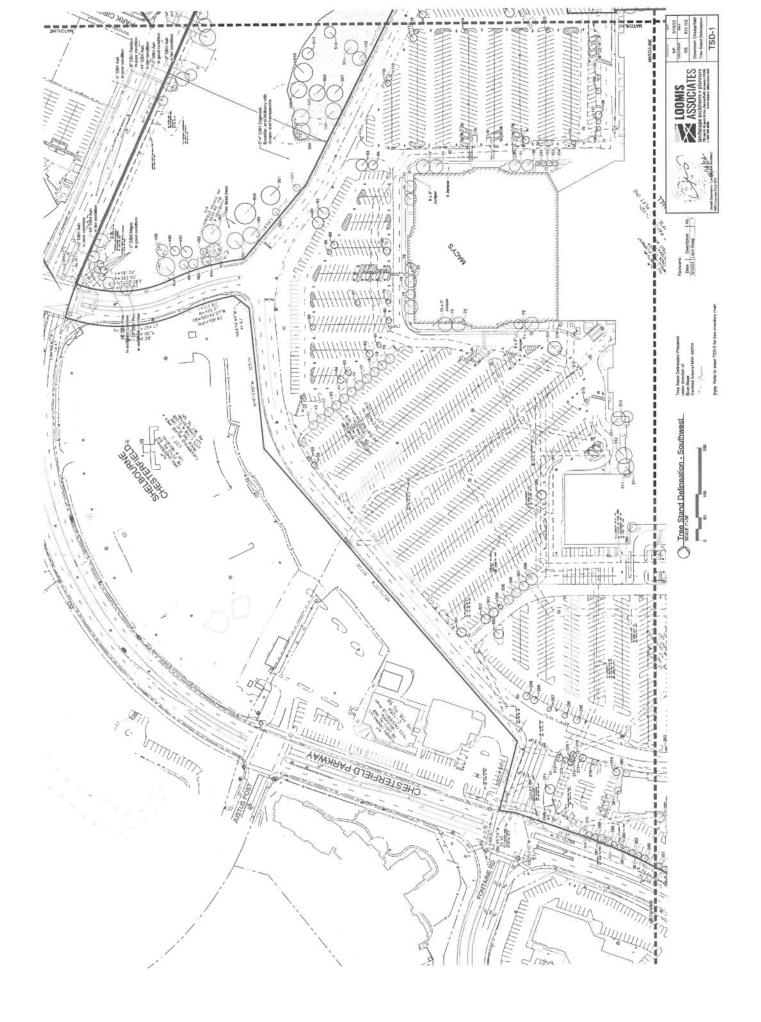


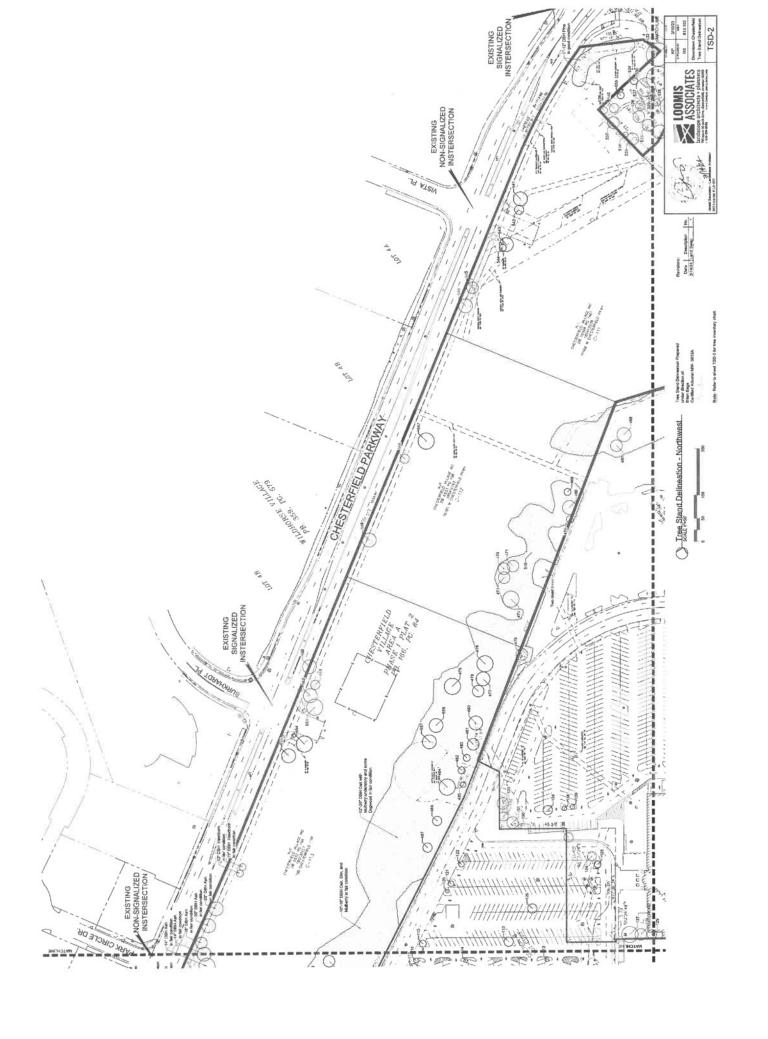


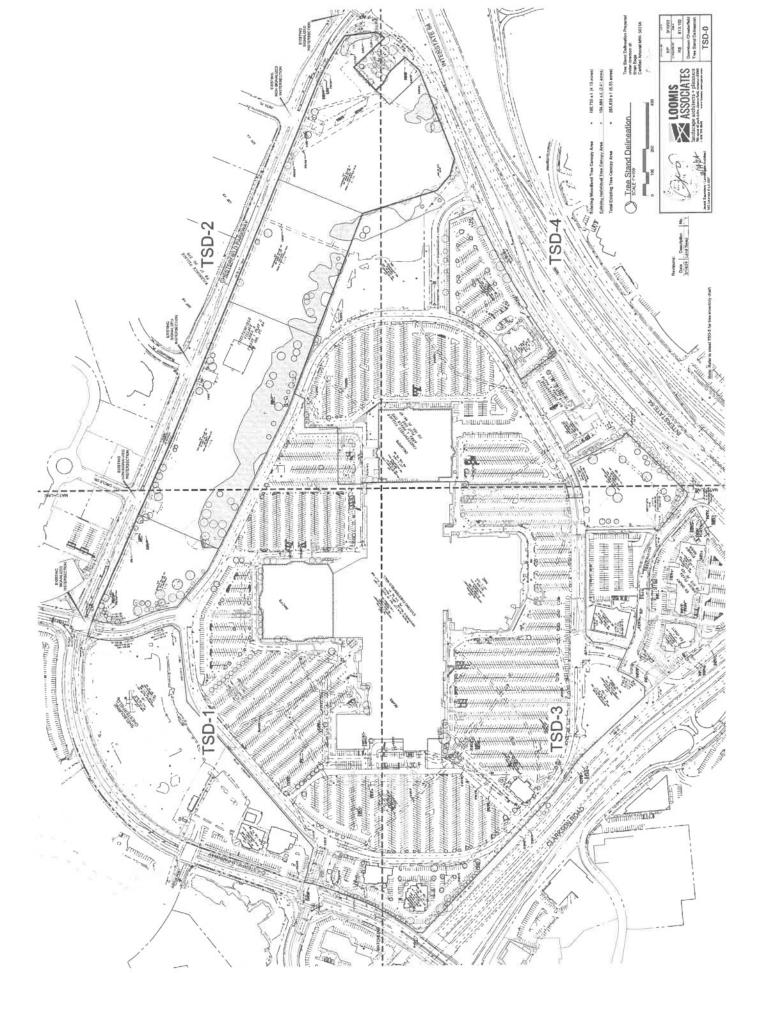


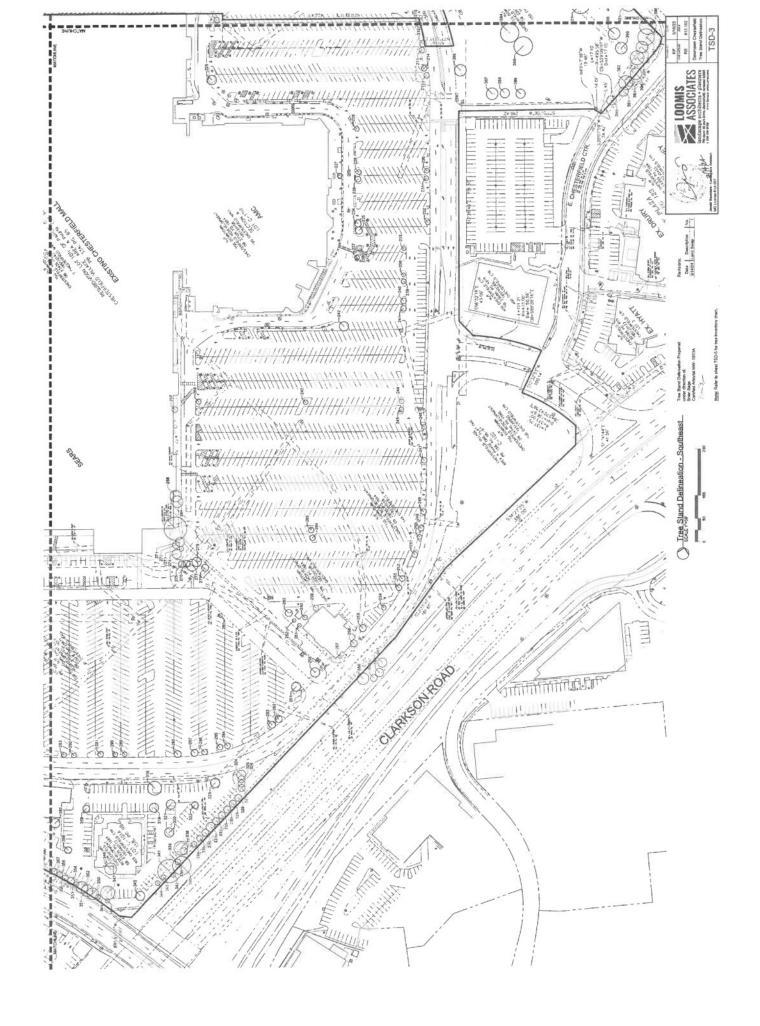


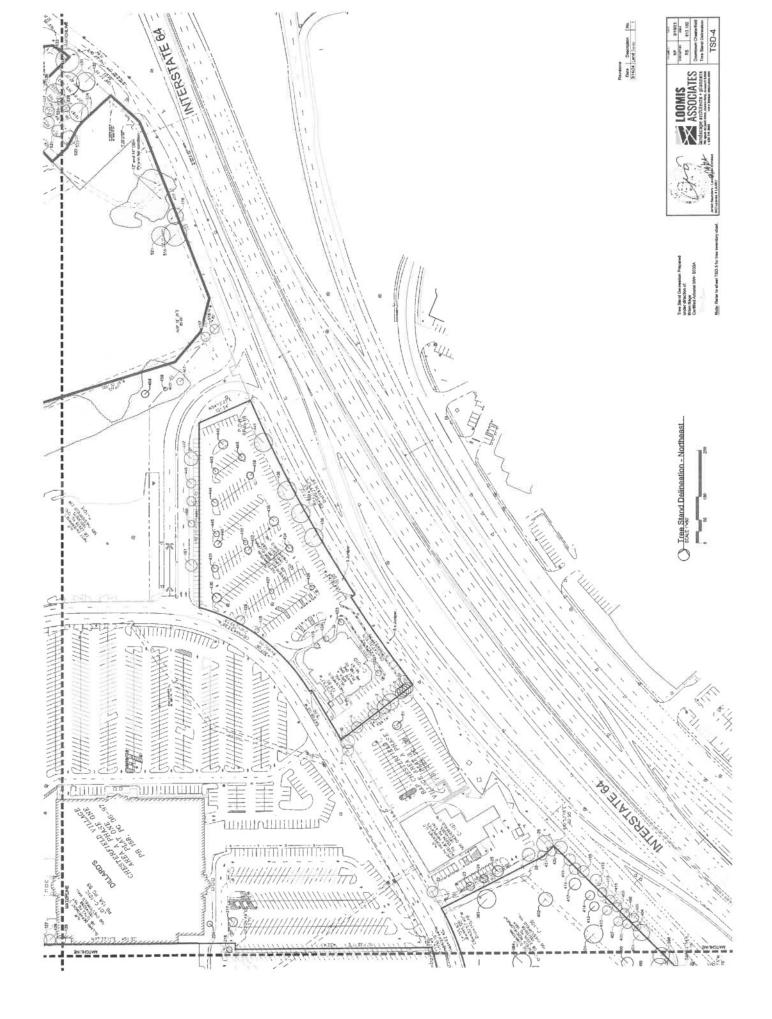












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