



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, ROACH, STALLMANN, FLEMING, LEAHY, KERLAGON, BULLINGTON

**AN ORDINANCE ADOPTING A MANCHESTER ROAD REVITALIZATION OVERLAY DISTRICT FOR CERTAIN LAND COMMONLY KNOWN AS 14121 MANCHESTER ROAD IN THE CITY OF BALLWIN AND CURRENTLY ZONED C-1 COMMERCIAL.**

WHEREAS, a petition was received from Con, LLC to adopt a Manchester Road Revitalization Overlay District for certain land commonly known as 14121 Manchester Road in the City of Ballwin and currently zoned C-1 Commercial; and

WHEREAS, said petition was duly referred to the Planning and Zoning Commission for its consideration and recommendation; and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on June 6, 2016, upon the petition due notice of which was published and posted according to law and ordinance; and

WHEREAS, the Planning and Zoning Commission has submitted its report to the Board of Aldermen and has recommended that a Manchester Road Revitalization Overlay District for said property be adopted in accordance with the petition received; and

WHEREAS, upon review and due consideration of the Planning and Zoning Commission's report, minutes and recommendation, review of the City's Comprehensive Plan, written and oral comments from the public and submissions of the Petitioner, the Board of Aldermen finds and determines that said rezoning would not adversely affect the character of the immediate vicinity and is not inconsistent with good planning practices, would result in improved traffic and pedestrian improvements positively affecting the public safety, would not otherwise negatively affect the community's health and safety, can be developed in a manner that is not detrimental, either operational or visually, with existing land uses in the vicinity and would be beneficial to the City's general welfare by providing significant employment and tax revenues necessary to support essential municipal services.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. A Manchester Road Revitalization Overlay District is hereby adopted for certain land commonly known as 14121 Manchester Road, Ballwin, MO, in the City of Ballwin as shown on the Site Development Plan attached hereto and made a part hereof, according to the site development plan page C-1, building elevations page A-1, and colored building elevations presented to the Ballwin Planning and Zoning Commission on June 6, 2016 subject to the following requirements:

1. Building heights shall be limited to no more than the individual roof line and architectural feature heights specified on the colored building drawings and exterior elevation drawings presented to the Planning and Zoning Commission on June 6, 2016. No portion of any building shall be taller than 45 feet above the primary finished floor elevation of the building and no portion of any building shall be less than 19' above the primary finished floor elevation.

2. Vehicular site access from Manchester Rd. shall be limited to one curb cut as approved by MoDOT. Under no circumstances shall this curb cut offer more than one entrance lane and two exit lanes.
3. A second curb cut onto Steamboat Lane will be permitted at the northern end of the site, as shown on page C-1 of the site development plan. This curb cut will be limited to two lanes - one in and one out. The 500' curb cut spacing of the C-1 district regulations (Article IX Section 7) is waived for this development to accommodate the second curb cut onto Steamboat Lane.
4. The two buildings proposed for this development shall be placed as shown on the attached site development plan and the underlying building setback regulations of the C-1 district are waived to allow such placement. The buildings will not be allowed to be placed in any other location without an amendment to this governing ordinance as provided in the MRD/POD regulations.
5. The petitioner agrees to reimburse Ballwin for its expenses incurred for the construction of the Manchester Rd. fronting sidewalk. The construction reimbursement for this site is \$1,037.40.
6. Site illumination provided via new pole-mounted luminaries shall utilize shoebox style fixtures mounted with lenses parallel to the ground under the fixture. No sag lenses or side facing lenses or lamps are permitted. Existing pole-mounted luminaries may be retained. Site illumination provided via outward facing wall mounted luminaries shall not be utilized on the west or north sides of the building due to the adjacency of residential uses. All luminaries utilized for site illumination, both new and existing, shall be equipped, as needed to protect surrounding properties, with light cut-off shields that prevent the visibility of any lamp or lens from any nearby residential property. All new site illumination shall utilize low energy consumption equipment such as but not limited to LED technology.
7. All storm water detention facilities shall meet all Ballwin and MSD standards for the quantity of water detained, rates of discharge, water quality and overall system capacity and design.
8. No building or grading permit will be issued for any work on this site for the development permitted via this ordinance until MSD issues a permit for a storm water detention and water quality plan and MoDOT issues a permit(s) for the roadway improvements proposed in the Manchester Rd. right-of-way.
9. The approved uses for this development under the MRD shall be limited exclusively to the uses allowed by the provisions of the Ballwin Zoning Ordinance Article XIV Section 1, Subsections (2), (3), (4) and (14) as those uses are permitted and regulated.
10. The site landscaping shall be installed and maintained as shown on the landscaping plan attached hereto and made a part of this ordinance.
11. The landscape plan does not provide screening along the rear of the site as required in the C-1 district regulations. This screening is waived by this MRD Governing Ordinance and replaced with the approved landscape plan.
12. The landscaping plan does not propose the installation of an irrigation system. This requirement shall be waived with the provision that submitted landscape plan is amended so that all new plantings are of a native variety that can tolerate the hot and dry conditions that are common in parking lot adjacent planting beds. A planting list shall be submitted bearing a certification by a landscape architect or certified nurseryman familiar with such plantings that the selected plant materials are native to the region and appropriate for this application. Additionally, such certificate shall include long and short term maintenance and care standards to assure the proper establishment and survival of the specified plantings.

13. A pedestrian crosswalk shall be provided from the sidewalk in the Manchester Rd. right-of-way in front of the eastern building across the parking lot driveway to connect with the sidewalk proposed at the pedestrian entry door to the building. The pedestrian crossing area shall be enhanced with patterned and/or colored contrasting materials where it crosses the driveway pavement.

14. All buildings and structures of all types throughout the entire site shall to the greatest degree possible utilize the same architectural themes, styles, colors, textures and materials shown on the site development plan and colored architectural elevations presented at the public hearing or as described in this ordinance.

15. All HVAC mechanical equipment shall be roof mounted. All such equipment, trash containers, and non roof-mounted equipment facilities, wherever located, shall be 100% screened from view from all adjoining rights-of-way, properties and all public areas of the development in a style architecturally compatible with the proposed buildings.

16. No outdoor speaker system shall be installed or operated in this MRD development.

17. All relocated or new service lateral utility lines shall be installed underground.

18. Noise from any source within this MRD development shall comply with all noise regulations of the City of Ballwin at all times.

19. No blasting will be allowed in conjunction with the construction authorized per this MRD governing ordinance.

20. All new pavement placed as a part of the work shown on the attached site development plan shall meet Ballwin's minimum standards for commercial parking lot construction.

21. Trucks delivering vehicles to the site will utilize the northern curb cut on Steamboat Lane to access the site. Unloading will be accomplished on the site. Delivery trucks exiting the site will utilize only the Manchester Rd. curb cut to do so. The grades and arrangement of parking spaces and other facilities on the site will be designed to permit delivery trucks to negotiate this rout on the site

Section 2. The City Planner is authorized and directed to change "The District Map" of the City of Ballwin to reflect the changes made by this MRD governing ordinance.

Section 3. This Ordinance shall take effect and be in full force from and after its passage and approval.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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*TIM POGUE, MAYOR*

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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*TIM POGUE, MAYOR*

**ATTEST:** \_\_\_\_\_  
*ERIC HANSON, CITY ADMINISTRATOR*