

NOTE: THE BOARD OF ALDERMEN MEETING WILL BE HELD **IN-PERSON**
AND VIRTUALLY VIA ZOOM (link is below).

Please note, individuals may attend in-person or virtually via Zoom. Doors will open 30 minutes prior to the start of each meeting.

Please click this URL to join. Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/84791916455>

Phone one-tap:

+13052241968,,84791916455# US

+13092053325,,84791916455# US

Join via audio:

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

Webinar ID: 847 9191 6455

International numbers available: <https://us02web.zoom.us/j/kdHPKdA7Te>

Persons interested in making their views known on any matter on the agenda should send an email with their comments to the City Clerk at jfrazier@claytonmo.gov. All comments received will be distributed to the entire Board before the meeting.

CITY OF CLAYTON BOARD OF ALDERMEN
EXECUTIVE SESSION – 6:00 P.M.
TUESDAY, JANUARY 14, 2025
CITY HALL CONFERENCE ROOM-ADMIN., 2ND FL
10 N. BEMISTON AVENUE
CLAYTON MO 63105

1. Legal (pursuant to Sections 610.021(1), RSMO)

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

CITY OF CLAYTON BOARD OF ALDERMEN
TUESDAY, JANUARY 14, 2025 – 7:00 P.M.
CITY HALL COUNCIL CHAMBERS, 2ND FL
10 N. BEMISTON AVENUE
CLAYTON, MO 63105

ROLL CALL

PUBLIC REQUESTS & PETITIONS

UNFINISHED BUSINESS (*public hearing cont'd*)

1. Ordinance – An amendment to Chapter 410 of the Municipal Code to Add a New Article Establishing the “Big Bend Overlay Zoning District”. (Bill No. 7045)

PUBLIC HEARING

1. Ordinance - An amendment to Chapter 425 (Sign Regulations), Section 425.020 and Section 425.100, revise the requirements for storefront window coverings. (Bill No.7050)
2. Ordinance – An amendment to Chapter 405, Chapter 410 and Chapter 600 pertaining to Land Use and Licensing Regulations for Certain Hospitality Businesses. (Bill No. 7051)

CONSENT AGENDA

1. Minutes – December 10, 2024
2. Resolution – Subscription agreement for budget software. (Res. No. 2025-01)
3. Motion – Destruction of records.

CITY MANAGER REPORT

1. Ordinance – A ballot submission on the April 8, 2025, Election authorizing a sales tax for operations of the Clayton Fire Department. (Bill No. 7052)
2. Ordinance – 10 S. Brentwood Door Improvements Project. (Bill. No. 7053)
3. Ordinance – Amending Chapter 505, Section 150 – Portable-On-Demand Storage Units (PODs). (Bill No. 7054)

4. Mayor's Commemorative Landscape Task Force recommendation for the Osage Nation Commemorative Marker language.
5. Discussion on the citizen survey

ADJOURNMENT

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021 (9)(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

Agenda topics may be added or deleted at any time prior to the Board of Aldermen meeting without further notice. To inquire about the status of agenda topics, call 290.8469. Individuals who require an accommodation (i.e., sign language, interpreter, listening devices, etc.) to participate in the meeting should contact the City Clerk at 290.8469 or Relay Missouri at 1.800.735.2966 (TDD) at least two working days prior to the meeting.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN

FROM: DAVID GIPSON, CITY MANAGER
ANNA KRANE, AICP, DIRECTOR OF PLANNING & DEV. SERVICES

DATE: JANUARY 14, 2025

SUBJECT: PUBLIC HEARING AND ORDINANCE - AMENDING CHAPTER 410 BY
THE ADDITION OF A NEW ARTICLE, ESTABLISHING THE BIG BEND
OVERLAY

BACKGROUND

This request is to consider amending Chapter 410, of the Land Use Code, to establish a new overlay district to regulate an athletics focused university campus under Article XVII Big Bend Overlay Zoning District. The proposed text amendment would establish the definitions, regulations, and boundaries of the overlay district. In addition to the text amendment, this is a request to rezone the western portion of the property addressed 801 Seminary Place to be in the Big Bend Overlay Zoning District. The two requests are addressed together in this report but represent separate items on the agenda.

A goal for the overlay district process is to connect staff, community members, and the institutions early. To facilitate a working relationship, staff has spent over a year hosting community meetings, neighborhood discussions, and individual meetings striving to enhance public engagement surrounding this project. The schedule of previous meetings, presentation recordings, and other informational documents can be viewed online under the project page at EngageClayton.com.

UPDATES

On November 12, 2024, November 26, 2024, and December 10, 2024, the Board of Aldermen (BOA) held public hearings regarding the proposed overlay district. The BOA recessed the hearing to January 14, 2025, to allow for additional public comment, consideration of amendments, and additional information from WashU. The BOA proposed a series of amendments and requested that staff draft revisions to the proposed Big Bend Overlay District. The table on the following page outlines potential revisions drafted to address comments and concerns voiced during the December 10th public hearing. A redline draft of the proposed overlay follows the staff report. Bill No. 7045 was introduced at the meeting on November 12, 2024, and therefore, the BOA could vote to amend the Bill to include all revisions, some of the revisions, or request different revisions.

Amendments proposed for consideration		Location of Amendment in Redline Draft
1	Amend purpose statement to include the goal of minimizing impact on, and protecting the residential character of, the surrounding neighborhoods.	Section 410.940, page 5
2	Strengthen the overlay in terms of protecting neighborhood interests.	Section 410.950.A, page 5 Section 410.985.A, page 16
3	Further refine the accessory uses list. Remove any graduation type activity, lectures, cultural events, etc.	Section 410.955.C, page 5
4	Strengthen language around event permit requirements – it seems like the statement “not including university sponsored athletic events” provides potential for grey area. I’d suggest we require event permits anytime they anticipate more than 500 people, although a NCAA D3 baseball or softball event could be excluded from the 10 event cap.	Section 410.955.E, page 6
5	Reduce the maximum for events from 900 to 600 and retain the cap of two of these events at any time.	Section 410.955.F, page 6
6	Revise the permanent seat calculation to include pull-out bleachers.	Section 410.960.A.3, page 5
7	Remove allowance for a venue with 500 permanent seats.	Section 410.960.A.3, page 5
8	Identify maximum seat capacity for total of five spectator venues.	Section 410.960.A.3, page 5
9	Reduce the total number of venues from 6 to 5.	Section 410.960.A.4, page 7
10	Reduce the total number of outdoor playing surfaces from 5 to 4.	Section 410.960.A.4, page 7
11	Reduce maximum building height.	Section 410.960.B, page 7
12	Clarify the inning exemption for lights and noise – should be any inning underway at end time allowed can finish, not 10pm.	Section 410.960.D.3, page 8 (lighting) Section 410.980.A.4, page 16 (noise)
13	Clarify that lights shall be turned off when fields are not in use.	Section 410.960.D.3, page 8
14	Increase the setback for fields with lights from the south boundary.	Section 410.960.E.11.c, page 9
15	Increase the setback for buildings along the western boundary.	Section 410.960.F, page 10
16	Make sure the necessary protections for trees during construction activities are in place.	Section 410.960.F.11, page 10 Section 410.965.B, page 12
17	Increase the depth of the retaining wall step from 4 feet to 8 feet when within 150 feet of the N, W, S boundary and require setback from perimeter.	Section 410.960.G.5, page 11
18	Modify the established tree growth zone to include more area adjacent to Big Bend and Tuscany Park.	Section 410.965.B, page 12
19	Add language to encourage shared parking reduce need to construct additional parking.	Section 410.970.A.1.a, page 13
20	Add language to require shuttle service to connect the district with off-site parking garages.	Section 410.970.B, page 13
21	Any parking garage should be completely below grade.	Section 410.975.D.6, page 15
22	Require a higher wall (10 feet tall) on the south boundary to reduce noise into Tuscany Park.	Section 410.975.D.9.b.2, page 15
23	Only allow amplified announcement system for varsity baseball and softball games.	Section 410.980, page 16
24	Revise the maximum noise levels to introduce peak hours.	Section 410.980.A.4, page 16
25	Protect owls, hawks, and other wildlife.	Section 410.985.A.4, page 17
26	Revise the building height measurement to be the top of any roof shape.	Section 410.990.A.1, page 17
27	Add a definition for a temporary building or structure.	Section 410.990.A.1, page 18

STAFF RECOMMENDATION

On January 8, 2025, the City received a letter from WashU requesting that the proposed overlay is withdrawn for consideration by the BOA. The City can proceed with the rezoning despite this request, but this would be ill-advised given the specific nature of the overlay and the lack of desire on the part of WashU to move forward at this point in time. Staff are of the opinion that this process has yielded significant information about resident concerns, goals of our institutions, and potential future land use scenarios. This information will continue to be useful should the overlay zoning discussions begin again, or should a proposal be submitted under existing zoning regulations. Staff's goal continues to be supporting the needs and future of our institutions while protecting and enhancing the character of our residential neighborhoods. Staff recommend closing the public hearing and withdrawing consideration of Bill No. 7045.



January 8, 2025

Board of Aldermen
The City of Clayton, Missouri
10 N. Bemiston Avenue
Clayton, Missouri 63105

Re: 801 Seminary Place – Big Bend Overlay

Dear Honorable Members:

Over the past several months, we have worked closely with Concordia Seminary, our community partners, our neighbors, and elected officials in Clayton on a city-sponsored overlay zoning proposal off of Big Bend Boulevard. We are grateful for the thoughtful dialogue and feedback provided by all stakeholders throughout this process.

Since the beginning of this effort, our primary goals for this project have remained clear: Planning for WashU's and Concordia's long-term future, while supporting and protecting our surrounding neighborhoods and communities. We've engaged with the city and our neighbors and listened carefully to the important points raised through many hours of discussion. Internally, we have also consistently examined each change proposed to the overlay since its introduction 18 months ago and discussed the ramifications of these changes on our primary goals.

After careful consideration, we believe the overlay version now before the city for debate on Tuesday, January 14 is not feasible to meet the primary objectives of this effort. As a result, we request the city withdraw the overlay zoning legislation while we evaluate our future options.

If you have questions, please reach out to JoAnna Schooler at 314.935.5014 or JoAnna.Schooler@washu.edu.

We appreciate your time and consideration.

Thank you,

A handwritten signature in black ink, appearing to be "JD" followed by a stylized "B" or "A".

JD Burton
Vice Chancellor
Government & Community Relations

Cc: President Thomas J. Egger, Concordia Seminary

From: [David Gipson](#)
To: [*Mayor and Board of Aldermen](#)
Subject: FW: Big Bend Overlay Request Letter
Date: Thursday, January 9, 2025 4:38:22 PM
Attachments: [image002.png](#)

Good afternoon,

Please see the email below received from Dr. Egger with Concordia Seminary.

Thank you,

David

David Gipson (he/him)
City Manager

From: Egger, Thomas <eggert@csl.edu>
Sent: Thursday, January 9, 2025 1:25 PM
To: David Gipson <dgipson@claytonmo.gov>; Schooler, JoAnna <joanna.schooler@wustl.edu>; Michelle Harris <mharris@claytonmo.gov>
Cc: Burton, J.D. <burtonjd@wustl.edu>; Louis, Michael <louism@csl.edu>
Subject: RE: Big Bend Overlay Request Letter

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious messages using the Phish Alert Report button.

Dear Michelle and David,

We at Concordia Seminary have been in conversation with Washington University, and I am writing to convey Concordia's concurrence with their January 8 written request that the city withdraw the overlay zoning legislation for the Big Bend acres while we evaluate our future options.

We are appreciative of the expertise, leadership, and time you have invested in this project.

Please do let us know what your recommended procedure will be for the Board of Aldermen meeting on January 14, as David mentions in his email below.

Also, please let me know if you would like to have this communication in hard form, and I can send it on letterhead tomorrow.

Sincerely,
Tom Egger

Dr. Thomas J. Egger
President
Concordia Seminary
801 Seminary Place
St. Louis, MO 63105
314-505-7011
eggert@csl.edu
csl.edu

Article XVII Big Bend Overlay Zoning District

Section 410.940 Purpose Statement.

The Big Bend Overlay Zoning District (hereinafter known as the “Big Bend Overlay”) is intended to facilitate the use and development of campuses and facilities for university, seminary, and college uses, while ensuring compatibility with and protecting the character of the surrounding residential neighborhoods. This area of the City has a unique concentration of advanced education uses that require careful consideration to balance educational, recreational, and residential needs of institutions with the character of adjacent low-density residential areas. The Big Bend Overlay is intended to modify the underlying zoning district regulations only to the extent specifically set forth in this Article. If not specifically modified in this Article, the regulations in effect in the underlying zoning district will remain in full force and effect.

Section 410.945 Location of Overlay District.

The Big Bend Overlay Zoning District generally includes the western parcel of the Concordia Seminary Campus. The official boundary of the Big Bend Overlay is as described in the district map exhibit hereunder.

Figure 1: District Map



Seminary. The overall character of the district provides for a wide range of contextual building typologies, scales, and materials. Unlike the Concordia Seminary Campus, however, this district should not be reliant on specific stylistic conventions, but buildings should be designed with care and consideration for thoughtful architecture and durable materials that do not involve any diminution to the character of the district. This includes attention to scale, proportion, fenestration, massing, datums, rhythms and patterns, hierarchy, and balance.

2. Sustainable design principles ~~should~~shall inform the development of all new construction in terms of efficiency measures for energy, water, and waste.
 3. Site development ~~should~~shall focus on regeneration and restoration and incorporate best practices for stormwater management, including in the design of recreational and athletic playing surfaces.
 4. Site development and layout ~~should~~shall prioritize preservation of existing trees and topography.
 5. Site design ~~should~~shall integrate new facilities with the existing context, focus activity to the interior of the district, and minimize noise and light trespassing from the district.
 6. Planting ~~should~~shall rely on native and non-invasive species and, outside of competitive and non-competitive playing surfaces, largely feature non-turf areas and low maintenance landscape.
 7. Utilities and service functions ~~should~~shall be screened from adjacent residential properties and incorporated into the district to minimize visibility, noise, and impact.
 8. The Big Bend Overlay ~~should~~shall foster a built environment that is friendly to the presence of people who are living, learning, visiting, playing, and working in and around the district.
- B. Property within the Big Bend Overlay shall not be eligible for rezoning to a planned unit development or redevelopment per Chapter 405, Article X Planned Unit Development District.

Section 410.955 Uses Permitted.

The permitted uses and specific activity restrictions are outlined below.

- A. Mixed-Uses. Facilities and buildings consisting of multiple uses are permitted so long as all uses are allowed under the base zoning district and/or the Big Bend Overlay.
- B. Primary Uses. College and university uses are defined as the following and are permitted by right and subject to the Big Bend Overlay Zoning District regulations:
 1. Athletic and recreational facilities (indoor and outdoor).
 2. Playgrounds.
- C. Accessory Uses. Accessory uses shall be a subordinate building or use customarily incidental to the primary building or use, subordinate in area, extent or purposes to the primary building or use, and limited to and contributing to the comfort, convenience or necessity of the primary building or use. College and university accessory uses in support of primary uses in the district and defined as the following are permitted by right and subject to the Big Bend Overlay regulations:
 1. Administrative and faculty offices related to athletics or recreation.
 2. Athletic events including competition and practice.
 3. Band playing, and practice only when located indoors.
 - ~~4. Commencement, convocation and graduation exercises only when located indoors.~~
 - ~~5.4.~~ Concessions facilities.
 - ~~6.5.~~ Gymnasium, strength, and performance facilities.
 - ~~7.6.~~ Health and medical care related to athletics or recreation.
 - ~~8.7.~~ Parking lots and multi-level parking structures providing the parking necessary to support the primary uses within the District.

- ~~9.8.~~ Pickleball, only when played indoors.
- ~~10. Musical performances only when conducted indoors.~~
- ~~11. Student and campus lectures, speakers, and other cultural events.~~
- ~~12.9.~~ Restrooms, drinking fountains, and similar support buildings or structures.
- ~~13.10.~~ Temporary building or structures.
- ~~14.11.~~ Solar energy systems, building- or ground-mounted (subject to the provisions of Article XXVIII).
- ~~15.12.~~ Wind energy systems, building-mounted (subject to the provisions of Article XXVIII).
- D. Prohibited Uses. Uses not expressly listed in this Section as approved primary or accessory uses shall be prohibited. All permitted uses shall be provided for students, faculty, and employees of the university or patrons visiting the site to support university uses or patrons associated with an event hosted on the property. Uses providing services to the general public outside of events or activities associated with permitted primary and accessory uses shall be prohibited. Full university graduation ceremonies (conferring degrees in all or substantially all schools and programs), WILD, and ThurtenE shall be prohibited.
- E. Outdoor events and activities; ~~not including university sponsored athletic or athletic related events~~, where anticipated attendance is ~~five-two~~ hundred ~~fifty~~ (~~500~~~~250~~) people or more, shall require issuance of a special events permit in accordance with the City's event guidelines. A maximum of ten (10) special event permits may be issued each calendar year and university softball and baseball events shall not be included in the permit count maximum.
- F. The maximum number of attendees or participants for an outdoor event or activity shall be ~~nine~~ six hundred (~~900~~600) people. No more than two (2) outdoor events with ~~nine-six~~ hundred (~~900~~600) attendees each shall be held at the same time.

Section 410.960 Development Standards.

- A. Coverage and Density.
 - 1. There are no minimum lot widths or minimum lot area requirements within the Big Bend Overlay.
 - 2. No more than forty percent (40%) of the Big Bend Overlay area may be covered by impervious material, including structure footprints. For the purposes of this requirement, playing surfaces with synthetic surfaces and engineered draining systems for water quality and quantity to collect and infiltrate runoff shall be considered pervious.
 - 3. A maximum of five (5) total venues or facilities may be constructed with permanent spectator seating (indoor or outdoor) as outlined below shall be designed with a maximum permanent seat capacity of three hundred (300) seats per facility. For the purposes of this calculation, permanent seats shall not include standing areas, ~~pull-out or moveable temporary~~ bleachers, foldable or collapsable seats, and/or other temporary seating.
 - ~~a. Maximum permanent seat capacity may be increased to five hundred (500) seats for one (1) indoor venue for facility.~~
 - a. Two (2) outdoor spectator venues may be constructed with a maximum of two hundred seventy-five (275) permanent seats each.
 - b. One (1) outdoor spectator venue may be constructed with a maximum of fifty (50) permanent seats.
 - c. One (1) outdoor spectator venue may be constructed with a maximum of one hundred twenty-five (125) permanent seats.
 - d. One (1) indoor spectator venue may be constructed with a maximum of four hundred seventy-five (475) permanent seats.

4. A maximum of ~~six-five~~ (65) total playing surfaces, including indoor and outdoor facilities, may be constructed on site. A maximum of ~~five-four~~ (54) outdoor playing surfaces may be constructed. For the purposes of this requirement, six connected tennis courts shall count as one playing surface and a multi-purpose field that combines and overlaps the playing surfaces for two or more sports, shall count as one playing surface.
- B. Height. Building height shall be limited to ~~sixty-five~~~~fifty-five~~ (6555) feet.
 1. Buildings or portions of buildings located within one hundred fifty (150) feet of a property line shared with a non-institutional residential use shall have a maximum building height of fifty (50) feet.
 2. For new construction and additions, the proposed grade plane shall not deviate from the existing grade plane by more than six (6) feet without Site Plan Review approval per Chapter 405, Article VIII.
 3. Elevator and stair overruns, mechanical screening, renewable energy systems, and similar architectural features may exceed the building height maximum by up to fifteen (15) feet.
 4. Playing surfaces may only be located on the roof of a below grade or a partially below grade building when the playing surface elevation is not more than twelve (12) feet above the grade plane of the building.
 5. Accessory buildings shall be equal to or less than twenty-five (25) feet in height.
- C. Layout and Access.
 1. Buildings shall be oriented in a manner that supports the general organization of the pedestrian and vehicular circulation throughout the district.
 2. Visible utilities and accessory structures should be minimized through screening, underground vaults, or incorporation into surrounding buildings.
 3. Parking shall be located interior to the Big Bend Overlay or within enclosed parking structures to the maximum extent feasible. Parking areas adjacent to residential uses shall be designed to provide screening of vehicle headlights and site lighting to prevent glare into residential property.
 4. Primary and secondary access points to the Big Bend Overlay shall be designed and located to minimize traffic through adjacent residential neighborhoods.
 - a. Primary vehicle access shall be limited to Big Bend Boulevard or the northern boundary. Signalized access from Big Bend Boulevard may align with Southmoor Drive or Oak Knoll Park.
 - b. Secondary vehicle access shall be limited to the eastern boundary or the westernmost six hundred fifty (650) feet of the northern boundary, only with consent of any adjoining property owner.
 - c. Vehicle access shall not be provided from Dartford Avenue or the Hillcrest neighborhood.
 - d. Access from San Bonita Avenue shall be limited to emergency access only.
 - e. Primary pedestrian and bicycle access shall be provided from Big Bend Boulevard with secondary access points permitted from all other district boundaries.
 1. Pedestrian and bicycle access from Dartford Avenue may be provided through the Big Bend Overlay to Concordia Seminary, with consent from Concordia Seminary; however, pedestrian and bicycle access to playing surfaces or facilities within the Big Bend Overlay may not traverse through the required northeast corner established tree growth area or be located within three hundred forty (340) feet of the northeast corner of the overlay boundary.
 5. Accessory buildings may be oriented toward any street or towards the interior of the Big Bend Overlay.
- D. Lighting.

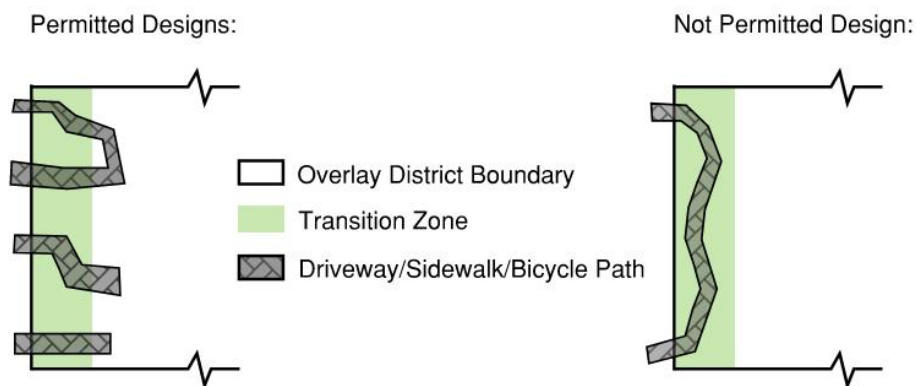
1. General exterior lighting should take into account IES recommended levels for safety.
2. The DarkSky International principles shall be used as a guideline and all playing surfaces and athletic fields shall be certified through the DarkSky Outdoor Sports Lighting Program.
 - a. Certification of DarkSky International OSL Compliant Design shall be provided to the Director of Planning and Development Services prior to construction.
 - b. Certification of DarkSky International Compliant Installation shall be provided to the Director of Planning and Development Services within six months of project completion, with extensions for scheduling at the discretion of the City Manager or his/her designee.
3. Section 405.360 Outdoor Lighting Standards shall apply, including the requirement for a photometric plan, with the following modifications:
 - a. Outdoor playing surface lighting is permitted after 7:00 A.M. and until 9:30 P.M. University varsity level games may continue to the end of the inning that is underway before ~~10:00~~9:30 P.M. for baseball and softball.
 - a.b. Outdoor playing surface lights shall only be operated when the playing surface is in use.
 - b.c. Campus safety and circulation lighting is not limited to a time of day.
 - e.d. Outdoor playing surfaces, maximum horizontal light levels. The maximum horizontal light level defined as the average light level at grade along a property line shall not exceed 0.5 footcandles at the north, south and west property lines and 2.0 footcandles along the east property line.
 - d.e. The maximum uniformity ratio (maximum to minimum) shall be 2:1 on playing surfaces and 10:1 on remainder of the site.
 - e.f. Playing surface lighting poles shall be a maximum of eighty (80) feet in height. Lighting poles for internal roadways and parking shall not exceed twenty (20) feet in height.
 1. Light pole heights may be permitted to exceed the maximum heights by the Plan Commission when determined that the requested height increase would not result in additional lighting spillage or glare outside of the district boundary and when all other lighting standards are met.
- E. Setbacks. Setbacks for buildings, structures, and other improvements specifically listed shall be required as follows:
 1. There shall be no setback requirements from property lines that divide interior portions of the Big Bend Overlay. All required setbacks shall be established and measured from the district boundaries.
 2. Should there be any conflicts between the setbacks required herein and the transition zones required per Section 410.960.F, the required transition zone shall apply.
 3. From the western district boundary line, along Big Bend Boulevard, the minimum building setback is one hundred forty (140) feet. Surface parking shall also adhere to the western building setback.
 4. From the eastern district boundary line, along the edge of the Concordia Seminary Campus, the minimum building setback is ten (10) feet for buildings measuring thirty-five (35) feet or less in height and the minimum setbacks is fifty (50) feet for buildings measuring greater than thirty-five (35) feet in height. Surface parking shall not be confined by the eastern building setback and may be located up to the eastern district boundary.
 5. From the northern district boundary line, the minimum building setback is ten (10) feet. Surface parking shall not be confined by the northern building setback and shall be located a minimum of five (5) feet from the northern district boundary.

6. From the southern district boundary line, the minimum building setback is ninety (90) feet. Surface parking shall also adhere to the southern building setback.
 7. Accessory buildings measuring two hundred (200) square feet or less in gross floor area shall be located a minimum of five (5) feet from the eastern district boundary line and a minimum of ten (10) feet from other district boundaries, unless a greater transition zone is required per Section 410.960.F.
 8. Basements and parking facilities that are completely underground shall be subject to the building setbacks outlined above.
 9. There shall not be any setback requirements for pedestrian paths, bicycle paths, or fences.
 - ~~10. There shall not be any setback requirements for retaining walls, except for the following: Retaining walls greater than or equal to ten (10) feet in height, as measured from the base of the footing to the top of the wall, that hold grade within the district boundary at a higher elevation than grade outside of the district boundary shall be located a minimum of ten (10) feet from the district boundaries. See Section 410.960.G for additional grading and retaining wall regulations.~~
 - ~~11.~~ 10. Outdoor Pplaying surfaces shall have the following setbacks, unless a greater transition zone is required per Section 410.960.F:
 - a. Outdoor playing surfaces ~~at grade~~with lights shall be located a minimum of eighty (80) feet from ~~the north, west, and south~~district boundary.
 - ~~b.~~ c. Outdoor playing surfaces with lights shall be located a minimum of one hundred (100) feet from the south district boundary.
 - ~~c.~~ d. Playing surfaces, with or without lights, shall be located a minimum of ten (10) feet from the east district boundary.
 - ~~12.~~ 11. There shall not be any setback requirements for light poles providing lighting for wayfinding or security purposes. Light poles for playing surfaces shall be located a minimum of five (5) feet from any district boundary.
 - ~~13.~~ 12. Mechanical equipment shall be located a minimum of five (5) feet from any district boundary except where the district boundary abuts a residential neighborhood, and then mechanical equipment shall be a minimum of fifteen (15) feet from the boundary.
 - ~~14.~~ 13. Multiple buildings shall be allowed on one lot and there shall not be a minimum setback requirement between buildings within the Big Bend Overlay, however, this shall not modify or reduce any standards or requirements of the applicable Building Codes or Fire Codes adopted by the City.
- F. Transition Zones. Transition zones are buffer areas where buildings, structures, improvements and uses other than landscape, sidewalks, bicycle paths, utilities and infrastructure, or emergency access routes shall not be permitted. Transition zones shall be required as follows:
1. Transition zones shall not be altered by any setback requirement.
 2. A transition zone shall be required along the entire southern district boundary line measuring a minimum of ninety (90) feet in depth.
 3. A transition zone shall be required along the easternmost four hundred ninety (490) feet of the northern boundary line of the district measuring a minimum of ninety (90) feet in depth.
 4. A transition zone shall be required on the northernmost two hundred ten (210) feet of the eastern boundary line of the district measuring a minimum of one hundred seventy (170) feet in depth.
 5. A transition zone shall be required along the entire western district boundary line measuring a minimum of one hundred forty (140) feet in depth. Driveways and accessory structures associated with the primary vehicle access point for the district may be located

within the required western transition zone.

- a. A buffer zone measuring forty (40) feet in depth shall be added along the eastern boundary of the western transition zone. No structures or playing surfaces with lights shall be permitted within the required buffer, however, parking, driveways, pathways, retaining walls, playing surfaces without lights, or similar surface improvements are permitted.
- a.b. The required depth of the transition zone along the western district boundary may be reduced to align with the western property line of the parcel to accommodate widening of the right-of-way for road and or sidewalk infrastructure, however, the ending point (eastern edge of the zone) shall not change.
6. Transition zones shall be planted with a variety of deciduous, coniferous, and evergreen shrubs and trees. New trees should be selected and located to provide future replacements of the existing large canopy trees as mature trees reach the end of their lives.
7. Transition zones shall provide year-round solid/sight proof screening from the adjacent property at least six (6) feet in height. Screening may be achieved through use of plantings, fencing, a wall, or a combination thereof. Screening requirements may be met at any point within the required transition zone depth.
 - a. Year-round screening shall not be required for the western boundary transition zone.
 - b. Walls and fences shall be located to avoid impact to existing tree critical root zones.
8. Light poles providing lighting for wayfinding or security purposes may be located anywhere within a required transition zone. Light poles for playing surfaces may encroach a maximum of five (5) feet into a required transition zone, measured to the centerline of the pole.
9. Retaining walls shall not be located within a transition zone, except where necessary to support a vehicle, pedestrian, or bicycle access point, to maintain grade for existing plantings and trees that are to remain, or to raise the grade of the transition zone above the grade interior to the district.
10. Driveways, sidewalks, and bicycle paths may connect to the outside of the district through a transition zone, but should not run within a transition zone parallel to the district boundary.
 - a. A shared use path for bicycles and pedestrians may run within the western transition zone parallel to the district boundary along Big Bend Boulevard.

Figure 2: Transition Zone Design

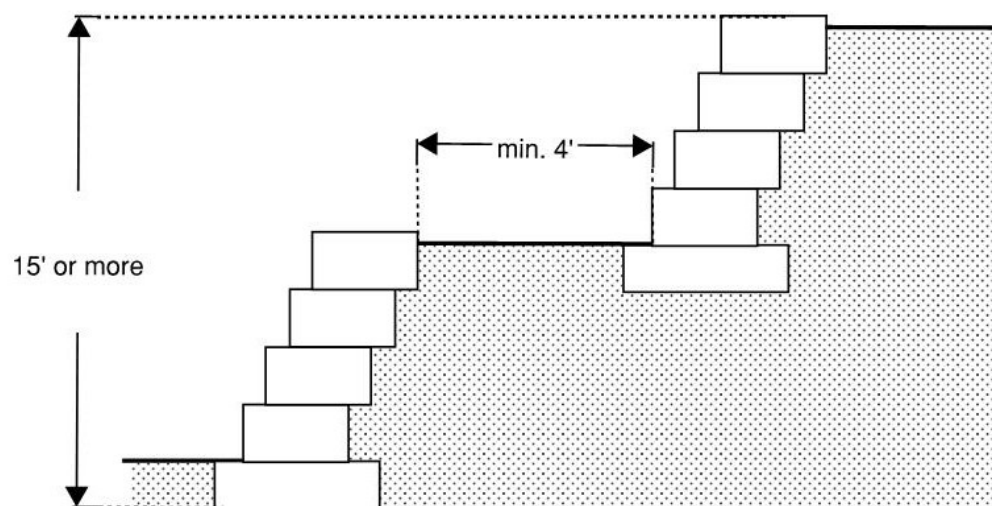


11. Transition zones shall not be used for staging or storing of materials related to construction activity, with the exception of an existing parking lot or paved area.

G. Grading and Drainage.

1. Development ~~should~~ shall follow and respect the topography at the perimeter of the site where it adjoins existing topography, including at the eastern edge of the district where it adjoins Concordia Seminary.
2. Large scale grading across the district shall incorporate a terracing plan to respect existing topographic conditions. The grade should not be lifted or reduced to create one elevation across the Big Bend Overlay.
3. Site drainage patterns shall be designed to prevent concentrated surface drainage from collecting on and flowing across adjacent lots, paths, walkways, sidewalks, and individual or stands of mature trees scheduled for protection and preservation.
4. The site shall be designed so as not to increase the amount of stormwater runoff that exits from the site other than through approved connections to Metropolitan Sewer District (MSD) facilities as approved by MSD.
5. Retaining walls shall be tiered or stepped to include landscaping to reduce the visual impact of the wall from adjacent property. A minimum of one step shall be required for every fifteen (15) feet of height (rise). The depth (run) of each step shall be a minimum of four (4) feet to allow and support plantings of shrubs and/or trees. The number of steps or height of each step may vary, except ~~walls within two hundred feet of non-affiliated residential property that face outside of the district shall have a maximum wall height of ten (10) feet~~ as outlined below.
 - a. Through Site Plan Review, the Plan Commission may increase the maximum wall height from fifteen (15) feet to no more than twenty (20) feet for a wall located interior of the district or a wall facing the interior of the district when it is determined that sufficient landscape and visual buffers or provided.
 - b. Retaining walls facing the outside of the district and located within one hundred fifty (150) feet of property with non-affiliated residential uses shall have a maximum wall height of ten (10) feet and any required step shall have a minimum depth of eight (8) feet.
 - a.c. Retaining walls facing the outside of the district and located within twenty (20) feet of property with non-affiliated residential uses shall have a maximum wall height of eight (8) feet, any required step shall have a minimum depth of eight (8) feet, and the wall shall be setback from the property line shared with the non-affiliated residential use by a minimum of ten (10) feet.

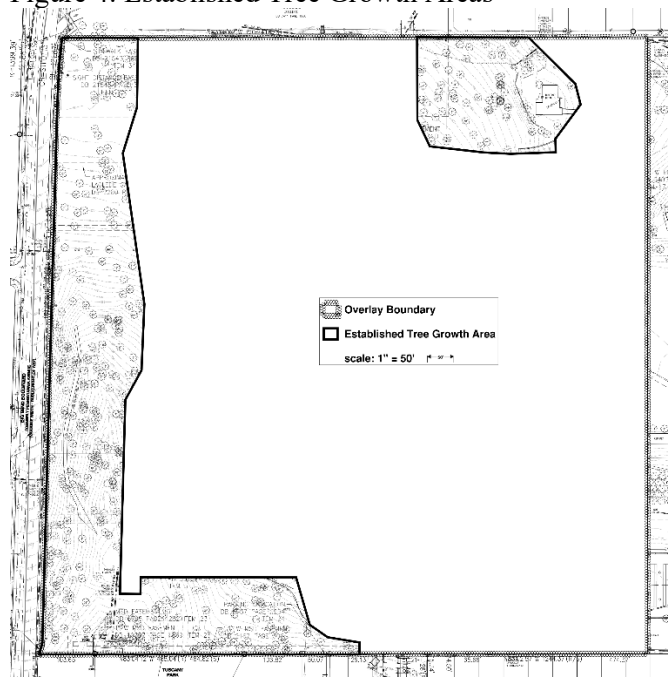
Figure 3: Retaining Wall Step Requirement



Section 410.965 Tree and Landscape Standards.

- A. All provisions of Chapter 405, Article XXX Trees and Landscaping Regulations shall apply with the following exception:
1. The Big Bend Overlay is unique in that permitted uses include outdoor athletic and recreational playing surfaces. These uses require large tracts of unencumbered flat surfaces. Accordingly, the Big Bend Overlay shall maintain a minimum tree canopy coverage (determined in accordance with the standards set forth in Article XXX) of thirty percent (30%) with any removal of trees requiring replacement as necessary to maintain the minimum coverage whether or not tree replacement is associated with a development project requiring site plan review. Per the calculation method of Article XXX, deciduous and some evergreen species count toward canopy coverage. In order to emphasize the benefits of deciduous native canopy, a minimum of eighty percent (80%) of the required canopy coverage should be deciduous. There shall be no limit or requirement for the breakdown of canopy coverage above the minimum required.
 2. Preservation of existing mature trees within and adjacent to the Big Bend Overlay is a priority and tree protection documentation and measures shall be provided per Section 405.4080 for all construction activities.
- B. In addition to maintaining a tree canopy across the Big Bend Overlay, it is important to maintain and protect existing established tree growth areas. The established tree growth areas, as identified in the figure below, shall be protected from ~~excessive~~ regrading, tree removal, and construction activity and shall be maintained so as to promote the health and life of the existing trees and new trees as necessary to supplement and replenish the area.
1. Retaining walls shall not be located within an established tree growth area, except where necessary to support a vehicle, pedestrian, or bicycle access point, or to maintain grade for existing plantings and trees that are to remain.
 2. A vehicle access point may only be permitted within an established tree growth area along Big Bend Boulevard and any regrading and construction activity associated with such access point shall be severely limited to maintain the maximum number of existing trees and existing grade as possible.
 3. Depth of the required tree growth areas along Big Bend Boulevard may only be reduced to accommodate widening of the right-of-way for road and/or sidewalk infrastructure.
 4. While the priority for established tree growth areas is preservation of existing trees, these areas also represent ideal locations for planting of additional trees to support generational tree canopy.
 - 3.5. Established tree growth areas shall not be used for staging or storage of construction materials or access points for construction activity, except when the construction access is on an approved permanent vehicle access path.

Figure 4: Established Tree Growth Areas



Section 410.970 Off-Street Parking and Loading.

- A. The requirement for off-street parking in the Big Bend Overlay shall be determined as follows:
 1. A parking study shall be completed by a professional traffic and parking consultant to determine the appropriate parking requirements given the mixture of uses, ~~and~~ parking design and alternative modes of transportation for the district. This parking study shall be used to analyze parking needs as development occurs for a period of five (5) years, at which time the City may elect to either require an updated parking study or extend the use of the existing study for a specified term. Proposed buildings or uses must be included in the study on file to be considered for approval.
 - a. Shared parking is strongly encouraged to support various uses at different times, resulting in a lower number of total parking spaces constructed within the District. Shared parking may be accomplished within the District or through agreements for off-site parking on adjacent property or other property under common ownership or control. The location, use, and access information for off-site shared parking must be included in the proposed plan documents to be considered as part of the required parking study.
- B. A shuttle stop within the District and a shuttle service shall be required to connect the District with other university campuses and parking. Shuttle services shall run during times when the playing surfaces or other facilities are in use.
- C. All loading and service areas shall be located interior to the site and screened from the district boundaries to the maximum extent feasible.
- D. Parking Lot Design Standards
 1. All surface parking areas shall be designed with landscape and/or tree islands to reduce the environmental impacts of large, paved areas. A minimum of one (1) canopy tree shall be required for every fifteen (15) surface parking spaces. Trees shall be planted directly adjacent to or within the parking lot area to maximize the amount of shaded area within parking lots.
 2. Surface parking lots with photovoltaic systems or solar panel arrays used to cover parking spaces shall be exempt from the minimum number of trees required by Section 410.970.C.1,

above.

3. Use of permeable pavers or similar is strongly encouraged for surface parking spaces.

Section 410.975 Site Plan and Architectural Review.

- A. Procedure. For all applications considered by the Plan Commission and/or Architectural Review Board per the Site Plan Review and Architectural Review provisions outlined in this Section, written notification shall be sent by mail at least ten (10) days prior to the meeting date to the last known abode of the owners of properties within two hundred (200) feet of the Big Bend Overlay.
- B. Site Plan Review pursuant to the procedures and standards outlined in Chapter 405, Article VIII, is required for:
 1. New structure or building construction with a gross floor area of ten thousand (10,000) square feet or more.
 2. Any expansion or addition measuring ten thousand (10,000) square feet or more to an existing structure or building.
 3. Any expansion or addition which increases the footprint of the existing structure by fifty percent (50%) or more.
 4. Any new construction or addition where the proposed grade plane deviates from the existing grade plane by more than six (6) feet.
 5. Any new outdoor playing surface of more than twenty-eight hundred (2,800) square feet, or any expansion thereof in excess of one-third of its existing surface area.
 6. Any site work including grading or modifications to existing runoff patterns with a disturbance area equal to or greater than 0.5 acres or if determined by the Director of Planning and Development Services to involve significant or excessive changes to existing topography.
 7. All ground-mounted wind energy renewable systems pursuant to Article XXVIII; however, such systems may be reviewed in conjunction with the review of principal structures.
- C. Architectural Review Board review is required when Site Plan Review is required, for any new building or addition with a gross floor area of five thousand (5,000) square feet or more that is located within fifty (50) feet of a transition zone or district boundary, or for any accessory structure which is located within a setback as allowed per Section 410.950.E. Administrative architectural review by the City Manager or his/her designee shall be completed for all other exterior modifications or projects. At the discretion of the City Manager or his/her designee, any project may be elevated from administrative review to the Architectural Review Board.
- D. Architectural Standards. The following standards shall be applied to all development proposals and may only be modified through the process of Alternative Compliance outlined in Section 410.285.
 1. Buildings should be oriented in a manner to create necessary landscape, recreational, and outdoor social spaces appropriate to the district.
 2. Buildings should be designed to work with and complement the existing topography while prioritizing accessibility.
 3. Building designs should incorporate variation in the façade, such as recesses and projections, or other architectural detailing in keeping with the district character identified in Section 410.940.
 4. Materials for use on building facades should be durable and establish a hierarchy of primary, secondary, and accent materials. High quality materials shall be used for all construction. Facades directly adjacent to or facing Big Bend Boulevard shall feature primary building materials of masonry such as brick and/or stone. Materials permitted by right in the Big Bend Overlay shall include anything permitted by the building code except for vinyl-based products.

- a. Other materials including new materials which may be developed shall be permitted subject to review by the Architectural Review Board.
- ~~5.~~ Buildings should contain window openings in the exterior façade and provisions for daylighting, as long as the openings do not conflict with the performance and activity on the interior.
- ~~5.6.~~ Parking garages and parking structure shall be located and oriented to minimize visibility from adjacent non-affiliated residential property. The preferred design of parking structures shall be underground or partially below grade structure.
- ~~6.7.~~ Equipment may include any exterior mechanical, plumbing, or electrical utilities or building service equipment, garbage cans, dumpsters, recycling bins, storage tanks, or other similar mechanical equipment utilized for building operations. Equipment located on grade shall not be located in a transition zone and shall be screened by fencing, garden walls, or landscaping. Equipment located on rooftops or other elevated locations shall be located a minimum of ten (10) feet from the roof edge and concealed from view by the use of parapet walls or other screening.
- ~~7.8.~~ Photovoltaic systems shall be permitted on any roof with the Big Bend Overlay and are subject to regulations per Article XXVIII Renewable Energy Systems.
- ~~8.9.~~ Walls and Fences.
 - a. Walls and fences may be used to establish edges of the Big Bend Overlay, to create outdoor spaces within the district, or to conceal parking or other utility structures and equipment.
 - b. Walls and fences may be a maximum height of eight (8) feet, unless otherwise permitted herein. The maximum height for walls or fences that provide screening of mechanical equipment or loading areas may be increased to the minimum height necessary to screen equipment or loading areas by the City Manager or his/her designee.
 - 1. Walls and fences located within ten (10) feet of Big Bend Boulevard shall be a maximum of five (5) feet in height and feature a decorative or ornamental design and be a maximum of sixty percent (60%) opaque unless an alternative height or design is approved by the Architectural Review Board. Walls shall be buffered with a mix of evergreen trees, ornamental trees, and shrubs adjacent to right-of-way and adjoining land uses.
 - ~~1.2.~~ A sound or noise wall measuring ten (10) feet in height shall be required along the south district boundary.
 - ~~2.3.~~ Fences, walls, and netting required for playing surfaces and recreation facilities shall be exempt from the fence and wall height maximums.
 - c. Materials permitted for walls and fences shall be compatible with primary building facades.
 - 1. Materials for walls may include brick and stone masonry, tile masonry, concrete panels, concrete (cast-in-place or precast) and concrete block (split face or otherwise).
 - 2. Materials for fences may include metal (wrought iron, aluminum, steel, or similar), wood, or composite. Vinyl fencing shall not be permitted along the perimeter of the Big Bend Overlay but shall be allowed interior to the site.
 - 3. Fences, walls, and netting required for playing surfaces and recreation facilities shall be exempt from the foregoing materials requirements.
 - d. Pedestrian gates shall be permitted in walls and fences, and shall be complementary with the materials of the wall or fence.

Section 410.980 Noise.

- A. The Big Bend Overlay shall adhere to Clayton Health, Safety and Welfare ordinances regarding noises (Chapter 215, Article XVI Noises) with the following adjustments:
 1. No person shall use, cause to be used, or operate any amplified electronic device, speaker system, or amplified noise device in such a manner as to create an unreasonably loud noise or so as to be plainly audible by another person located on an adjoining residential property before 7:00 A.M. or after 9:30 P.M. ~~University varsity level games may continue to the end of the inning for baseball and softball that is underway by 10:00 P.M.~~
 2. ~~If amplified electronic devices or speakers are proposed, Aa~~ primary speaker system plan shall be provided for each playing surface or exterior speaker system that identifies the location, type, projected angle, and controls of each speaker.
 - ~~a. A secondary speaker system plan shall be provided for each playing surface that identifies the concentrated system to be available for smaller events.~~
 - ~~b.a.~~ An acoustical study shall be required prior to installation of any amplified electronic devices or speaker systems installed for an outdoor facility. The amplified system shall be designed and located to minimize noise at the boundary of the district. The study shall ensure compliance with noise regulations and identify estimated changes in noise levels at the property lines from existing conditions.
 - ~~e.b.~~ The acoustical study shall be submitted to the City for review in conjunction with a required Building Permit, Site Plan Review Permit, or an Administrative/Architectural Review Permit.
 3. Outdoor ~~A~~ amplified electronic devices or speakers for announcements and playing of music or similar, may only be used or operated on the property from 7:00 A.M. to 9:30 P.M. for university-sanctioned ~~athletic, club, intramural, or social events as a part of the sports schedule and curriculum~~ varsity baseball and softball games. University Amplified noise may continue for university varsity level games ~~may continue~~ to the end of the inning for baseball and softball that is underway by ~~10:00~~ 9:30 P.M.
 - ~~a. For activities and events without audience or public participation such as practices and intramurals, the secondary speaker system plan shall be utilized.~~
 4. For noise generated from within the District, maximum noise levels shall be as follows:
 - a. Maximum noise levels measured at a district boundary abutting residential uses shall ~~be not exceed~~ sixty (60) dBA for steady noise and seventy (70) dBA for impulse noise during weekdays between the hours of 7:00 A.M. and 7:00 P.M. The maximum noise levels measured at a district boundary abutting residential uses shall not exceed fifty (50) dBA for steady noise and seventy (70) dBA for impulse noise at all other times.
 - b. Noise levels along the western district boundary shall be measured along the eastern edge of the required transition zone and not at the district boundary.
 - ~~4.5.~~ Noise impacts to adjacent residential uses resulting from mechanical and utility equipment shall be mitigated through use of appropriate strategies depending on the context of the equipment including, but not limited to, sound-proofing, enclosures, landscaping, or walls.

Section 410.985 Sustainability.

- A. The Big Bend Overlay shall incorporate and follow best practices for sustainable design of athletic and recreational uses including principles for playing surfaces, parking, and structures. In addition to sustainable guidelines referenced elsewhere in this code or other codes adopted by the City of Clayton when not in conflict with this code, the following standards shall be established

for the district. Explanation of how each item below has been addressed shall be required as part of submission for permit review of any construction project, as applicable.:

1. Efforts shall be made to utilize on-site renewable energy sources such as solar and wind power.
2. Efforts shall be made to incorporate best management practices for stormwater, grading, and drainage facilities such as inclusion of planted bioswales or bioretention areas and rain gardens.
3. Native species of plants, flowers, shrubs, and trees shall be required for perennials and prioritized for annuals for use within the District.
- ~~3.4.~~ Changes to established tree growth areas of the District shall be minimized to avoid adverse impacts on the natural habitat for local wildlife including owls, hawks, other birds, and more.
- ~~4.5.~~ New buildings shall be designed to meet the prevailing standards for new buildings on the Danforth Campus of Washington University in St. Louis at the time of permitting, but in no case shall buildings be designed to a standard less than that of LEED Silver (per 2024 LEED requirements). A similar or equivalent standard to that of LEED may be used. A higher standard may be obtained by the property owner but not required by the City. Buildings measuring less than five thousand (5,000) gross square feet in area shall be exempt from this requirement.
- ~~5.6.~~ Best management practices (BMP) shall be used to ensure water quality of water runoff from synthetic turf playing surfaces is positively impacted. Appropriate BMPs shall be selected from the Metropolitan St. Louis Sewer District's BMP Toolbox or other BMPs specifically designed for synthetic turf playing surfaces that are accepted by the Metropolitan St. Louis Sewer District.

Section 410.990 Definitions and Calculations.

A. As used in this Article, the following terms shall have the meanings indicated:

1. Building Height
The vertical distance, measured in feet, from the grade plane to the highest point of the ~~copings of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge of a gable, hip or gambrel roof.~~
2. dBA
Weighted decibel (dBA) is a unit to measure sound as perceived by the human ear.
3. Existing Grade Plane
A reference plane representing the average of the existing finished ground level prior to the commencement of any construction adjoining the proposed building footprint at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.
4. Grade Plane
A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.
5. Impulse Noise
Impulse noise is sound that is short in duration and not continuous or ongoing.

6. Playing Surface

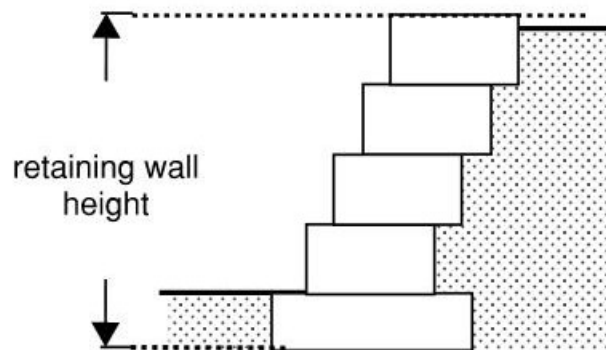
The land or area designed, maintained, and prepared for playing a game or competing in athletic activities. Playing surfaces shall include fields and courts covered in natural and/or synthetic material. Playing surfaces are considered an athletic and/or recreational facility.

7. Proposed Grade Plane

A reference plane representing the average of proposed finished ground level adjoining the proposed building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

8. Retaining Wall Height

Retaining wall height shall be measured from the base of the footing to the top of the wall.



9. Temporary Building

Refer to the definition of temporary structure found in the Building Code and Fire Code adopted by the City of Clayton.

BILL NO. 7045

ORDINANCE NO. xxxx

AN ORDINANCE TO SUBSTANTIALLY ENHANCE CLAYTON'S ABILITY TO REGULATE AND CONSTRAIN THE SPREAD OF INSTITUTIONAL LAND USES IN RESIDENTIAL AREAS OF THE CITY BY AMENDING CHAPTER 410 OF THE MUNICIPAL CODE TO ADD A NEW ARTICLE ESTABLISHING THE "BIG BEND OVERLAY ZONING DISTRICT", AND OTHER ACTIONS RELATED THERETO

WHEREAS, the City needs to enhance its ability to reasonably regulate the scale and characteristics of anticipated development of the athletics-focused institutional land use which Washington University wishes to undertake along Big Bend Boulevard in a way that strikes a fair balance between interests of the University and the quality of life and peaceful enjoyment of their homes and neighborhoods which nearby residents are entitled to have protected; and

WHEREAS, on October 7, 2024, the Plan Commission held a public hearing, after due notice as provided by law, to solicit input regarding amendments to the City's Land Use regulations to establish the South 40 Overlay District and, by vote of 7-0 recommended approval of the proposed amendments to the Board of Aldermen; and

WHEREAS, On November 12, 2024, and on November 26, 2024, after due notice as provided by law, the Board of Aldermen held a public hearing for the purpose of receiving public comment on the question of the adoption of the provision hereinafter set forth; and

WHEREAS, the Board of Aldermen has determined that it is in the best interest of the City of Clayton to adopt the amendments hereinafter set forth and that such amendments best serve the public health, safety and welfare of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1.

Chapter 410 Overlay and Urban Design Districts of Title IV Land Use of the Code of Ordinances of the City of Clayton, Missouri, is hereby amended by the addition of one new Article and eleven new Sections, initially to be designated as Article XVII and Sections 410.940 through 401.990, to read as outlined in Exhibit A, attached hereto and incorporated herein by reference.

Section 2.

The zoning classification of the western portion of the property located at 801 Seminary Place, and more fully described in Exhibit B Legal Description, attached hereto and incorporated herein by reference, is hereby changed from R-2 Single-Family Dwelling District to R-2 Single Family Dwelling District and Big Bend Overlay Zoning District.

Section 3.

The zoning map described in Chapter 405, Section 405.060, Zoning Map, of the Code of Ordinances of the City of Clayton is hereby revised to be consistent with the rezoning approval in Section 2 of this Ordinance.

Section 4.

It is hereby declared to be the intention of the Clayton Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 5.

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 6.

The City Manager is hereby authorized and directed to take all such actions as may be necessary and proper (or cause the same to be taken) in order to implement the approval of the rezoning authorized by this Ordinance.

Section 7.

This Ordinance shall be in full force and effect both on and after its passage by the Board of Aldermen.

Passed by the Board of Aldermen on this 14th day of January 2025.

Mayor

Attest:

City Clerk

EXHIBIT A

Article XVII Big Bend Overlay Zoning District

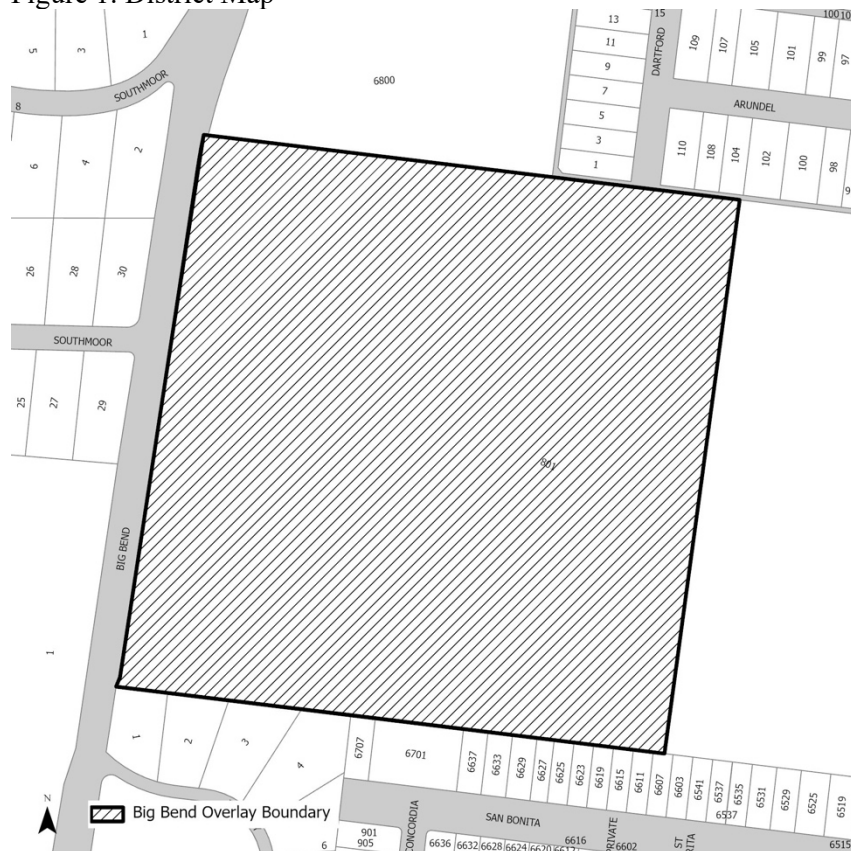
Section 410.940 Purpose Statement.

The Big Bend Overlay Zoning District (hereinafter known as the “Big Bend Overlay”) is intended to facilitate the use and development of campuses and facilities for university, seminary, and college uses. This area of the City has a unique concentration of advanced education uses that require careful consideration to balance educational, recreational, and residential needs of institutions with the character of adjacent low-density residential areas. The Big Bend Overlay is intended to modify the underlying zoning district regulations only to the extent specifically set forth in this Article. If not specifically modified in this Article, the regulations in effect in the underlying zoning district will remain in full force and effect.

Section 410.945 Location of Overlay District.

The Big Bend Overlay Zoning District generally includes the western parcel of the Concordia Seminary Campus. The official boundary of the Big Bend Overlay is as described in the district map exhibit hereunder.

Figure 1: District Map



Section 410.950 District Character and Criteria for Review.

A. Development shall be compatible with the district character as established below.

9. The western portion of the Concordia Seminary Campus is bordered by Fontbonne University, single-family dwellings, medium-low density multiple-family dwellings, and

new and existing buildings associated with the eastern parcel of the existing Concordia Seminary. The overall character of the district provides for a wide range of contextual building typologies, scales, and materials. Unlike the Concordia Seminary Campus, however, this district should not be reliant on specific stylistic conventions, but buildings should be designed with care and consideration for thoughtful architecture and durable materials that do not involve any diminution to the character of the district. This includes attention to scale, proportion, fenestration, massing, datums, rhythms and patterns, hierarchy, and balance.

10. Sustainable design principles should inform the development of all new construction in terms of efficiency measures for energy, water, and waste.
 11. Site development should focus on regeneration and restoration and incorporate best practices for stormwater management, including in the design of recreational and athletic playing surfaces.
 12. Site development and layout should prioritize preservation of existing trees and topography.
 13. Site design should integrate new facilities with the existing context, focus activity to the interior of the district, and minimize noise and light trespassing from the district.
 14. Planting should rely on native and non-invasive species and, outside of competitive and non-competitive playing surfaces, largely feature non-turf areas and low maintenance landscape.
 15. Utilities and service functions should be screened from adjacent residential properties and incorporated into the district to minimize visibility, noise, and impact.
 16. The Big Bend Overlay should foster a built environment that is friendly to the presence of people who are living, learning, visiting, playing, and working in the district.
- B. Property within the Big Bend Overlay shall not be eligible for rezoning to a planned unit development or redevelopment per Chapter 405, Article X Planned Unit Development District.

Section 410.955 Uses Permitted.

The permitted uses and specific activity restrictions are outlined below.

- A. Mixed-Uses. Facilities and buildings consisting of multiple uses are permitted so long as all uses are allowed under the base zoning district and/or the Big Bend Overlay.
- B. Primary Uses. College and university uses are defined as the following and are permitted by right and subject to the Big Bend Overlay Zoning District regulations:
 1. Athletic and recreational facilities (indoor and outdoor).
 2. Playgrounds.
- C. Accessory Uses. Accessory uses shall be a subordinate building or use customarily incidental to the primary building or use, subordinate in area, extent or purposes to the primary building or use, and limited to and contributing to the comfort, convenience or necessity of the primary building or use. College and university accessory uses in support of primary uses in the district and defined as the following are permitted by right and subject to the Big Bend Overlay regulations:
 1. Administrative and faculty offices related to athletics or recreation.
 2. Athletic events including competition and practice.
 3. Band playing, and practice only when located indoors.
 4. Commencement, convocation and graduation exercises only when located indoors.
 5. Concessions facilities.
 6. Gymnasium, strength, and performance facilities.
 7. Health and medical care related to athletics or recreation.
 8. Parking lots and multi-level parking structures.
 9. Pickleball, only when played indoors.

10. Musical performances only when conducted indoors.
 11. Student and campus lectures, speakers, and other cultural events.
 12. Restrooms, drinking fountains, and similar support buildings or structures.
 13. Temporary building or structures.
 14. Solar energy systems, building- or ground-mounted (subject to the provisions of Article XXVIII).
 15. Wind energy systems, building-mounted (subject to the provisions of Article XXVIII).
- D. Prohibited Uses. Uses not expressly listed in this Section as approved primary or accessory uses shall be prohibited. All permitted uses shall be provided for students, faculty, and employees of the university or patrons visiting the site to support university uses or patrons associated with an event hosted on the property. Uses providing services to the general public outside of events or activities associated with permitted primary and accessory uses shall be prohibited. Full university graduation ceremonies (conferring degrees in all or substantially all schools and programs), WILD, and ThurtenE shall be prohibited.
- E. Outdoor events and activities, not including university sponsored athletic or athletic related events, where anticipated attendance is five hundred (500) people or more shall require issuance of a special events permit in accordance with the City's event guidelines. A maximum of ten (10) special event permits may be issued each calendar year.
- F. The maximum number of attendees or participants for an outdoor event or activity shall be nine hundred (900) people. No more than two (2) outdoor events with nine hundred (900) attendees each shall be held at the same time.

Section 410.960 Development Standards.

- C. Coverage and Density.
1. There are no minimum lot widths or minimum lot area requirements within the Big Bend Overlay.
 2. No more than forty percent (40%) of the Big Bend Overlay area may be covered by impervious material, including structure footprints. For the purposes of this requirement, playing surfaces with synthetic surfaces and engineered draining systems to collect and infiltrate runoff shall be considered pervious.
 3. Venues or facilities with spectator seating (indoor or outdoor) shall be designed with a maximum permanent seat capacity of three hundred (300) seats per facility. For the purposes of this calculation, permanent seats shall not include standing areas, pull-out or moveable bleachers, foldable or collapsable seats, and/or other temporary seating.
 - a. Maximum permanent seat capacity may be increased to five hundred (500) seats for one (1) indoor venue for facility.
 4. A maximum of six (6) total playing surfaces, including indoor and outdoor facilities, may be constructed on site. A maximum of five (5) outdoor playing surfaces may be constructed. For the purposes of this requirement, six connected tennis courts shall count as one playing surface and a multi-purpose field that combines and overlaps the playing surfaces for two or more sports, shall count as one playing surface.
- D. Height. Building height shall be limited to sixty-five (65) feet.
1. Buildings or portions of buildings located within one hundred fifty (150) feet of a property line shared with a non-institutional residential use shall have a maximum building height of fifty (50) feet.
 2. For new construction and additions, the proposed grade plane shall not deviate from the existing grade plane by more than six (6) feet without Site Plan Review approval per Chapter 405, Article VIII.
 3. Elevator and stair overruns, mechanical screening, renewable energy systems, and similar architectural features may exceed the building height maximum by up to fifteen (15) feet.

4. Playing surfaces may only be located on the roof of a below grade or a partially below grade building when the playing surface elevation is not more than twelve (12) feet above the grade plane of the building.
 5. Accessory buildings shall be equal to or less than twenty-five (25) feet in height.
- C. Layout and Access.
1. Buildings shall be oriented in a manner that supports the general organization of the pedestrian and vehicular circulation throughout the district.
 2. Visible utilities and accessory structures should be minimized through screening, underground vaults, or incorporation into surrounding buildings.
 3. Parking shall be located interior to the Big Bend Overlay or within enclosed parking structures to the maximum extent feasible. Parking areas adjacent to residential uses shall be designed to provide screening of vehicle headlights and site lighting to prevent glare into residential property.
 4. Primary and secondary access points to the Big Bend Overlay shall be designed and located to minimize traffic through adjacent residential neighborhoods.
 - a. Primary vehicle access shall be limited to Big Bend Boulevard or the northern boundary.
 - b. Secondary vehicle access shall be limited to the eastern boundary or the westernmost six hundred fifty (650) feet of the northern boundary, only with consent of any adjoining property owner.
 - c. Vehicle access shall not be provided from Dartford Avenue or the Hillcrest neighborhood.
 - d. Access from San Bonita Avenue shall be limited to emergency access only.
 - e. Primary pedestrian and bicycle access shall be provided from Big Bend Boulevard with secondary access points permitted from all other district boundaries.
 1. Pedestrian and bicycle access from Dartford Avenue may be provided through the Big Bend Overlay to Concordia Seminary, with consent from Concordia Seminary; however, pedestrian and bicycle access to playing surfaces or facilities within the Big Bend Overlay may not traverse through the required northeast corner established tree growth area or be located within three hundred forty (340) feet of the northeast corner of the overlay boundary.
 5. Accessory buildings may be oriented toward any street or towards the interior of the Big Bend Overlay.
- D. Lighting.
1. General exterior lighting should take into account IES recommended levels for safety.
 2. The DarkSky International principles shall be used as a guideline and all playing surfaces and athletic fields shall be certified through the DarkSky Outdoor Sports Lighting Program.
 - a. Certification of DarkSky International OSL Compliant Design shall be provided to the Director of Planning and Development Services prior to construction.
 - b. Certification of DarkSky International Compliant Installation shall be provided to the Director of Planning and Development Services within six months of project completion, with extensions for scheduling at the discretion of the City Manager or his/her designee.
 3. Section 405.360 Outdoor Lighting Standards shall apply, including the requirement for a photometric plan, with the following modifications:
 - a. Outdoor playing surface lighting is permitted after 7:00 A.M. and until 9:30 P.M. University varsity level games may continue to the end of the inning that is underway before 10:00 P.M. for baseball and softball.

- b. Campus safety and circulation lighting is not limited to a time of day.
 - c. Outdoor playing surfaces, maximum horizontal light levels. The maximum horizontal light level defined as the average light level at grade along a property line shall not exceed 0.5 footcandles at the north, south and west property lines and 2.0 footcandles along the east property line.
 - d. The maximum uniformity ratio (maximum to minimum) shall be 2:1 on playing surfaces and 10:1 on remainder of the site.
 - e. Playing surface lighting poles shall be a maximum of eighty (80) feet in height. Lighting poles for internal roadways and parking shall not exceed twenty (20) feet in height.
 - 1. Light pole heights may be permitted to exceed the maximum heights by the Plan Commission when determined that the requested height increase would not result in additional lighting spillage or glare outside of the district boundary and when all other lighting standards are met.
- E. Setbacks. Setbacks for buildings, structures, and other improvements specifically listed shall be required as follows:
- 1. There shall be no setback requirements from property lines that divide interior portions of the Big Bend Overlay. All required setbacks shall be established and measured from the district boundaries.
 - 2. Should there be any conflicts between the setbacks required herein and the transition zones required per Section 410.960.F, the required transition zone shall apply.
 - 3. From the western district boundary line, along Big Bend Boulevard, the minimum building setback is one hundred (100) feet. Surface parking shall also adhere to the western building setback.
 - 4. From the eastern district boundary line, along the edge of the Concordia Seminary Campus, the minimum building setback is ten (10) feet for buildings measuring thirty-five (35) feet or less in height and the minimum setbacks is fifty (50) feet for buildings measuring greater than thirty-five (35) feet in height. Surface parking shall not be confined by the eastern building setback and may be located up to the eastern district boundary.
 - 5. From the northern district boundary line, the minimum building setback is ten (10) feet. Surface parking shall not be confined by the northern building setback and shall be located a minimum of five (5) feet from the northern district boundary.
 - 6. From the southern district boundary line, the minimum building setback is eighty (80) feet. Surface parking shall also adhere to the southern building setback.
 - 7. Accessory buildings measuring two hundred (200) square feet or less in gross floor area shall be located a minimum of five (5) feet from the eastern district boundary line and a minimum of ten (10) feet from other district boundaries, unless a greater transition zone is required per Section 410.960.F.
 - 8. Basements and parking facilities that are completely underground shall be subject to the building setbacks outlined above.
 - 9. There shall not be any setback requirements for pedestrian paths, bicycle paths, or fences.
 - 10. There shall not be any setback requirements for retaining walls, except for the following. Retaining walls greater than or equal to ten (10) feet in height, as measured from the base of the footing to the top of the wall, that hold grade within the district boundary at a higher elevation than grade outside of the district boundary shall be located a minimum of ten (10) feet from the district boundaries. See Section 410.960.G for additional grading and retaining wall regulations.
 - 11. Playing surfaces at grade shall be located a minimum of eighty (80) feet from north, west, and south district boundaries, unless a greater transition zone is required per Section 410.960.F. Playing surfaces without lights may be located a minimum of ten (10) feet

from the north district boundary, unless a greater transition zone is required. Playing surfaces at grade shall be located a minimum of ten (10) feet from the east district boundary, unless a greater transition zone is required per Section 410.960.F.

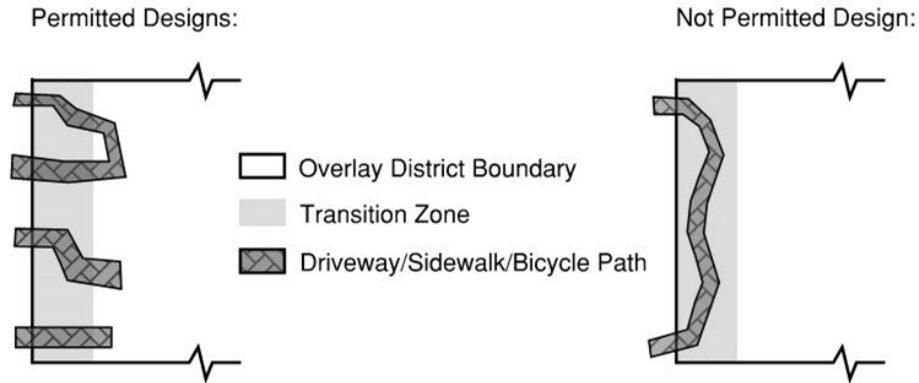
12. There shall not be any setback requirements for light poles providing lighting for wayfinding or security purposes. Light poles for playing surfaces shall be located a minimum of five (5) feet from any district boundary.
 13. Mechanical equipment shall be located a minimum of five (5) feet from any district boundary except where the district boundary abuts a residential neighborhood, and then mechanical equipment shall be a minimum of fifteen (15) feet from the boundary.
 14. Multiple buildings shall be allowed on one lot and there shall not be a minimum setback requirement between buildings within the Big Bend Overlay, however, this shall not modify or reduce any standards or requirements of the applicable Building Codes or Fire Codes adopted by the City.
- F. Transition Zones. Transition zones are buffer areas where buildings, structures, improvements and uses other than landscape, sidewalks, bicycle paths, utilities and infrastructure, or emergency access routes shall not be permitted. Transition zones shall be required as follows:
1. Transition zones shall not be altered by any setback requirement.
 2. A transition zone shall be required along the entire southern district boundary line measuring a minimum of ninety (90) feet in depth.
 3. A transition zone shall be required along the easternmost four hundred ninety (490) feet of the northern boundary line of the district measuring a minimum of ninety (90) feet in depth.
 4. A transition zone shall be required on the northernmost two hundred ten (210) feet of the eastern boundary line of the district measuring a minimum of one hundred seventy (170) feet in depth.
 5. A transition zone shall be required along the entire western district boundary line measuring a minimum of one hundred forty (140) feet in depth. Driveways and accessory structures associated with the primary vehicle access point for the district may be located within the required western transition zone.
 - a. The required depth of the transition zone along the western district boundary may be reduced to align with the western property line of the parcel to accommodate widening of the right-of-way for road and or sidewalk infrastructure, however, the ending point (eastern edge of the zone) shall not change.
 6. Transition zones shall be planted with a variety of deciduous, coniferous, and evergreen shrubs and trees. New trees should be selected and located to provide future replacements of the existing large canopy trees as mature trees reach the end of their lives.
 7. Transition zones shall provide year-round solid/sight proof screening from the adjacent property at least six (6) feet in height. Screening may be achieved through use of plantings, fencing, a wall, or a combination thereof. Screening requirements may be met at any point within the required transition zone depth.
 - a. Year-round screening shall not be required for the western boundary transition zone.
 - b. Walls and fences shall be located to avoid impact to existing tree critical root zones.
 8. Light poles providing lighting for wayfinding or security purposes may be located anywhere within a required transition zone. Light poles for playing surfaces may encroach a maximum of five (5) feet into a required transition zone, measured to the centerline of the pole.
 9. Retaining walls shall not be located within a transition zone, except where necessary to support a vehicle, pedestrian, or bicycle access point, to maintain grade for existing plantings and trees that are to remain, or to raise the grade of the transition zone above

the grade interior to the district.

10. Driveways, sidewalks, and bicycle paths may connect to the outside of the district through a transition zone, but should not run within a transition zone parallel to the district boundary.

- a. A shared use path for bicycles and pedestrians may run within the western transition zone parallel to the district boundary along Big Bend Boulevard.

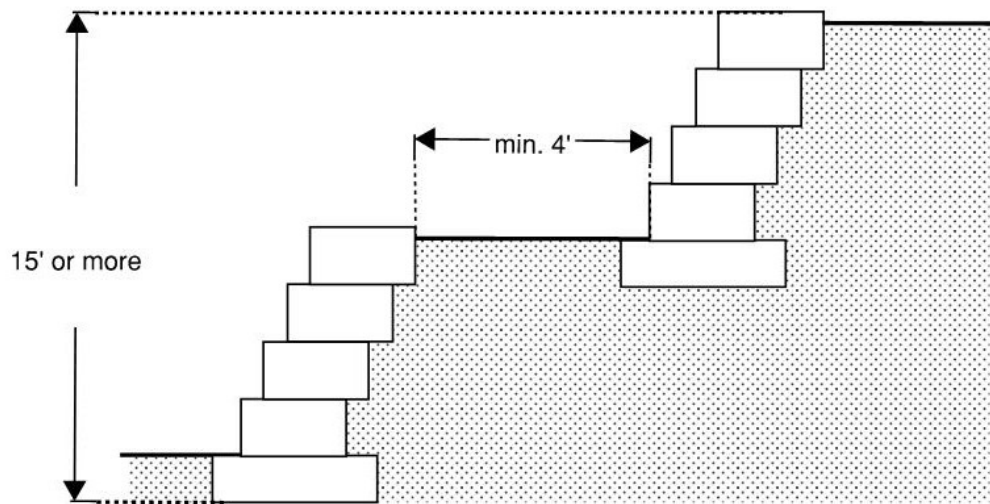
Figure 2: Transition Zone Design



G. Grading and Drainage.

1. Development should follow and respect the topography at the perimeter of the site where it adjoins existing topography, including at the eastern edge of the district where it adjoins Concordia Seminary.
2. Large scale grading across the district shall incorporate a terracing plan to respect existing topographic conditions. The grade should not be lifted or reduced to create one elevation across the Big Bend Overlay.
3. Site drainage patterns shall be designed to prevent concentrated surface drainage from collecting on and flowing across adjacent lots, paths, walkways, sidewalks, and individual or stands of mature trees scheduled for protection and preservation.
4. The site shall be designed so as not to increase the amount of stormwater runoff that exits from the site other than through approved connections to Metropolitan Sewer District (MSD) facilities as approved by MSD.
5. Retaining walls shall be tiered or stepped to include landscaping to reduce the visual impact of the wall from adjacent property. A minimum of one step shall be required for every fifteen (15) feet of height (rise). The depth (run) of each step shall be a minimum of four (4) feet to allow and support plantings of shrubs and/or trees. The number of steps or height of each step may vary, except for walls within two hundred feet of non-affiliated residential property that face outside of the district shall have a maximum wall height of ten (10) feet.
 - a. Through Site Plan Review, the Plan Commission may increase the maximum wall height from fifteen (15) feet to no more than twenty (20) feet for a wall located interior of the district or a wall facing the interior of the district when it is determined that sufficient landscape and visual buffers or provided.

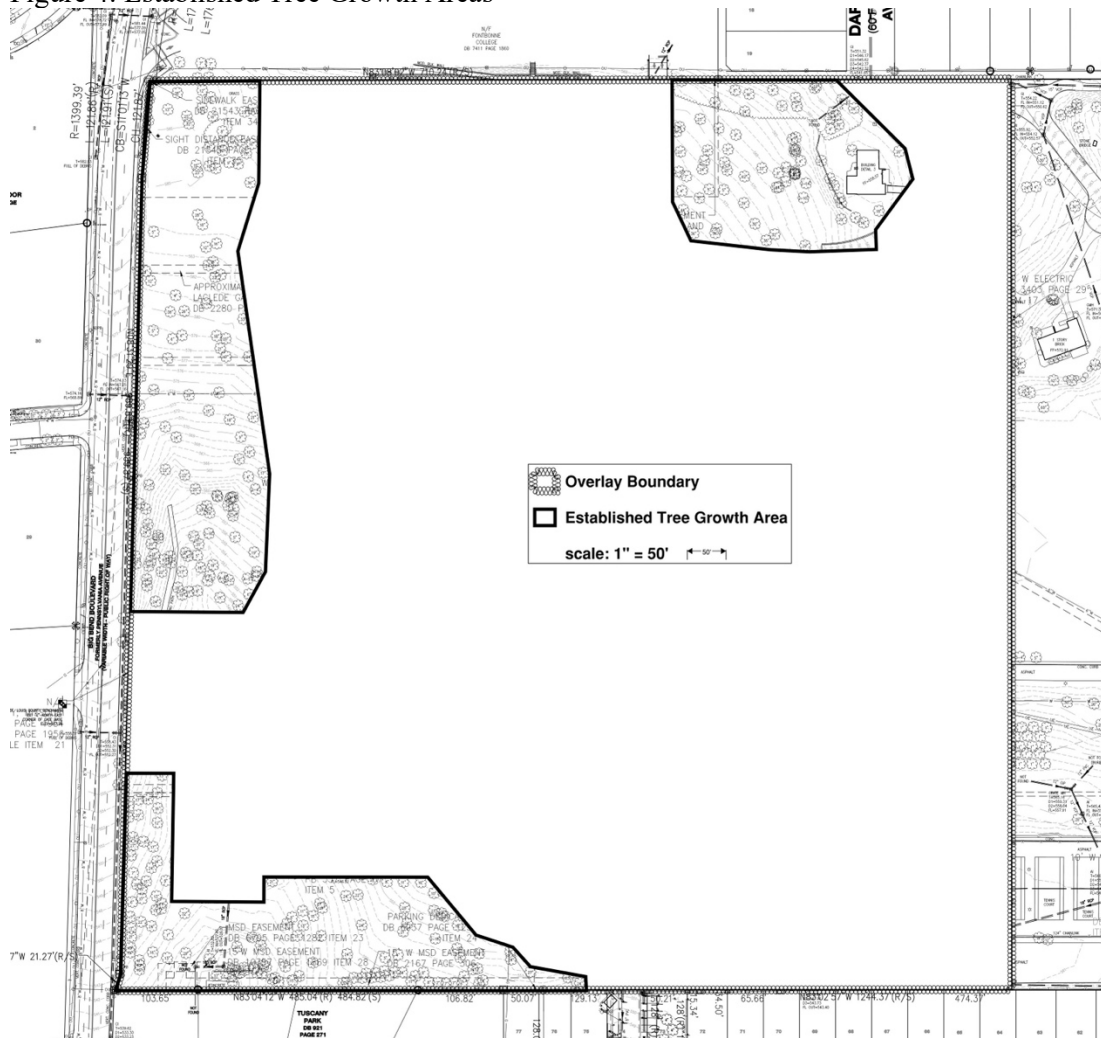
Figure 3: Retaining Wall Step Requirement



Section 410.965 Tree and Landscape Standards.

- C. All provisions of Chapter 405, Article XXX Trees and Landscaping Regulations shall apply with the following exception:
 - 3. The Big Bend Overlay is unique in that permitted uses include outdoor athletic and recreational playing surfaces. These uses require large tracts of unencumbered flat surfaces. Accordingly, the Big Bend Overlay shall maintain a minimum tree canopy coverage (determined in accordance with the standards set forth in Article XXX) of thirty percent (30%) with any removal of trees requiring replacement as necessary to maintain the minimum coverage whether or not tree replacement is associated with a development project requiring site plan review. Per the calculation method of Article XXX, deciduous and some evergreen species count toward canopy coverage. In order to emphasize the benefits of deciduous native canopy, a minimum of eighty percent (80%) of the required canopy coverage should be deciduous. There shall be no limit or requirement for the breakdown of canopy coverage above the minimum required.
 - 4. Preservation of existing mature trees within and adjacent to the Big Bend Overlay is a priority and tree protection documentation and measures shall be provided per Section 405.4080 for all construction activities.
- D. In addition to maintaining a tree canopy across the Big Bend Overlay, it is important to maintain and protect existing established tree growth areas. The established tree growth areas, as identified in Figure 3: Established Tree Growth Areas below, shall be protected from excessive regrading, tree removal, and construction activity and shall be maintained so as to promote the health and life of the existing trees and new trees as necessary to supplement and replenish the area.
 - 1. Retaining walls shall not be located within an established tree growth area, except where necessary to support a vehicle, pedestrian, or bicycle access point, or to maintain grade for existing plantings and trees that are to remain.
 - 2. A vehicle access point may only be permitted within an established tree growth area along Big Bend Boulevard and any regrading and construction activity associated with such access point shall be severely limited to maintain the maximum number of existing trees and existing grade as possible.
 - 3. Depth of the required tree growth areas along Big Bend Boulevard may only be reduced to accommodate widening of the right-of-way for road and/or sidewalk infrastructure.

Figure 4: Established Tree Growth Areas



Section 410.970 Off-Street Parking and Loading.

- A. The requirement for off-street parking in the Big Bend Overlay shall be determined as follows:
 1. A parking study shall be completed by a professional traffic and parking consultant to determine the appropriate parking requirements given the mixture of uses and parking design for the district. This parking study shall be used to analyze parking needs as development occurs for a period of five (5) years, at which time the City may elect to either require an updated parking study or extend the use of the existing study for a specified term. Proposed buildings or uses must be included in the study on file to be considered for approval.
- B. All loading and service areas shall be located interior to the site and screened from the district boundaries to the maximum extent feasible.
- C. Parking Lot Design Standards
 1. All surface parking areas shall be designed with landscape and/or tree islands to reduce the environmental impacts of large, paved areas. A minimum of one (1) canopy tree shall be required for every fifteen (15) surface parking spaces. Trees shall be planted directly adjacent to or within the parking lot area to maximize the amount of shaded area within parking lots.
 2. Surface parking lots with photovoltaic systems or solar panel arrays used to cover parking

spaces shall be exempt from the minimum number of trees required by Section 410.970.C.1, above.

3. Use of permeable pavers or similar is strongly encouraged for surface parking spaces.

Section 410.975 Site Plan and Architectural Review.

- A. Procedure. For all applications considered by the Plan Commission and/or Architectural Review Board per the Site Plan Review and Architectural Review provisions outlined in this Section, written notification shall be sent by mail at least ten (10) days prior to the meeting date to the last known abode of the owners of properties within two hundred (200) feet of the Big Bend Overlay.
- B. Site Plan Review pursuant to the procedures and standards outlined in Chapter 405, Article VIII, is required for:
 1. New structure or building construction with a gross floor area of ten thousand (10,000) square feet or more.
 2. Any expansion or addition measuring ten thousand (10,000) square feet or more to an existing structure or building.
 3. Any expansion or addition which increases the footprint of the existing structure by fifty percent (50%) or more.
 4. Any new construction or addition where the proposed grade plane deviates from the existing grade plane by more than six (6) feet.
 5. Any new outdoor playing surface of more than twenty-eight hundred (2,800) square feet, or any expansion thereof in excess of one-third of its existing surface area.
 6. Any site work including grading or modifications to existing runoff patterns with a disturbance area equal to or greater than 0.5 acres or if determined by the Director of Planning and Development Services to involve significant or excessive changes to existing topography.
 7. All ground-mounted wind energy renewable systems pursuant to Article XXVIII; however, such systems may be reviewed in conjunction with the review of principal structures.
- C. Architectural Review Board review is required when Site Plan Review is required, for any new building or addition with a gross floor area of five thousand (5,000) square feet or more that is located within fifty (50) feet of a transition zone or district boundary, or for any accessory structure which is located within a setback as allowed per Section 410.950.E. Administrative architectural review by the City Manager or his/her designee shall be completed for all other exterior modifications or projects. At the discretion of the City Manager or his/her designee, any project may be elevated from administrative review to the Architectural Review Board.
- D. Architectural Standards. The following standards shall be applied to all development proposals and may only be modified through the process of Alternative Compliance outlined in Section 410.285.
 1. Buildings should be oriented in a manner to create necessary landscape, recreational, and outdoor social spaces appropriate to the district.
 2. Buildings should be designed to work with and complement the existing topography while prioritizing accessibility.
 3. Building designs should incorporate variation in the façade, such as recesses and projections, or other architectural detailing in keeping with the district character identified in Section 410.940.
 4. Materials for use on building facades should be durable and establish a hierarchy of primary, secondary, and accent materials. High quality materials shall be used for all construction. Facades directly adjacent to or facing Big Bend Boulevard shall feature primary building materials of masonry such as brick and/or stone. Materials permitted by right in the Big Bend Overlay shall include anything permitted by the building code except for vinyl-based products.

- a. Other materials including new materials which may be developed shall be permitted subject to review by the Architectural Review Board.
5. Buildings should contain window openings in the exterior façade and provisions for daylighting, as long as the openings do not conflict with the performance and activity on the interior.
6. Equipment may include any exterior mechanical, plumbing, or electrical utilities or building service equipment, garbage cans, dumpsters, recycling bins, storage tanks, or other similar mechanical equipment utilized for building operations. Equipment located on grade shall not be located in a transition zone and shall be screened by fencing, garden walls, or landscaping. Equipment located on rooftops or other elevated locations shall be located a minimum of ten (10) feet from the roof edge and concealed from view by the use of parapet walls or other screening.
7. Photovoltaic systems shall be permitted on any roof with the Big Bend Overlay and are subject to regulations per Article XXVIII Renewable Energy Systems.
8. Walls and Fences.
 - a. Walls and fences may be used to establish edges of the Big Bend Overlay, to create outdoor spaces within the district, or to conceal parking or other utility structures and equipment.
 - b. Walls and fences may be a maximum height of eight (8) feet. The maximum height for walls or fences that provide screening of mechanical equipment or loading areas may be increased to the minimum height necessary to screen equipment or loading areas by the City Manager or his/her designee.
 1. Walls and fences located within ten (10) feet of Big Bend Boulevard shall be a maximum of five (5) feet in height and feature a decorative or ornamental design and be a maximum of sixty percent (60%) opaque unless an alternative height or design is approved by the Architectural Review Board. Walls shall be buffered with a mix of evergreen trees, ornamental trees, and shrubs adjacent to right-of-way and adjoining land uses.
 2. Fences, walls, and netting required for playing surfaces and recreation facilities shall be exempt from the fence and wall height maximums.
 - c. Materials permitted for walls and fences shall be compatible with primary building facades.
 1. Materials for walls may include brick and stone masonry, tile masonry, concrete panels, concrete (cast-in-place or precast) and concrete block (split face or otherwise).
 2. Materials for fences may include metal (wrought iron, aluminum, steel, or similar), wood, or composite. Vinyl fencing shall not be permitted along the perimeter of the Big Bend Overlay but shall be allowed interior to the site.
 3. Fences, walls, and netting required for playing surfaces and recreation facilities shall be exempt from the foregoing materials requirements.
 - d. Pedestrian gates shall be permitted in walls and fences, and shall be complementary with the materials of the wall or fence.

Section 410.980

Noise.

- A. The Big Bend Overlay shall adhere to Clayton Health, Safety and Welfare ordinances regarding noises (Chapter 215, Article XVI Noises) with the following adjustments:
 1. No person shall use, cause to be used, or operate any amplified electronic device in such a manner as to create an unreasonably loud noise or so as to be plainly audible by another

person located on an adjoining residential property before 7:00 A.M. or after 9:30 P.M. University varsity level games may continue to the end of the inning for baseball and softball that is underway by 10:00 P.M.

2. An acoustical study shall be required prior to installation of any amplified electronic devices or speaker systems installed for an outdoor facility. The amplified system shall be designed and located to minimize noise at the boundary of the district. The study shall ensure compliance with noise regulations and identify estimated changes in noise levels at the property lines from existing conditions.
 - a. The acoustical study shall be submitted to the City for review in conjunction with a required Building Permit, Site Plan Review Permit, or an Administrative/Architectural Review Permit.
3. A primary speaker system plan shall be provided for each playing surface or exterior speaker system that identifies the location, type, projected angle, and controls of each speaker.
 - a. A secondary speaker system plan shall be provided for each playing surface that identifies the concentrated system to be available for smaller events.
4. Amplified electronic devices for announcements and playing of music or similar may be used or operated on the property from 7:00 A.M. to 9:30 P.M. for university-sanctioned athletic, club, intramural, or social events as a part of the sports schedule and curriculum. University varsity level games may continue to the end of the inning for baseball and softball that is underway by 10:00 P.M.
 - a. For activities and events without audience or public participation such as practices and intramurals, the secondary speaker system plan shall be utilized.
5. For noise generated from within the District, maximum noise levels measured at a district boundary abutting residential shall be sixty (60) dBA for steady noise and seventy (70) dBA for impulse noise.
6. Noise impacts to adjacent residential uses resulting from mechanical and utility equipment shall be mitigated through use of appropriate strategies depending on the context of the equipment including, but not limited to, sound-proofing, enclosures, landscaping, or walls.

Section 410.985 Sustainability.

- A. The Big Bend Overlay shall incorporate and follow best practices for sustainable design of athletic and recreational uses including principles for playing surfaces, parking, and structures. In addition to sustainable guidelines referenced elsewhere in this code or other codes adopted by the City of Clayton when not in conflict with this code, the following standards shall be established for the district:
 1. Efforts shall be made to utilize on-site renewable energy sources such as solar and wind power.
 2. Efforts shall be made to incorporate best management practices for stormwater, grading, and drainage facilities such as inclusion of planted bioswales or bioretention areas and rain gardens.
 3. Native species of plants, flowers, shrubs, and trees shall be required for perennials and prioritized for annuals for use within the District.
 4. New buildings shall be designed to meet the prevailing standards for new buildings on the Danforth Campus of Washington University in St. Louis at the time of permitting, but in no case shall buildings be designed to a standard less than that of LEED Silver (per 2024 LEED requirements). A similar or equivalent standard to that of LEED may be used. A higher standard may be obtained by the property owner but not required by the

City. Buildings measuring less than five thousand (5,000) gross square feet in area shall be exempt from this requirement.

5. Best management practices (BMP) shall be used to ensure water quality of water runoff from synthetic turf playing surfaces is positively impacted. Appropriate BMPs shall be selected from the Metropolitan St. Louis Sewer District's BMP Toolbox or other BMPs specifically designed for synthetic turf playing surfaces that are accepted by the Metropolitan St. Louis Sewer District.

Section 410.990 Definitions and Calculations.

A. As used in this Article, the following terms shall have the meanings indicated:

1. Building Height
The vertical distance, measured in feet, from the grade plane to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge of a gable, hip or gambrel roof.
2. dBA
Weighted decibel (dBA) is a unit to measure sound as perceived by the human ear.
3. Existing Grade Plane
A reference plane representing the average of the existing finished ground level prior to the commencement of any construction adjoining the proposed building footprint at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.
4. Grade Plane
A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.
5. Impulse Noise
Impulse noise is sound that is short in duration and not continuous or ongoing.
6. Playing Surface
The land or area designed, maintained, and prepared for playing a game or competing in athletic activities. Playing surfaces shall include fields and courts covered in natural and/or synthetic material. Playing surfaces are considered an athletic and/or recreational facility.
7. Proposed Grade Plane
A reference plane representing the average of proposed finished ground level adjoining the proposed building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.
8. Retaining Wall Height
Retaining wall height shall be measured from the base of the footing to the top of the wall.

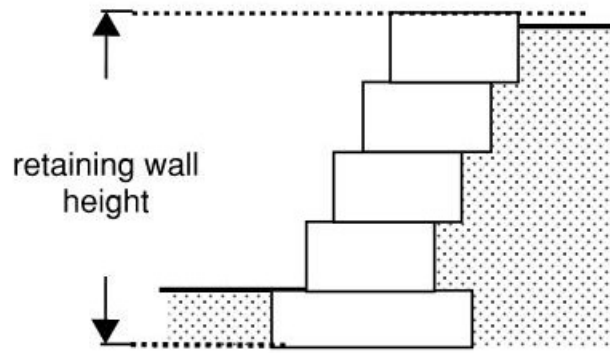


EXHIBIT B – LEGAL DESCRIPTION

A TRACT BEING PART OF LOT 2 OF THE PARTITION OF GRATIOT LEAGUE SQUARE SITUATION IN U.S. SURVEY 2037, TOWNSHIP 45 NORTH, RANGE 6 EAST, CITY OF CLAYTON, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF BIG BEND (VARIABLE WIDTH, PUBLIC RIGHT OF WAY) AS RECORDED BY DEED IN BOOK 6772, PAGE 1954 OF THE ST. LOUIS COUNTY, MISSOURI RECORDER'S OFFICE WITH THE SOUTH LINE FLAND NOW OR FORMERLY OF FONTBONNE COLLEGE AS RECORDED BY DEED IN BOOK 7411, PAGE 1860 OF SAID RECORDER'S OFFICE;

THENCE ALONG SAID SOUTH LINE, AND THE SOUTH RIGHT OF WAY LINE OF AN ALLEY, BEING PART OF HILLCREST, A SUBDIVISION AS RECORDED IN PLAT BOOK 6, PAGE 76 OF SAID RECORDER'S OFFICE AND THE SOUTH LINE OF HILLCREST AMENDED PLAT, A SUBDIVISION AS RECORDED IN PLAT BOOK 6, PAGE 47 AND PLAT BOOK 10, PAGE 82 OF SAID RECORDER'S OFFICE, ALL BEING THE NORTH LINE OF LOT 2 OF THE PARTITION OF GRATIOT LEAGUE SQUARE, THE FOLLOWING COURSES AND DISTANCES: SOUTH 83 DEGREES 08 MINUTES 02 SECONDS EAST, A DISTANCE OF 370.56 FEET TO THE EAST LINE OF THE HEREINAFTER DESCRIBED LOT 2;

THENCE ALONG SAID EAST LINE, SOUTH 06 DEGREES 54 MINUTES 37 SECONDS WEST, A DISTANCE OF 1132.42 FEET TO THE NORTH LINE OF HI-POINTE ADDITION, A SUBDIVISION AS RECORDED IN PLAT BOOK 16 PAGE 48 OF SAID RECORDER'S OFFICE;

THENCE ALONG SAID NORTH LINE AND THE NORTH LINE OF TUSCANY PARK, A SUBDIVISION AS RECORDED BY DEED IN BOOK 921, PAGE 271 OF SAID RECORDER'S OFFICE, ALL BEING THE NORTH LINE OF LOT 3 OF THE PARTITION OF GRATIOT LEAGUE SQUARE, THE FOLLOWING COURSES AND DISTANCES: NORTH 83 DEGREES 02 MINUTES 57 SECONDS WEST, A DISTANCE OF 639.20 FEET; AND NORTH 83 DEGREES 04 MINUTES 12 SECONDS WEST, A DISTANCE OF 484.82 FEET TO THE EAST RIGHT OF WAY LINE OF THE AFOREMENTIONED BIG BEND BOULEVARD (FORMERLY PENNSYLVANIA AVENUE);

THENCE ALONG SAID EAST RIGHT OF WAY LINE, THE FOLLOWING COURSES AND DISTANCES: NORTH 24 DEGREES 56 MINUTES 47 SECONDS EAST, A DISTANCE OF 21.27 FEET; NORTH 08 DEGREES 31 MINUTES 29 EAST, A DISTANCE OF 989.87 FEET AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,399.39 FEET, WITH A CENTRAL ANGLE OF 04 DEGREES 59 MINUTES 28 SECONDS, WHICH CHORD BEARS NORTH 11 DEGREES 01 MINUTES 13 SECONDS EAST, A CHORD DISTANCE OF 121.87 FEET, THROUGH AN ARC LENGTH OF 121.91 FEET TO THE POINT OF BEGINNING.