AN ORDINANCE AMENDING THE ZONING ORDINANCE 2520 OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE "PC" PLANNED COMMERCIAL DISTRICT TO A NEW "PC" PLANNED COMMERCIAL DISTRICT FOR A 5.61 ACRE TRACT OF LAND LOCATED WEST OF W. CHESTERFIELD PKWY, SOUTH OF BURKHARDT PLACE, AND NORTH OF VETERAN'S PLACE DR. (18T340388, 18T620217).

WHEREAS, the petitioner, West County YMCA, has requested a change in zoning from the "PC" Planned Commercial District to new "PC" Planned Commercial District for a 5.61-acre tract of land located west of W. Chesterfield Pkwy, south of Burkhardt Place, and north of Veteran's Place Dr. (18T340388, 18T620217).

WHEREAS, a Public Hearing was held before the Planning Commission on October 09, 2023; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the change of zoning, with amendment, by a vote of 7-0; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning, with amendments, by a vote of 4-0; and,

WHEREAS, the City Council, having considered said request, voted to approve the change of zoning request.

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 Zoning Ordinance 2520 and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a "PC" Planned Commercial District designation for a 5.61-acre tract of land located west of W. Chesterfield Pkwy, south of Burkhardt Place, and north of Veteran's Place Dr. (18T340388, 18T620217).

A TRACT OF LAND BEING PART OF "YMCA," A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 283 PAGE 37 OF THE ST.

LOUIS COUNTY RECORDS AND LOT 11 OF "DOWNTOWN CHESTERFIELD – PLAT ONE", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 357 PAGE 185 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 415 AND 2002, TOWNSHIP 45 NORTH – RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID "YMCA;" THENCE EASTWARDLY ALONG THE NORTH LINE OF SAID "YMCA" NORTH 61 DEGREES 01 MINUTES 50 SECONDS EAST 103.30 FEET AND ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 28 DEGREES 58 MINUTES 10 SECONDS EAST 775.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 52.49 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE EASTWARDLY ALONG THE NORTH LINE OF SAID "YMCA" AND THE SOUTH LINE OF BURKHARDT PLACE, 43 FEET WIDE, ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 25 DEGREES 05 MINUTES 19 SECONDS EAST 775.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 651.46 FEET TO A POINT; THENCE SOUTHEASTWARDLY ALONG THE SOUTHWEST LINE OF SAID BURKHARDT PLACE, 43 FEET WIDE, ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 23 DEGREES 04 MINUTES 25 SECONDS WEST 525.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 325.17 FEET AND SOUTH 31 DEGREES 26 MINUTES 20 SECONDS EAST 226.00 FEET TO THE NORTH LINE OF VETERANS' PLACE DRIVE, 50 FEET WIDE, THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 58 DEGREES 33 MINUTES 40 SECONDS WEST 20.00 FEET, FROM THE LAST MENTIONED POINT, A DISTANCE OF 31.42 FEET TO A POINT; THENCE SOUTHWESTWARDLY ALONG THE NORTH LINE OF SAID VETERANS' PLACE DRIVE, 50 FEET WIDE, SOUTH 58 DEGREES 33 MINUTES 40 SECONDS WEST 204.07 FEET TO THE SOUTHWEST LINE OF SAID LOT 11, THENCE NORTHWESTWARDLY ALONG SAID SOUTHWEST LINE NORTH 54 DEGREES 37 MINUTES 51 SECONDS WEST 31.55 FEET, THENCE NORTHWESTWARDLY ALONG THE NORTHEAST LINE OF LOT 10 OF SAID OF "DOWNTOWN CHESTERFIELD - PLAT ONE", NORTH 51 DEGREES 51 MINUTES 31 SECONDS WEST 103.57 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 32 DEGREES 55 MINUTES 58 SECONDS EAST 27.20 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 14.22 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 02 DEGREES 59 MINUTES 08 SECONDS WEST 80.33 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 24.67 FEET TO A POINT; THENCE

ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 20 DEGREES 35 MINUTES 04 SECONDS WEST 30.29 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 19.73 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 57 DEGREES 54 MINUTES 19 SECONDS WEST 15.60 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 21.63 FEET TO A POINT; THENCE NORTH 60 DEGREES 37 MINUTES 07 SECONDS WEST 242.23 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 28 DEGREES 49 MINUTES 23 SECONDS WEST 123.69 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 33.67 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 13 DEGREES 13 MINUTES 36 SECONDS WEST 226.91 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 8.93 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 10 DEGREES 58 MINUTES 20 SECONDS EAST 140.58 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 34.46 FEET TO A POINT; THENCE NORTH 64 DEGREES 58 MINUTES 53 SECONDS WEST 71.11 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 25 DEGREES 01 MINUTES 06 SECONDS EAST 193.22 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 72.68 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 46 DEGREES 34 MINUTES 11 SECONDS WEST 210.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 69.73 FEET TO A POINT; THENCE NORTH 62 DEGREES 27 MINUTES 17 SECONDS WEST 161.55 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 27 DEGREES 32 MINUTES 43 SECONDS WEST 110.00 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 31.67 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 11 DEGREES 02 MINUTES 58 SECONDS EAST 70.67 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 31.08 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS SOUTH 36 DEGREES 14 MINUTES 58 SECONDS WEST 114.46 FEET FROM THE LAST MENTIONED POINT, A DISTANCE OF 20.64 FEET TO A POINT; THENCE NORTH 64 DEGREES 04 MINUTES 50 SECONDS WEST 81.26 FEET TO THE ACTUAL POINT OF BEGINNING AND CONTAINING 5.617 ACRES ACCORDING TO A SURVEY BY VOLZ INCORPORATED.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations.

Section 3. The City Council, pursuant to the petition filed by West County YMCA, in P.Z. 12-2023, requesting the rezoning embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 09th day of October, 2023, 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 City of Chesterfield Unified Development Code.

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	f
Bo 6 Nation	Bob Pertinis
PRESIDING OFFICER	Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

Vickie Mc Souma

FIRST READING HELD: __03/04/2024

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

- 1. The uses allowed in this "PC" Planned Commercial District shall be:
 - a. Community Center/ Recreation Facility including but not limited to:
 - i. Auditorium
 - ii. Gymnasium
 - iii. Natatorium
 - iv. Multi-purpose Rooms
 - v. Day Care Center
 - vi. Office-Medical
- 2. The above uses in the "PC" Planned Commercial District shall be restricted as follows:
 - a. No outside sports fields.
- 3. Hours of Operation
 - a. Hours of operation for this "PC" District shall not be restricted.
 - Hours of operation for Office-Medical shall be restricted to the hours of operation for the Community Center / Recreation Facility.

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

- FLOOR AREA
 - a. Total building floor area shall not exceed 84,000 square feet.
- 2. HEIGHT
 - a. The maximum height of any structure, exclusive of roof screening, shall not exceed three (3) stories.
- 3. BUILDING REQUIREMENTS
 - a. A minimum of thirty percent (30%) open space is required for this development.

C. SETBACKS

1. STRUCTURE SETBACKS

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

- a. Twenty (20) feet from the boundaries of this "PC" Planned Commercial District with the exception of the following:
- b. Zero (0) feet from the southeastern property line bearing S 57° 29' 34" W.

2. PARKING SETBACKS

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

- a. Ten (10) feet from the boundaries of this "PC" Planned Commercial District with the exception of the following:
- b. Zero (0) feet from the southeastern property line bearing S 57° 29' 34" W.

D. PARKING AND LOADING REQUIREMENTS

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

E. LANDSCAPE AND TREE REQUIREMENTS

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

F. SIGN REQUIREMENTS

- Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
- Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

- Access to the development shall be limited to two (2) driveways on Burkhardt Place as shown on the Preliminary Site Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield.
- If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield and the agency in control of the right of way off which the access is proposed.
- Provide cross access easements and temporary slope construction license or other appropriate legal instruments or agreements guaranteeing permanent access between this site and all adjacent properties as directed by the City of Chesterfield.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

- Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right of way.
- Obtain approvals from the City of Chesterfield for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.

K. TRAFFIC STUDY

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

L. STORM WATER

 Storm sewer shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

M. SANITARY SEWER

 Sanitary sewer shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

N. POWER OF REVIEW

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

O. GEOTECHNICAL REPORT

1. 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 Planning and 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.
- 2. An opportunity for recycling will be provided.
- 3. 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 and St. Louis County Department of Transportation or MoDOT. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
- Retaining walls along public right of way shall be private and remain private forever and shall be located such that it is not necessary to support any public improvements.

II. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

- 3. Density calculations.
- Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
- 5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
- 6. Provide Floor Area Ratio (F.A.R.).
- 7. A note indicating all utilities will be installed underground.
- 8. A note indicating signage approval is a separate process.
- 9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
- 10. Specific structure and parking setbacks along all roadways and property lines.
- 11. Indicate location of all existing and proposed freestanding monument signs.
- 12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
- 13. Floodplain boundaries.
- 14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
- 15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 18. Address trees and landscaping in accordance with the City of Chesterfield Code.
- 19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
- 20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
- 21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.

- 22. Compliance with Sky Exposure Plane.
- 23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

III. TRUST FUND CONTRIBUTION

 The developer shall be required to contribute to the applicable Traffic Generation Assessment (TGA) area as established by City of Chesterfield <u>Ordinance 3207</u> or amendments thereafter.

A. ROADS

- i. The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction. This contribution shall be established by the City of Chesterfield Trust Fund Rate Schedule effective at the time of development.
- The Traffic Generation Assessment (TGA) contribution shall be made prior to the issuance of a Municipal Zoning Approval (MZA) by the City of Chesterfield.
- iii. Allowable credits for required improvements will be awarded as directed by the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.
- iv. As this development is located within a trust fund area, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development will be retained in the appropriate trust fund.

IV. RECORDING

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

V. ENFORCEMENT

- 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.
- 2. 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.
- 3. 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.
- 4. Waiver of Notice of Violation per the City of Chesterfield Code.
- This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.