



REPORT TO PLANNING & ZONING COMMISSION

CITY OF MARYLAND HEIGHTS

APPLICATION NUMBER PDP19-0003
APPLICATION (PROJECT) NAME BOULDER SPRINGS ELITE
APPLICANT NAME Mills Page Pointe Phase II, LLC
2650 S. Hanley Rd., St. Louis, MO 63144
PROPERTY OWNER NAME Vantage Pointe Office Center LLC
200 W Main St., Washington, MO 63090

APPLICANT'S REQUEST Amendments to Ordinance 2009-3252, to allow multi-family residential on 19.4 acres of land located on Ross Avenue, west of Interstate 270. The request, if approved, would allow for 270 apartment units in lieu of the previously approved two office buildings not to exceed 420,000 square feet

SITE LOCATION On Ross Avenue, west of Interstate 270 and south of Route 364

STREET ADDRESS 12401 Boulder Springs Parkway; 12400 Bennett Springs Court

PARCEL/LOCATOR NUMBER 150230360; 150230371

EXISTING ZONING DISTRICT MXD Mixed Use Development

TOTAL SITE AREA 19.4 acres

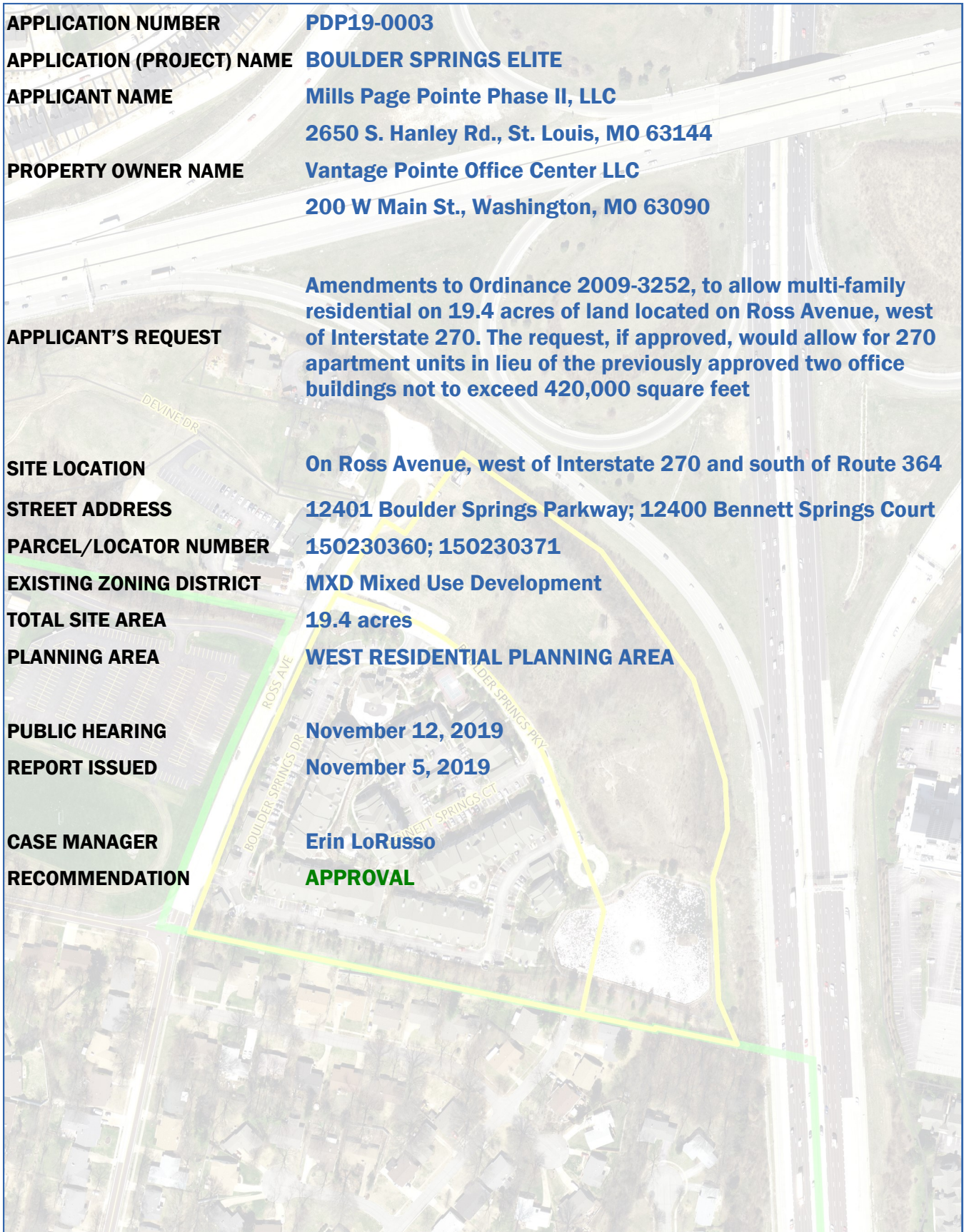
PLANNING AREA WEST RESIDENTIAL PLANNING AREA

PUBLIC HEARING November 12, 2019

REPORT ISSUED November 5, 2019

CASE MANAGER Erin LoRusso

RECOMMENDATION APPROVAL



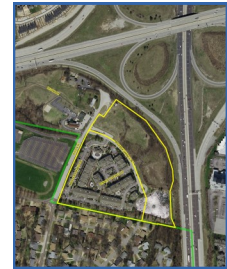
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DESCRIPTION OF EXISTING SITE CONDITIONS

The site is a 19.4 acre tract located on the east side of Ross Avenue, just west of Interstate 270. At the most northwestern portion of the site sits a freestanding monopole wireless communications tower, erected in 2010. Southeast of the wireless communications tower are 9.01 acres of undeveloped land. The 9.01 acres have been undeveloped for over 20 years but were previously approved in 1999 for the development of two office buildings not exceeding 420,000 square feet of gross floor area. The remaining 10.3 acres are developed with Phase I of Boulder Springs Apartments.



REFER TO FIGURE 1

NEIGHBORHOOD CONDITIONS/LAND USE

Abutting the site to the north and east is Interstate 270. To the west, across Ross Avenue, are a child care facility (The Westport School), one single-family residential home, and a church (St. Mary & St. Abraam Coptic Orthodox Church). South of the site is St. Louis County Unincorporated single family residential. To the southwest of the site is Moolah Ballroom, an event venue owned by the Moolah Shriners.



REFER TO FIGURE 2

ZONING CONTEXT

The subject site is zoned “MXD”, Mixed Use District. To the north, east, and west the sites are zoned as “R-3”, Single Family Residential. In 2016, in anticipation of a proposed nursing care facility, the six acres to the west of the properties zoned as “R-3” were re-zoned to “PD-R” Planned District - Residential. The nursing care facility has yet to be constructed.



REFER TO FIGURE 3

REFER TO APPENDIX—SUPPLEMENTAL MAPS AND EXHIBITS



EXISTING CONDITIONS MATRIX

DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	Rte. 364; I-270	“R-3”	
East	I-270	“R-3”	
South	Single Family Homes	ST. LOUIS COUNTY UNINCORPORATED	
West	Child care; church; and a single-family home	“R-3”; “PD-R”	The Westport School; St. Mary & St. Abraam Coptic Orthodox Church



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BACKGROUND

In April of 1997, the City of Maryland Heights adopted Ordinance 97-1166, amending the official zoning map of the City of Maryland Heights. The ordinance enacted a “MXD” Mixed Use Development District for 19.4 acres of land located on Ross Avenue, west of interstate 270. The permitted uses under this ordinance were an office, hotel, and multi-family residential. The ordinance stated that the most western portion of the site, ‘Area A’ (adjacent to Ross Avenue), would be dedicated to no more than 165 apartment units. ‘Area B’, the most northern portion of the site, would permit the use of one hotel, with no more than 120 rooms or an office building of not more than 70,000 square feet. ‘Area C’, the southern portion of the site, would be limited to office uses not exceeding 260,000 square feet and a maximum of two buildings. Additionally, ‘Area C’ permitted one restaurant as an accessory use. Lastly, two towers for wireless communication were permitted, with one tower constructed as a ground mounted freestanding unit. See Exhibit E in the appendix for the original site plan and proposed renderings. Ordinance 97-1166 regulated the concept plan & site improvement submittal requirements, listed specific development requirements, verification prior to approval, guarantee of improvements, and listed all limitations associated with the ordinance. A traffic impact study was conducted, finding that the permitted uses would require the surrounding road system to be modified to withstand the amount of forecasted traffic associated with the development.

In February of 1999, Vantage Pointe Associates, L.L.P., requested an amendment to Ordinance 97-1166 to permit additional office space as well as increase the permitted maximum height. Ordinance 97-1166 restricted the apartment building height to 42 feet. The petition was approved, enacting Ordinance 99-1630, which permitted residential structures to achieve a maximum height of no more than three stories, or 47 feet. More importantly, Ordinance 99-1630 allowed for the development of two office buildings not exceeding 420,000 square feet (GFA), or 380,000 square feet of net rentable area excluding the parking garage area. This is currently the approved use for the undeveloped portion of the site. Ordinance 99-1630 did not mention the use of a hotel or restaurant as previously mentioned in Ordinance 97-1166.

In June 2009, Ordinance 99-1630 was repealed and Ordinance 2009-3252 was enacted. Ordinance 2009-3252 retained the previously approved office space development but allowed for an increase in the maximum height of wireless communication towers. Previous ordinances allowed for a maximum wireless communication tower height of 60 feet. Ordinance 2009-3252 allows for a maximum cell tower height of 120 feet.

In September of 2019, Mills Page Pointe Phase II, LLC, submitted a Preliminary Development Plan to begin the process of amending the governing ordinance. Bruce Mills, Founder and Chairman of Mills Page Pointe Phase II, LLC, wishes to amend Ordinance 2009-3252 to allow multi-family residential on the undeveloped portion of the 19.4 acre tract. More specifically, the applicant wishes to amend the ordinance by allowing 270 units of multi-family residential in lieu of the previously approved two office buildings.

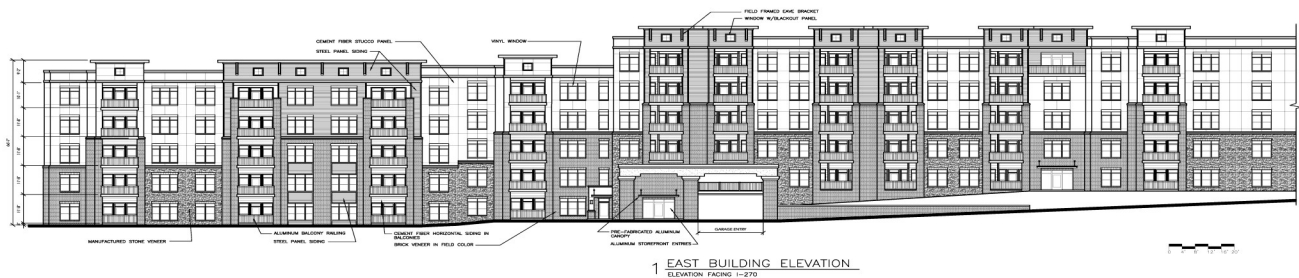
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REQUEST

Mills Page Pointe Phase II, LLC has submitted their Preliminary Development Plan for review and approval. Portions of the submittal are included in the appendix of this report. The applicant is requesting amendments to Ordinance 2009-3252, which allowed for two office buildings not to exceed 420,000 square feet (GFA). The amendments would allow for multi-family residential in lieu of the previously approved two office buildings. Originally, the applicant anticipated 266 units but has increased their request to 269 units. To allow for flexibility, the draft ordinance will allow for 270 multi-family units. The proposed apartments are composed of 128 one-bedroom units, 131 two-bedroom units, and 10 three-bedroom units. Lochmueller Group performed a Traffic Impact Study in September of 2019 to forecast the amount of traffic generated by the proposed residential development. Lochmueller Group found that the proposed development would generate less than 25% of the traffic that would be associated with the permitted 420,000 square feet of office space. That is to say there will be 557 and 507 fewer trips expected for the morning and afternoon peak conditions, respectively. As a result of their findings, they decided the traffic modifications to the surrounding road system previously proposed in the 1999 Traffic Impact Study and represented in Ordinance 2009-3253 are no longer necessary.



The proposed development is consistent with the overall goals and objectives of the Comprehensive Plan in that it encourages quality housing and neighborhoods that include a high quality public realm. The proposed development utilizes features that enhance the identity and image of the City. Boulder Springs Elite contributes to a range of housing options for all stages of life, imbues a diverse housing stock, and utilizes interconnectivity between Phase I and Phase II of the multi-family development. As such, Staff is of the opinion that multi-family residential is an appropriate use at this location and coincides with the goals of the Comprehensive Plan for the West Residential Planning Area.

ANALYSIS

IMPACT ON NEIGHBORHOOD CHARACTER

The project is consistent with both the Comprehensive Plan and the Zoning Code, so long as the applicant follows the conditions of the attached ordinance. At this time, Staff feels it is pertinent to examine the project's impact on neighborhood character and its associated design criteria. The project represents the development of a parcel that has long sat undeveloped in its current approved use. The location and access of the site make it highly unlikely to be developed into a commercial development. Phase II of Boulder Springs apartments will have a positive impact on the character of the City, creating greater housing density and aesthetically pleasing, luxury multi-family housing.



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ANALYSIS (CONT.)

Multi-family developments typically involve less traffic, activity, and noise than commercial developments and therefore have less of an adverse impact on the adjoining residential uses along Ross Avenue and Fee Fee Road. Staff feels that multi-family residential is an appropriate use for the property, especially considering the previously approved use for the Property (two Class A Office buildings) and the established multi-family residential use of the remainder of the 19.4 acre site.

DESIGN CRITERIA

Staff has prepared a draft ordinance for the Planning Commission's consideration. The ordinance would regulate the previous and proposed phases of the Boulder Springs development. This section explains the ordinance's approach to critical planning issues.

- **Permitted and Accessory Uses**

The draft ordinance permits 270 units of multi-family residential. The project will have many amenities for the benefit of its residents. Therefore, the draft ordinance attempts to clarify that these amenities are allowed as accessory uses, such as a fitness center, pool, and a dog park.

- **Building Design**

Article 13, Building Design Standards, of the Zoning Code contains design requirements for new development. After reviewing the renderings provided by the applicant, the proposed design is consistent with these standards. The draft ordinance requires that the building be designed in a manner generally consistent with the exhibits contained in the appendix of this report. Substantial deviations require the review and approval of the Planning Commission.

- **Access and Parking**

The proposed means of access to the new development are three separate entry drives along Boulder Springs Parkway. One of the three entry drives would serve a proposed parking structure. According to the Traffic Impact Study prepared by Lochmueller Group, the drive serving the parking structure will carry the majority of the proposed development's traffic. The study performed by Lochmueller Group determined that Ross Road, Fee Fee Road, and nearby intersections would continue to operate at acceptable levels of service and that the project would be less intense from a traffic standpoint than the previously approved 420,000 GFA of Class A office space. This study was included in the City Planner's memo to the Planning Commission dated October 16, 2019. Furthermore, the study found that the proposed residential development would not dictate the need for signalization of the intersection of Fee Fee Road at Ross Road, the widening of Bennington Place for a second southbound left turn lane nor the widening of Fee Fee Road to provide one westbound and two eastbound lanes between Benning Place and Ross Road, as previously required by Ordinance 97-1166. The draft ordinance regulates all access to the District.

The draft ordinance requires parking to be provided in accordance with Article 14, Parking and Loading Regulations, of the Zoning Code. The code requires 1.5 parking spaces per one-bedroom unit and 1 additional parking space per additional bedroom. The code requires a total of 473 parking spaces. The plan provides a total of 486 parking spaces between surface parking, garages connected to the detached building on the south side of the site, and the multi-level parking garage.

The Preliminary Development Plan submitted by the applicant shows the removal of a cul-de-sac at the

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terminus of Boulder Springs Parkway, to allow for a stand-alone building in the southern portion of the site. The removal of said cul-de-sac is subject to the approval of Creve Coeur Fire District to ensure that adequate circulation can still be achieved.

- **Landscaping and Screening**

Article 16, Landscaping Design Standards, of the Zoning Code requires a quantity of landscaping based on the total square footage of the site. At this time, the proposed landscaping plan does not satisfy the requirements of the code. Per the code, the applicant is required a total of 785 landscaping points. The landscaping plan shows the planting of 165 trees, 338 shrubs and ornamental grasses, and a variety of 173 perennials, annuals, and flowers. Even with said plantings, the applicant is well below the 785 point requirement. However, Staff is of the opinion the proposed landscaping plan is of quality and provides a sustainable, ecologically balanced environment for the development and surrounding properties. Furthermore, once a tree survey and tree preservation plans are provided, it is expected the applicant will be within reach of their 785 point requirement. While the landscaping will likely be refined further as the project moves through the approval process, the draft ordinance requires all landscaping to be designed in a manner generally consistent with the exhibits contained in the appendix of this report. Substantial deviations from the exhibits included in this report are to be reviewed and approved by the Planning Commission.

As the development of the site is to be completed in two phases, walkability and connectivity are of concern to Staff. The draft ordinance establishes connectivity between Phase I and Phase II of the development, as well as accessibility to public sidewalks, by ensuring pedestrian walkways be developed in a manner to encourage their use.

- **Lighting and Signs**

The applicant's Preliminary Development Plan doesn't address lighting or signs. Exterior lighting is controlled by Article 18, Lighting Design Standards, of the Zoning Code. The regulations contained in this code section will ensure that the site is adequately lit while avoiding adverse impacts. Signs are governed by Article 15, Sign Regulations, of the Zoning Code. These regulations allow a monument sign as well as a sign attached to the building. The applicant may apply for a comprehensive sign package for the review and approval of the Planning Commission prior to the issuance of sign permits, if they wish to use a more creative approach with their signage.

- **Stormwater and Sanitary Sewers**

The applicant's Preliminary Development Plan doesn't address stormwater or sanitary sewers. MSD provided review and comment on the proposed development. Comments included the requirement of flood protection volume as the site is in a release rate watershed, as well as the requirement of channel protection storage volume. Most notable, the existing sanitary system downstream of the development appears to have limited capacity to serve a high density development. The developer will be required to provide a hydraulic model of the sanitary system from manhole 1504-124S to the 24-inch sewer at manhole 1601-177S. MSD feels strongly that offsite sewer upgrades will likely be required. The draft ordinance requires all sanitary sewer facilities and stormwater provisions be made in accordance with the specifications and standards of MSD and the City of Maryland Heights.



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FINDINGS AND RECOMMENDATION

IMPACT ON NEIGHBORHOOD CHARACTER

1. The City Planner finds that the proposed development is consistent with the vision of the West Residential Planning Area as well as the goals and objectives of the Comprehensive Plan.

IMPACT ON NEIGHBORHOOD CHARACTER

2. The City Planner finds that the proposed development, subject to the limitations set forth in the draft ordinance, will not result in a substantial adverse impact on neighborhood character.

SITE DESIGN

3. The City Planner finds that the overall approach to site design is consistent with the intent and purpose of the Zoning Code.

BUILDING DESIGN

4. The City Planner finds that the proposed building design is consistent with the Building Design Standards of the Zoning Code.

RECOMMENDATION

The City Planner recommends that PDP19-0003 be approved via adoption of the attached draft ordinance. The draft ordinance repeals Ordinance 2009-3252 and enacts a new ordinance in lieu thereof.

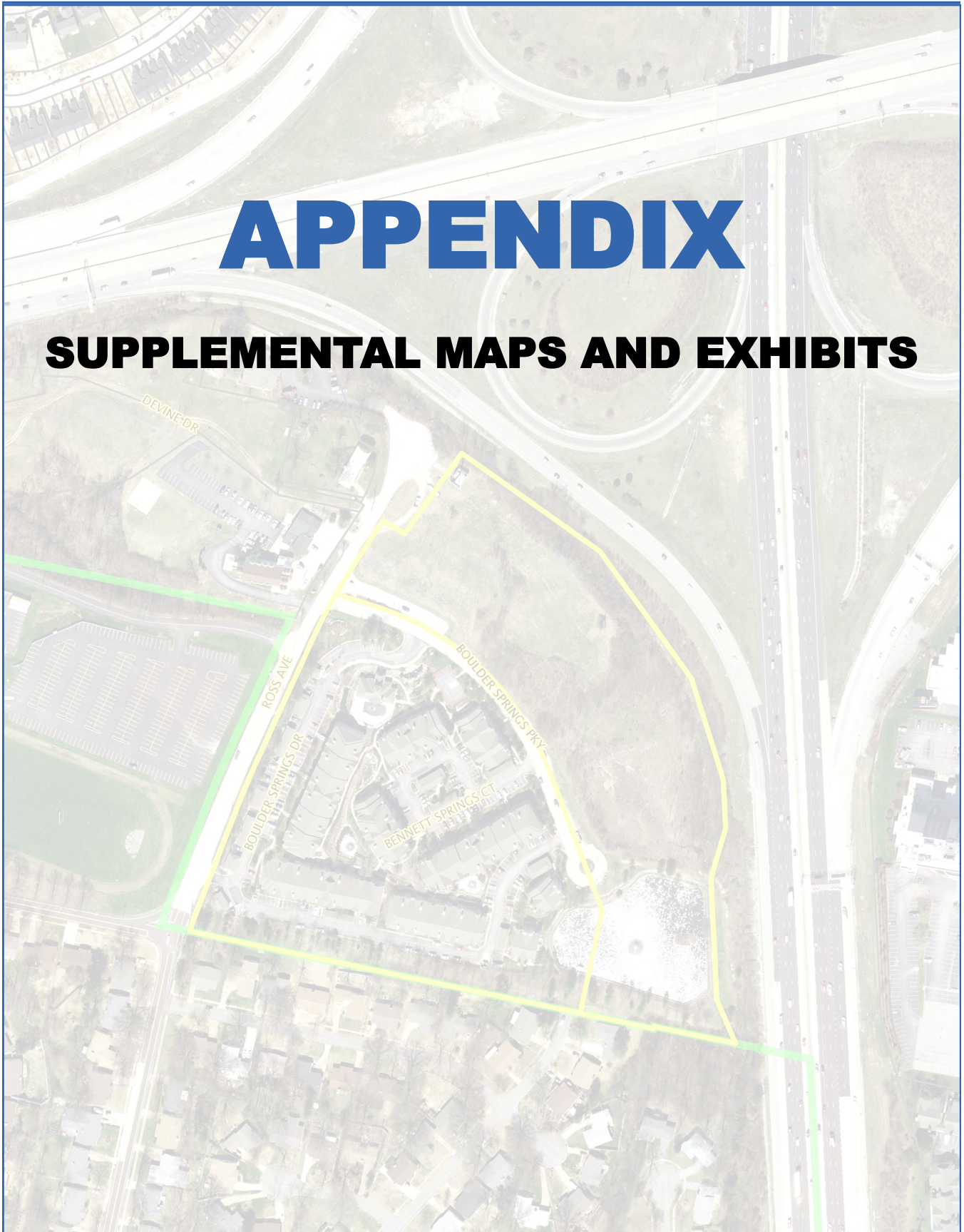
A handwritten signature in black ink, appearing to read "Erin LoRusso".

Erin LoRusso
Planner/Case Manager



APPENDIX

SUPPLEMENTAL MAPS AND EXHIBITS





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FIGURE 1: AERIAL PHOTOGRAPH

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 AGRICULTURAL	 INDUSTRIAL	 RESIDENTIAL (MFD)	 UTILITY
 BUSINESS	 INSTITUTIONAL	 RESIDENTIAL (SFD)	 VACANT LAND
 COMMERCIAL	 RECREATIONAL	 TRANSPORTATION	

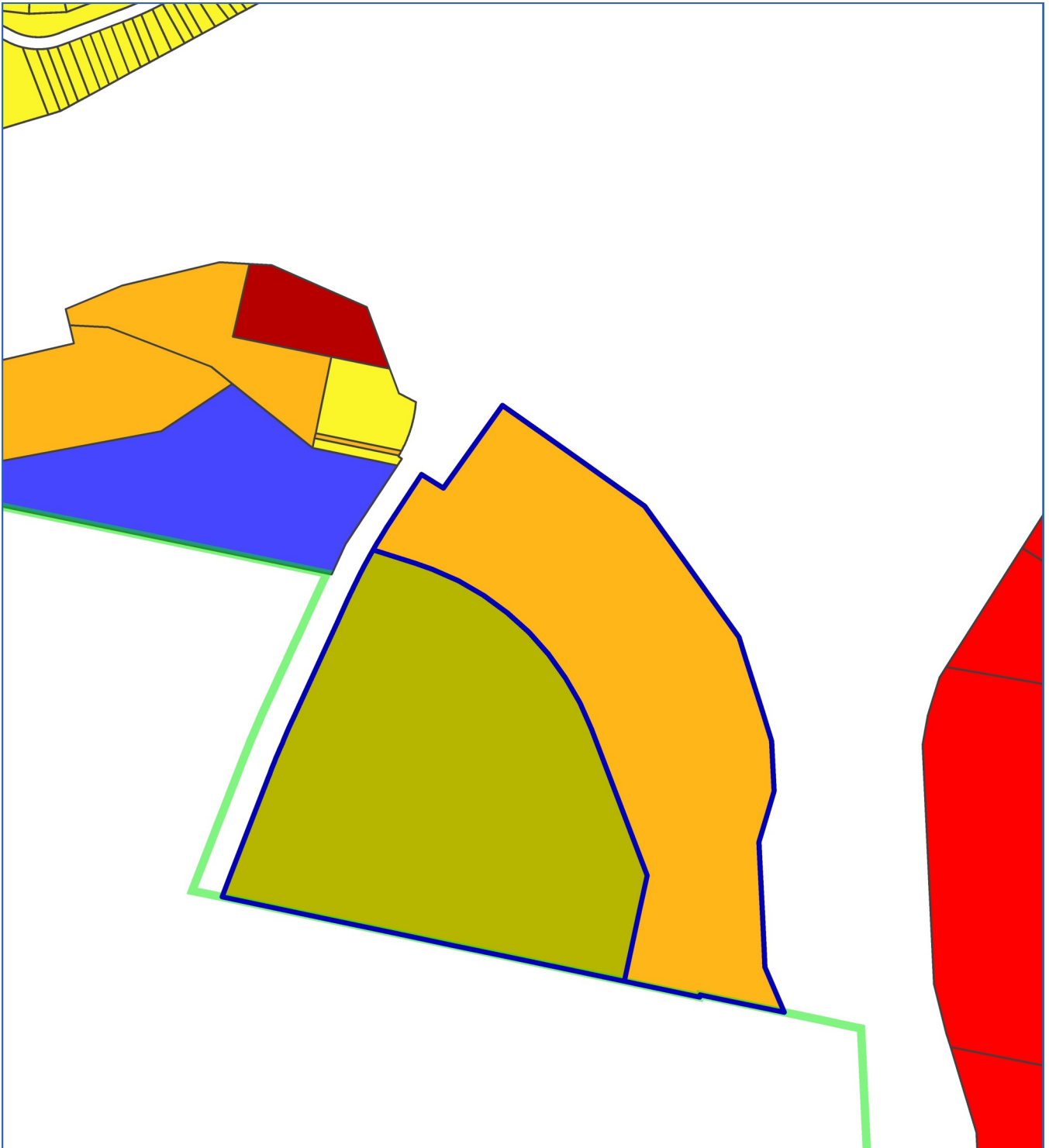


FIGURE 2: EXISTING LAND USE PATTERN



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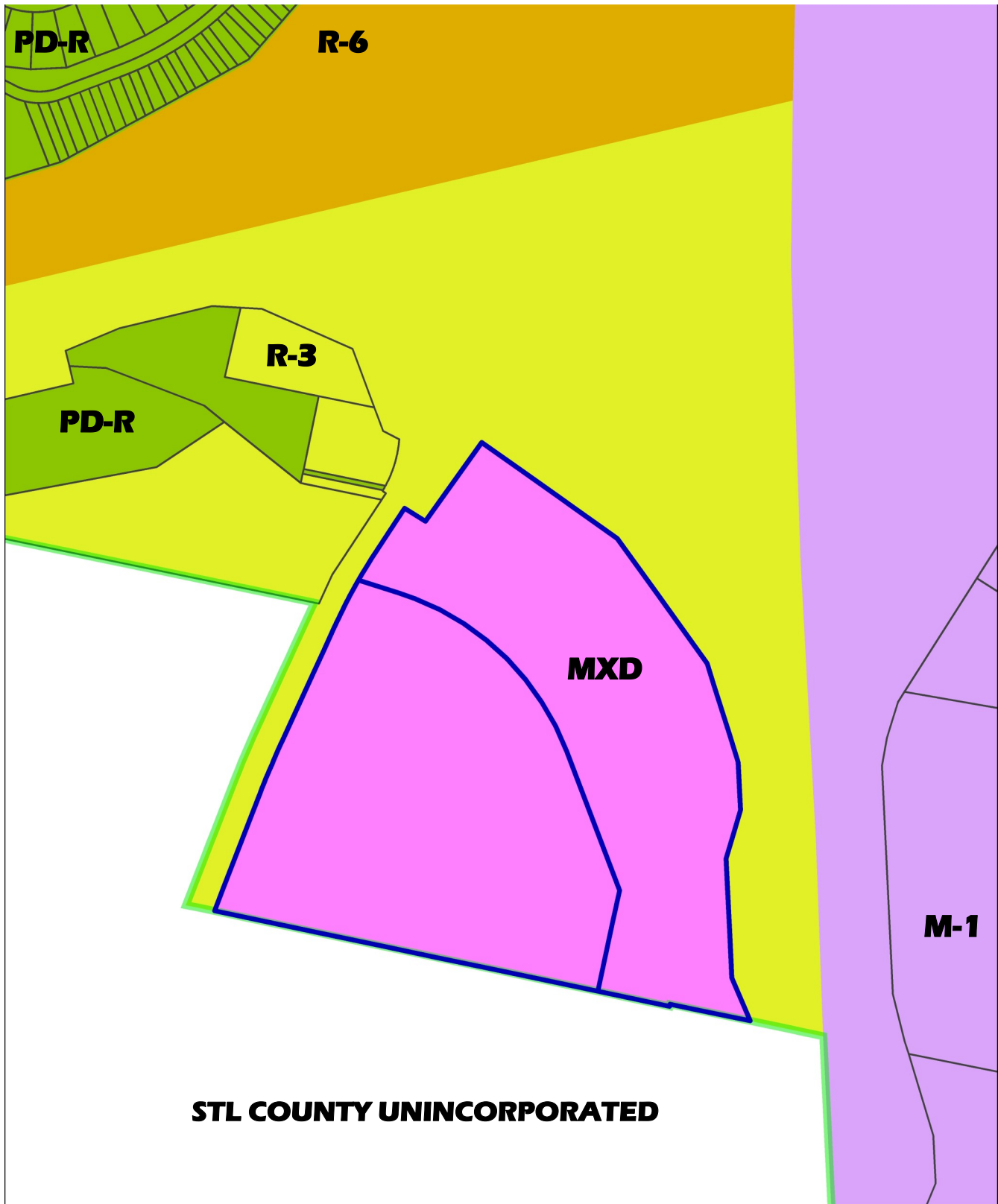


FIGURE 3: ZONING MAP

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September 30th, 2019

For 40 years, Mills Properties has been developing, building, and managing remarkable apartment communities in St. Louis and Columbia, MO. Founder & Chairman Bruce Mills, and CEO Kirk Mills, have established and refreshed our brand for the next generation of apartment residents. Mills Properties is the #1 choice for apartment living in St. Louis and Columbia, MO. As a leader in multi-family housing, Mills continues to explore new markets to add to our already impressive portfolio.

Our primary purpose is to create remarkably different apartment living experiences for people to cherish. With 26 communities throughout the St. Louis and Columbia, MO region wherever you go, whatever you do, you will find a living experience that fits you.

Our latest new development Boulder Springs Elite will be the finest new community in Metro St. Louis. Each new development we do improves on our last development with the latest amenities. Boulder Springs Elite will resemble an in-town development with five stories and each floor will have direct access to a covered parking garage. The exterior materials will be stone similar to the current Boulder Springs plus hardy board and stucco where appropriate.

Boulder Springs Elite will feature granite counter tops, 42" cabinets in the kitchen, crown molding, in apartment washer and dryer, and wood look flooring.

The landscape will be a typical new Mills development with lush flowers and trees with large glacial boulders. We will have a dog park with an area for dogs to run. Amenities will include a large 5000sq ft fitness facility with the latest workout equipment and a room that features virtual fitness training including spinning, yoga, and numerous other fitness classes. The Fitness Club will look out onto a large community swimming pool.

The detached building on the south end of our development will feature in building parking with direct access to your apartment home.

Bruce Mills

2650 South Hanley, Suite 200, Saint Louis, Missouri 63144 • T: 314.721.8000 • F: 314.721.7900

millsapartments.net

EXHIBIT A: APPLICANT'S NARRATIVE



REPORT TO PLANNING & ZONING COMMISSION

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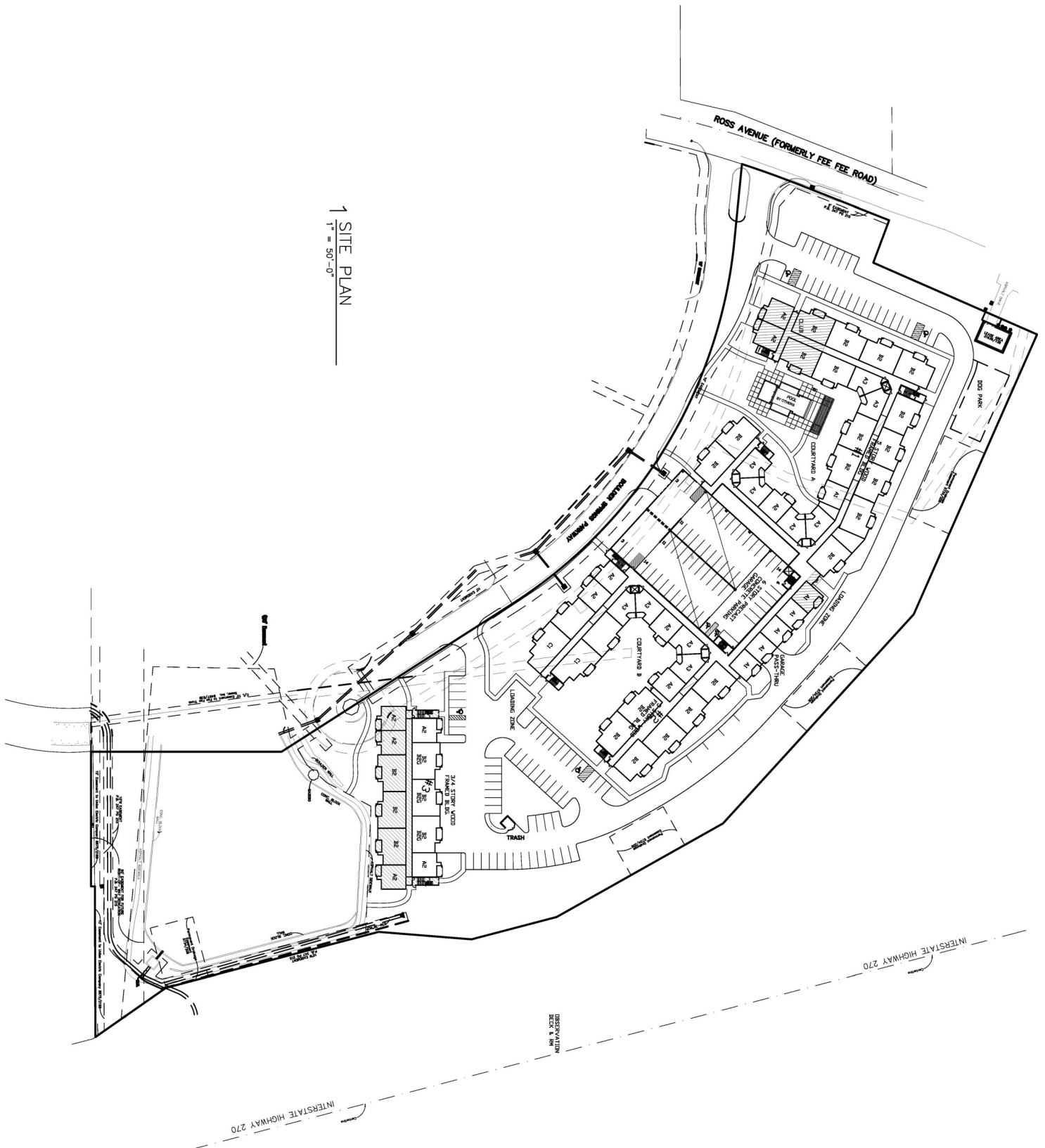
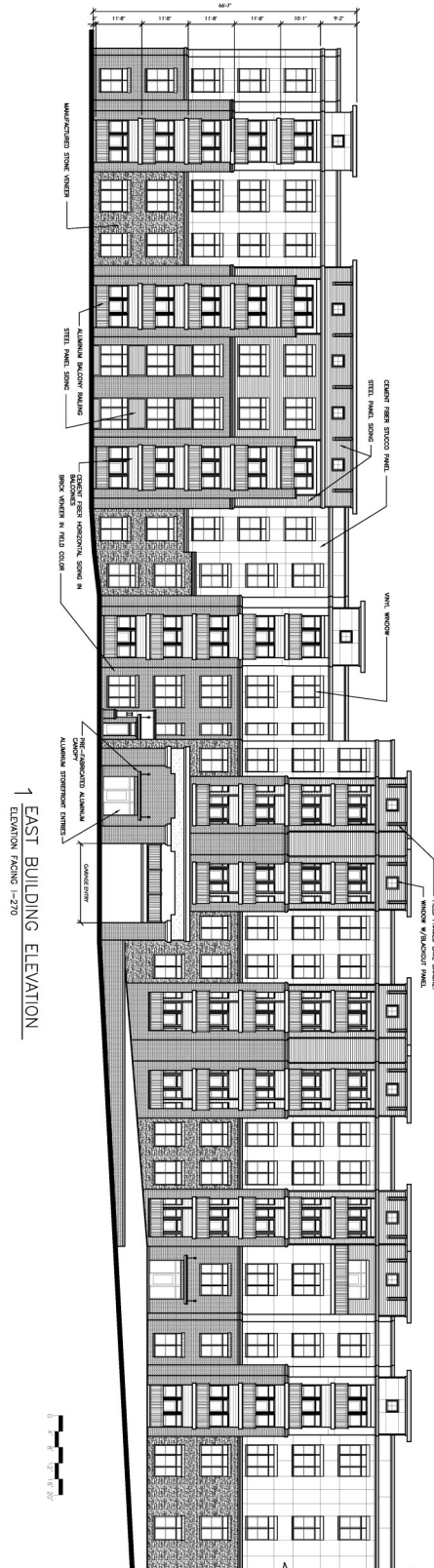


EXHIBIT B: SITE PLAN

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1 EAST BUILDING ELEVATION
ELEVATION FRONING 1-270

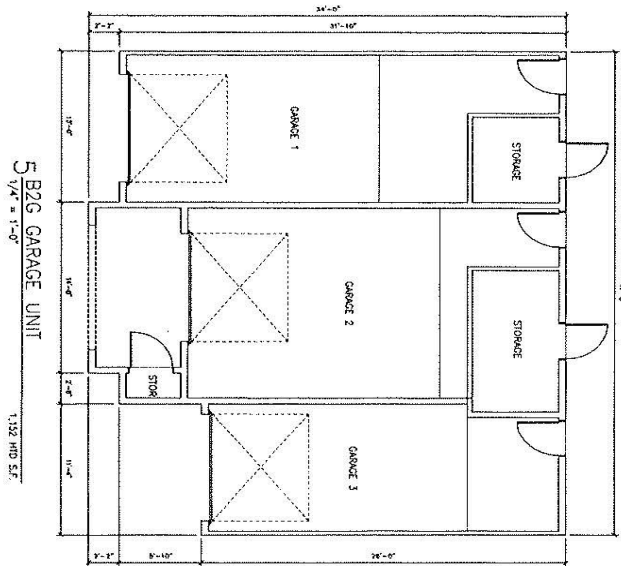
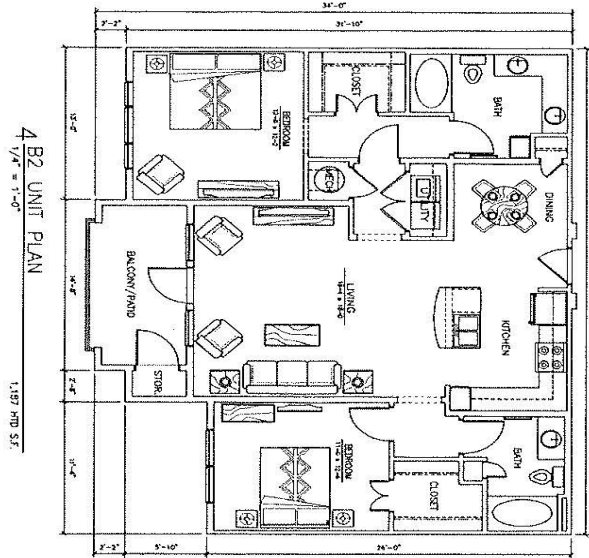
<p>Boulder Springs Maryland Heights, Missouri</p>		<p>JMS 100 South Grand Avenue Columbia, Missouri 65201 314-737-0000</p>	
<p>Project: Boulder Springs, LLC Site: 100 South Grand Avenue City: Columbia, Missouri State: MO Zip: 65201</p>		<p>Architect: JMS Scale: 1/8" = 1'-0" Date: 08-20-19</p>	
<p>Sheet: AB1 Number: 1 of 1</p>		<p>Revision:</p>	

EXHIBIT C: EAST BUILDING ELEVATION

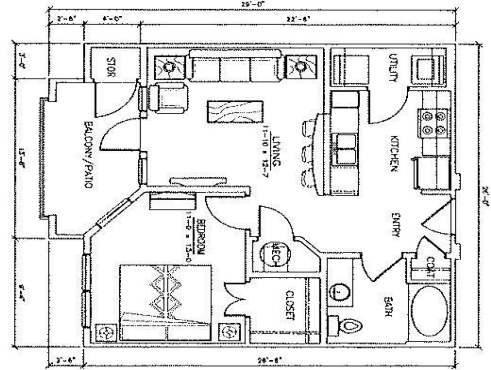


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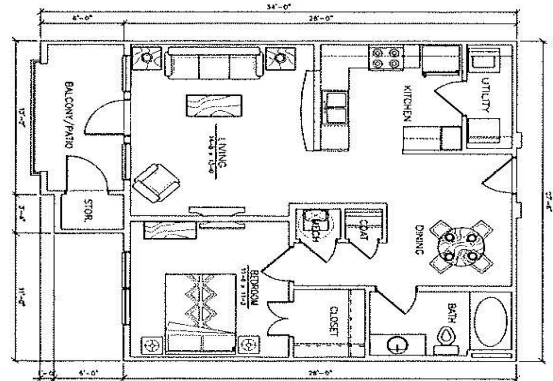
CITY OF MARYLAND HEIGHTS



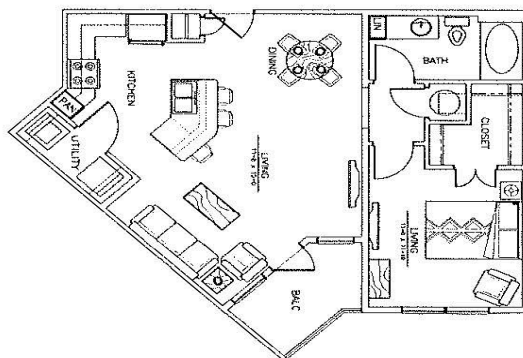
1 A1 UNIT PLAN
1/4" = 1'-0"
632 SQ. FT.



2 A2 UNIT PLAN
1/4" = 1'-0"
770 SQ. FT.



3 A3 UNIT PLAN
1/4" = 1'-0"
1,152 SQ. FT.



Parker Associates Tulsa, LLC
2102 E. 49th Street South
Tulsa, Oklahoma 74116
(918) 742-2400

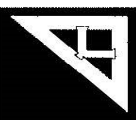
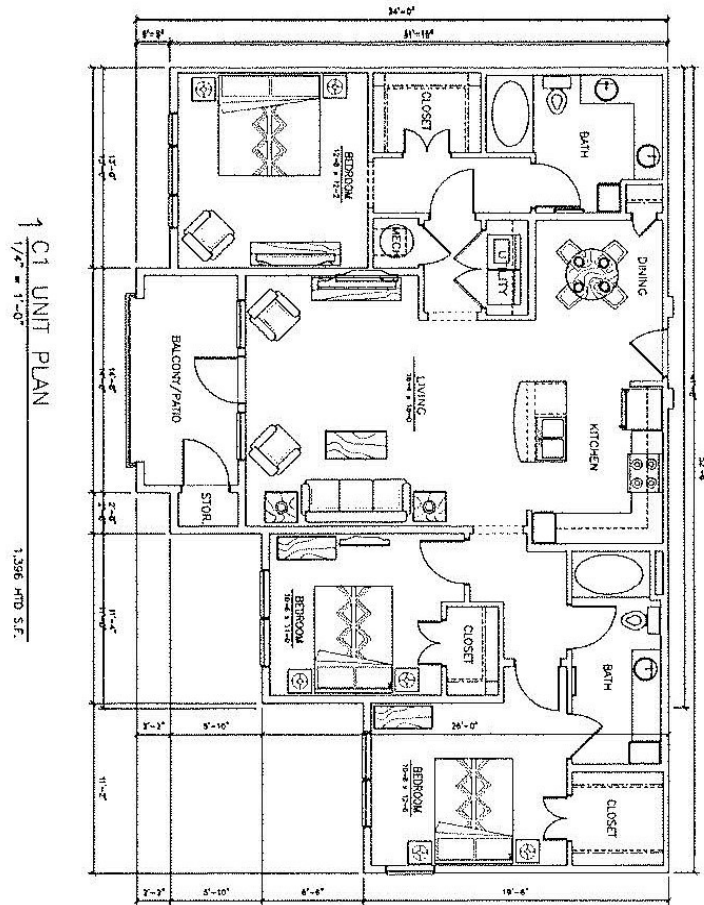


EXHIBIT D: UNIT PLANS

REPORT TO PLANNING & ZONING COMMISSION

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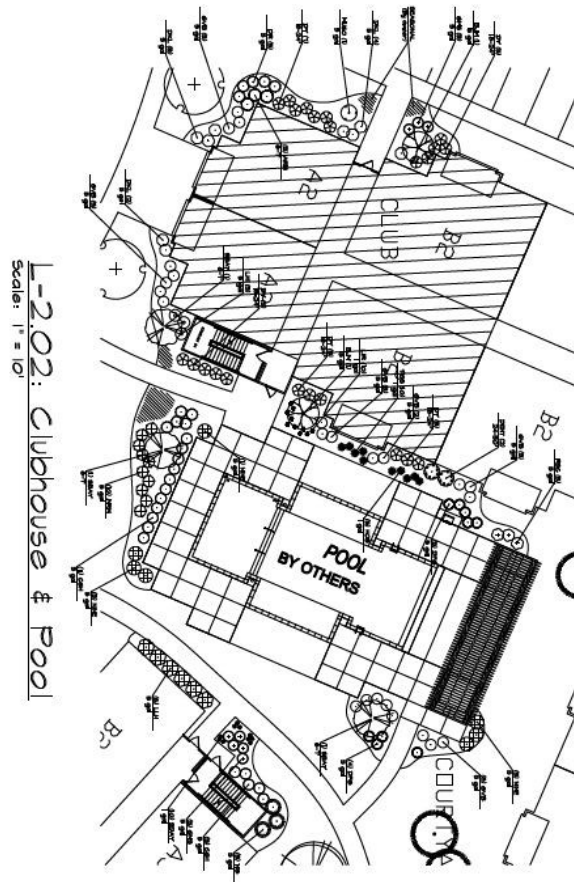
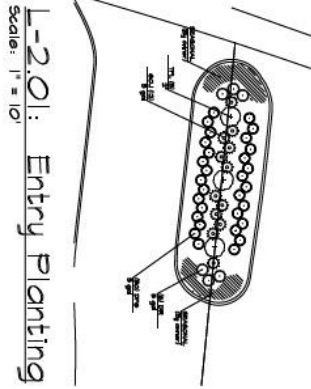
Parker Associates Tulsa, LLC
2202 E. Suite 200
Tulsa, OK 74105



EXHIBIT D: UNIT PLANS (CONT.)

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Landscape Planning Plan For:
Boulder Springs
 Maryland Heights, MO
 Prepared For: Arco Construction

**BAXTER FARMS
 and NURSERIES**
 3411 GREVE COEUR MILL ROAD
 ST. LOUIS, MISSOURI 63108
 314-962-8400

Drawn by:	CFA
Scale:	1" = 10'
Date:	9-25-19
Revised:	

EXHIBIT E: LANDSCAPING PLAN (CONT.)



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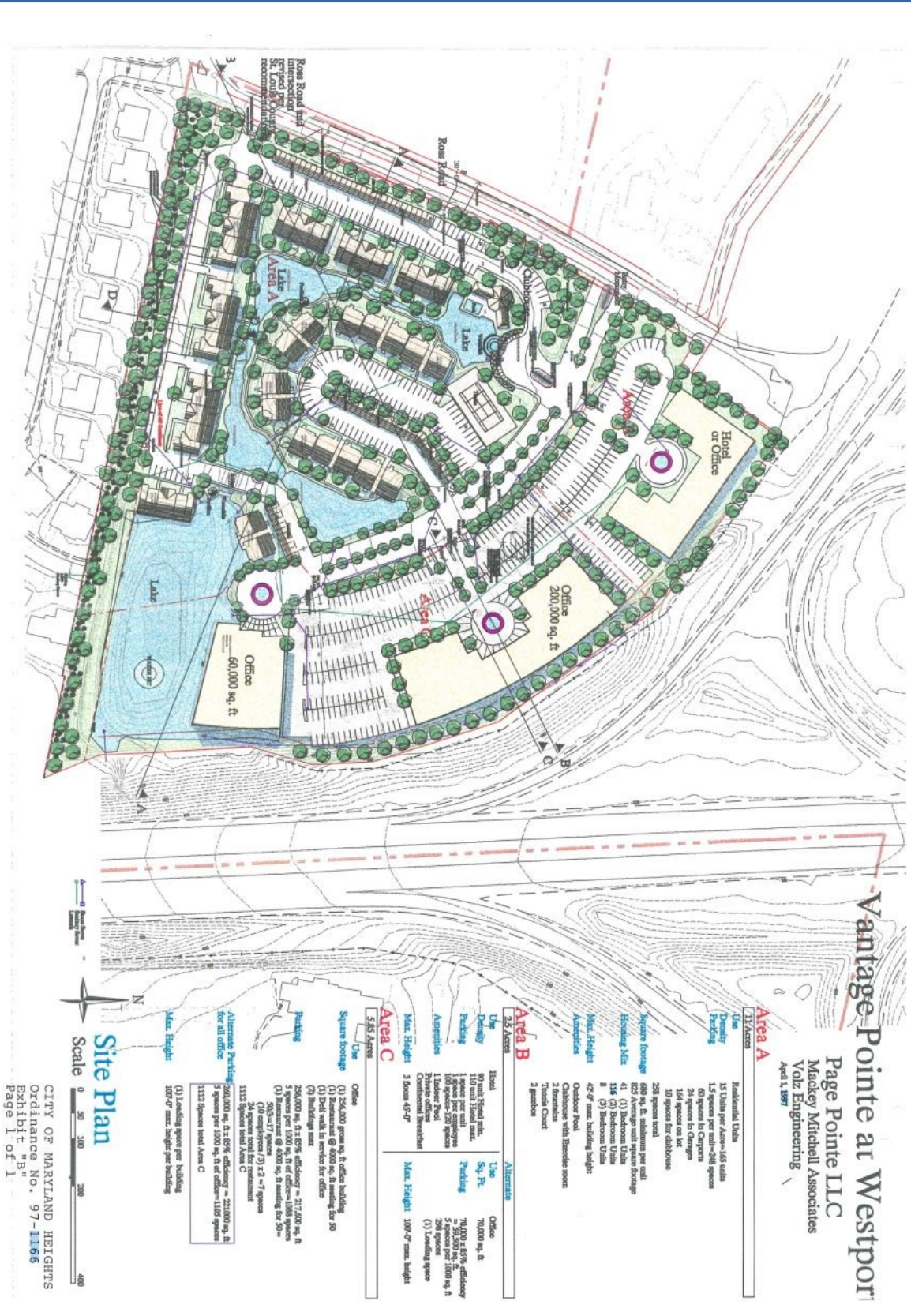


EXHIBIT F: SITE PLAN OF PREVIOUSLY APPROVED OFFICE BUILDINGS (ORD. 97-1166)

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Building II

Southwest Elevation

Building I



Building I

Northeast Elevation

Building II



Entry Drive - View 3

Building I

EXHIBIT G: RENDERINGS OF PREVIOUSLY APPROVED OFFICE BUILDINGS (ORD. 99-1630)

Recommendation of Planning Commission

BILL NO. 4540

ORDINANCE NO. 2019-4477

AN ORDINANCE REPEALING ORDINANCE 2009-3252 AND ENACTING A NEW PLANNED DISTRICT ORDINANCE IN LIEU THEREOF TO ALLOW MULTI-FAMILY RESIDENTIAL DWELLINGS ON 19.4 ACRES OF LAND LOCATED ON ROSS AVENUE WEST OF INTERSTATE 270 (Petition of Mills Page Pointe Phase II, LLC)

WHEREAS, a Public Hearing was held before the Planning Commission regarding the proposed amendment; and

WHEREAS, the Planning Commission has found that the Preliminary Development Plan of the proposed amendment is consistent with the Comprehensive Plan; and

WHEREAS, the Planning Commission has found the proposed regulations contained in this Ordinance are consistent with the purposes of the Zoning Code; and

WHEREAS, the Planning Commission has recommended approval of the regulations contained in this Ordinance; and

WHEREAS, the City Council has reviewed the recommendation of the Commission and has determined that the proposed ordinance is in the best interest of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYLAND HEIGHTS, MISSOURI, AS FOLLOWS:

Section 1: Ordinance 2009-3252 is hereby repealed.

Section 2: The zoning of real estate in the City of Maryland Heights for approximately 19.4 acres of land located on Ross Road west of Interstate 270, as more specifically described in Exhibit A, attached hereto, is zoned "MXD" Mixed Used District on the condition that said development is carried out in accordance with this Ordinance. This zoning shall be recorded on the Official Zoning Map of the City.

Section 3: Purpose

The purpose of this Planned District is to regulate the Boulder Springs development which features high quality multi-family dwellings including associated amenities. This ordinance is intended to provide flexibility in the development of the property while encouraging the use of design features to improve the overall character of the area.

Section 4: This zoning is subject to all applicable City ordinances, and the conditions that follow:

I. PERMITTED AND ACCESSORY USES

- A. Multi-Family Residential (Land Use Code #1540) subject to the following limitations:
 - 1. A maximum of 436 units (166 units in Phase I and 270 units in Phase II) shall be permitted.
- B. The following uses shall be authorized as accessory uses to the principal use of the property as multi-family residential (for the benefit of this development's residents, rather than the general public):

1. Convenience Stores (LUC #445120).
 2. Motion Picture and Video Exhibition (LUC #51213).
 3. Real Estate Property Managers (LUC #53131).
 4. Private Mail Centers (LUC #561431).
 5. Privately-Owned Parks (LUC #712191).
 6. Fitness and Recreational Sports Centers (LUC #713940).
 7. Snack and Nonalcoholic Beverage Bars (LUC #722515).
 8. Other related accessory uses, subject to the review and approval of the City Planner.
- C. One freestanding monopole wireless communications tower not to exceed 120' above grade and associated equipment shelter/screen wall.

II. PLAN SUBMITTAL REQUIREMENTS

A. Final Development Plan

1. Within ninety (90) days of approval of this Planned District and prior to the issuance of a building permit, the Final Development Plan shall be submitted to the City Planner for review and approval. Where due cause is shown by the applicant, the time interval may be extended by the City Planner.
2. The Final Development Plan shall meet the requirements of Section 25-6.10, Final Development Plan, and Section 25-16.5, Landscape Plan Requirements, of the Zoning Code.
3. Recording - Within fifteen (15) days from the approval of the Final Development Plan, and prior to the issuance of any building permit, the property owner shall record a copy of the approved Final Development Plan, and any subsequent amendments thereto, with the St. Louis County Recorder of Deeds. Upon written request, this time period may be extended by the City Planner. An electronic copy of the recorded plan shall also be provided to the Department of Community Development.

B. Site Improvement Plans

1. Prior to issuance of a building or grading permit, Site Improvement Plans shall be submitted for the review and approval of the City Planner and City Engineer prior to, or concurrent with, the Building Permit application submittal.
2. Prior to approval of the Site Improvement Plans, verification of necessary approvals from the Metropolitan St. Louis Sewer District (MSD), Missouri Department of Transportation (MoDOT), St. Louis County Department of Transportation, and Creve Coeur Fire Protection District shall be received by the City Planner and City Engineer.

III. SPECIFIC DEVELOPMENT REQUIREMENTS

- A. Building Height - The building shall be a maximum of five (5) stories in height above grade.
- B. Structure Setbacks - No structures, except dumpster enclosures, fences, walls, light standards, signage or other structures as otherwise approved on the Final Development Plan shall be located within the following setbacks:
 1. Sixty-five (65) feet of the Ross Road right-of-way.
 2. Ninety (90) feet of the south property line.

3. Thirty (30) feet of all other external property lines.
4. Twenty (20) feet of the internal primary access street.
5. All carports shall be a minimum of twenty (20) feet from any property line.
6. Wireless communications towers and associated equipment shall be setback from property lines as shown on the Preliminary Development Plan prepared by Selective Site Consultants, dated 9/10/2008 (revised 11/03/2008). Revisions to property lines resulting from, but not limited to roadway improvements and boundary adjustments shall not affect the legal placement of said structures relative to boundary lines existing at the time of ordinance approval.

C. Parking Setbacks - No parking or internal access drive excluding points of ingress and egress, shall be located within the following setbacks:

1. Fifteen (15) feet of the Ross Road right-of-way.
2. Fifty (50) feet of the south property line.
3. Thirty (30) feet of all other exterior property lines.
4. Fifteen (15) feet of any internal roadway.

D. Access and Roadway Improvements

1. Access to this District shall be limited to one (1) primary bi-directional drive, one (1) service drive, and one (1) secondary emergency access drive on Ross Road as directed by the City Engineer.
2. Access to the wireless communications tower facilities compound shall be limited to one (1) private driveway which traverses MODOT right-of-way to Ross Road. Provision of a fully-executed access easement or similar instrument shall be required prior to the issuance of building permits.
3. All mud, dust, dirt, and debris shall be contained on site and kept off streets, curbs, sidewalks, or any other areas within right-of-way. Any instances where this does not occur shall be rectified immediately.
4. The Developer shall be held liable for unusual wear and tear or damage to the streets, curbs, sidewalks, or any other areas within right-of-way resulting from such usage. Use of the right-of-way by the Developer or those under their direction shall constitute an agreement on their part to pay the reasonable cost of restoring the areas in question to their original condition.
5. Construction entrances shall be constructed in accordance with City of Maryland Heights standards. A washdown area may also be required at the sole direction of the City of Maryland Heights.

E. Building Design – Building design shall be in accordance with Article 13, Building Design Standards, of the Zoning Code. Additionally:

1. The buildings in Phase II shall be designed in a manner generally consistent with the exhibits included in the City Planner's Report to the Planning Commission for Application PDP19-0003 dated October 17, 2019. Substantial deviations shall be subject to the review and approval of the Planning Commission.

2. The freestanding monopole wireless communications tower be maintained with a neutral color, be unlit, unmarked, and not be equipped with flags or any attention-getting device.
 3. All antennae shall be enclosed within the monopole wireless communications tower.
- F. Parking & Loading - Off-street parking and loading spaces shall be provided in accordance with Article 14, Parking and Loading Regulations, except as follows:
1. Phase one of Boulder Springs Apartments shall allow for 1.5 parking spaces per residential unit.
- G. Signs - Signs shall be in accordance with Article 15, Sign Regulations, of the Zoning Code.
- H. Landscaping -- Landscaping shall be provided in accordance with Article 16, Landscaping Design Standards, of the Zoning Code except as follows:
1. Landscaping shall be designed in a matter generally consistent with the exhibits included in the City Planner's Report to the Planning Commission for Application PDP19-0003 dated October 17, 2019. Substantial deviations shall be subject to the review and approval of the Planning Commission.
 2. *Walkway System* – The Planned District shall have pedestrian trails or walkways connecting the buildings and open spaces to public sidewalks, designed in such a manner to encourage their use.
- I. Environmental Standards - Every use, activity, process or operation on the site shall comply with Article 17, Environmental Standards, of the Zoning Code.
- J. Exterior Lighting – Exterior lighting shall be in accordance with Article 18, Lighting Design Standards, of the Zoning Code.
- K. Screening
1. Any new permanent electrical, telephone, data transmission and distribution lines shall be installed underground within the Planned District.
 2. Dumpsters, recycling areas, mechanical equipment, emergency generators, above ground utility boxes or meters, and similar functional elements shall be screened in accordance with the provisions of Section 25-25.4, Screening of Outdoor Storage, Mechanical Equipment, and Above Ground Utilities, of the Zoning Code.
- L. Stormwater
1. Adequate provisions shall be made for the disposal of stormwater, in accordance with the specifications and standards of MSD and the City of Maryland Heights.
 2. A SWPPP (Stormwater Pollution Prevention Plan) approved by the City of Maryland Heights is required prior to commencing work.
 3. No grading shall be completed on any property which will adversely affect neighboring properties by discharging, directing, or obstructing water flow in such a way that it causes damage to any neighboring properties. All stormwater shall be discharged at an adequate natural discharge point.

4. The parking garage shall be properly connected to the sewer system in accordance with MSD Rules and Regulations. Stormwater shall not enter the sanitary system through the parking garage drainage systems.
5. Flood protection volume shall be required for this site. The site is in a release rate watershed. The release rates shall be in effect for this project.
6. Channel protection storage volume shall be required.

M. Sanitary Sewers

1. Sanitary sewer facilities shall be provided in accordance with the requirements of MSD.
2. The Developer shall provide a hydraulic model of the sanitary system from manhole 15O4-124S to the 24-inch sewer at manhole 16O1-177S. Offsite sewer upgrades are expected to be required.
3. MSD prohibits new encroachments into public sewer easements.
4. BMP's shall not be located in easement areas. Public sewers shall be prohibited in BMP reserve areas. All areas disturbed since 2006 shall be included.

IV. MAINTENANCE

- A. The building and site shall be maintained in accordance with the Property Maintenance Code.
- B. The landscaped areas shall be maintained in accordance with landscaping delineated on the Final Development Plan. Plant materials shall be replaced or replanted as determined by annual inspection of the site by the City Planner or his assigns.

V. PLANNED DISTRICT LIMITATIONS

Limitations regarding failure to commence construction, abandonment, and extension of development schedule shall be in accordance with the provisions of Section 25-6.14, Limitations, of the Zoning Code.

VI. RIGHTS OF APPEAL

In the event of a disagreement between any Developer and the City Planner and/or the City Engineer as to the criteria or conditions set forth in this ordinance and/or the Zoning Code, such disagreement shall be submitted to the Planning Commission for recommendation to the City Council, which shall make the decision on such disagreement, provided the Developer shall have the right to appeal such decision pursuant to the City of Maryland Heights Zoning Code and to pursue any other available legal or equitable remedy.

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

PASSED BY THE CITY COUNCIL THIS 5th DAY OF DECEMBER 2019.

Michael Moeller
MAYOR/PRESIDING OFFICER

APPROVED BY THE MAYOR THIS 5th DAY OF DECEMBER 2019.

Michael Moeller
MAYOR

ATTEST:

Jeanne L. Coia
CITY CLERK

