



Bill No. 4102

Ordinance No. \_\_\_\_\_

INTRODUCED BY

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

---

**AN ORDINANCE ADOPTING A MANCHESTER ROAD REVITALIZATION OVERLAY DISTRICT FOR CERTAIN LAND COMMONLY KNOWN AS 14811, 14819 AND 14821 MANCHESTER ROAD IN THE CITY OF BALLWIN AND CURRENTLY ZONED C-1 COMMERCIAL.**

---

WHEREAS, a petition was received from Landau Group to adopt a Manchester Road Revitalization Overlay District for certain land commonly known as 14811, 14819 and 14821 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 July 6, 2021, 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 operationally 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, MISSOURI, AS FOLLOWS:**

Section 1. A Manchester Road Revitalization Overlay District is hereby adopted for certain land commonly known as 14811, 14819 and 14821 Manchester Road, Ballwin, MO, in the City of Ballwin as shown on the Site Development Plans attached hereto and made a part hereof, according to the site development plans, building elevation drawings, traffic studies, SWPP Plan and landscaping plans dated May 3, 2021 presented to the Ballwin Planning and Zoning Commission on July 6, 2021 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 building elevations presented to the Planning and Zoning Commission on November 1, 2010. No portion of any building shall be taller than 86 feet above the primary finished floor elevation of the building.
2. Vehicular site access shall be limited to the two existing curb cuts from Andrews Parkway and exit – only access from the Elm Street stub onto Manchester Road.
3. All storm water detention facilities shall meet all Ballwin and MSD standards for the quantity of water detained, rates and quantities of discharge and overall system capacity and design.
4. All MSD standards for water quality in force on the date of this ordinance shall be met.
5. 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 roadway improvements, if needed.
6. The approved uses for this MRD shall be limited exclusively to multifamily residential living space and no less than 2090 ft.<sup>2</sup> of retail commercial space.
7. Unless designed as bioretention, all parking lot islands and landscaped areas adjacent to vehicular pavement areas shall be protected by vertical concrete curbs.
8. All landscaped areas shall be irrigated.
9. The site landscaping, and screening to surrounding properties shall be installed and maintained as shown on the site development and landscaping plans attached hereto and made a part of this ordinance. The Petitioner shall utilize native or acclimatized species that thrives in this proposed environment, but that will be properly maintained in a way that does not negatively affect Vlasis Park or any other surrounding property.
10. The architecture of the building including the color palate, materials, textures, and features shall be as shown on the attached architectural elevations. The proposed building materials and their percentages of the overall square footage shall be no less than the following, although different materials or greater percentages may be incorporated, if the substitutions are permitted by City Code and approved by Staff:
  - (a) Brick (25.79%)
  - (b) Wood Look Fiber Cement (23.62%)
  - (c) Varied Grey Fiber Cement (11.38%)
  - (d) Decorative metal panel (21.28%)
  - (e) Glazed (17.93%)



11. All site and building mechanical equipment shall be roof mounted. All such equipment, trash containers, loading docks and facilities wherever located shall be 100% screened from view from all adjoining rights-of-away, properties and all public areas of the development.

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

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

14. The Ballwin directory sign and associated electrical service at the intersection of Manchester Rd. and Seven Trails Dr. serving the Vlasik Park government complex and the Retreat at Seven Trails Apartments shall be removed and replaced at the cost of Petitioner. The new sign will need to be reviewed at a later date by City Staff through the usual sign permitting process, but also under the legal context found in Ordinance 12-14 between the City of Ballwin and Seven Trails Investors, LLC, wherein an easement deed was entered into and executed and includes the allowance for the Retreat at Seven Trails Apartments to maintain a panel on the current sign. The Sign Easement agreement includes a clause which states that should the City of Ballwin replace the sign, the Retreat at Seven Trails Apartments will have the right to a panel of similar dimension as currently exists on the monument sign.

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

16. The Petitioner shall construct a new sidewalk along the southern side of Andrews Parkway.

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 ordinance.

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

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**TIM POGUE, MAYOR**

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**TIM POGUE, MAYOR**

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