

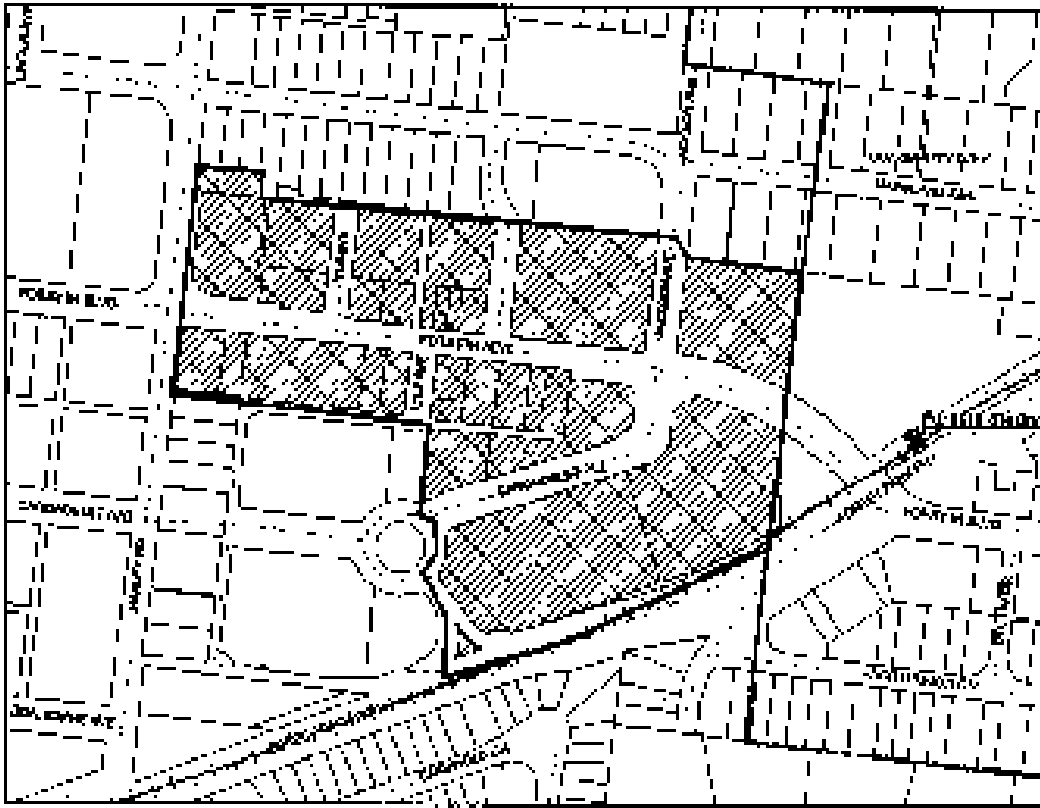
## **ARTICLE XII-B. TRANSIT ORIENTED DEVELOPMENT OVERLAY DISTRICT -- FORSYTH BOULEVARD STATION**

### **SECTION 410.759.1: PURPOSE STATEMENT**

The Forsyth Station Transit Oriented Development Overlay District (herein referred to in this Article as the Forsyth TOD District) is intended to apply to redevelopment in the immediate vicinity of the Forsyth MetroLink Station. This location presents a unique opportunity for the City to leverage the benefits of its proximity to MetroLink with future mid to high density residential and mixed-use development. (Ord. No. 6053 §1, 1-13-09)

### **SECTION 410.759.2: LOCATION OF OVERLAY ZONE**

The Forsyth TOD District is generally bounded by the alley north of Forsyth on the north, the City limits on the east, Forest Park Parkway on the south west of the Carondelet Plaza fountain to alley on the south side of Forsyth Boulevard to Hanley Road on the west. The Forsyth TOD District is an overlay to the base zoning district contained within its boundaries and is indicated by the designation of the Forsyth TOD Overlay Zoning District on the District Map. (Ord. No. 6053 §1, 1-13-09)



### **SECTION 410.759.3: SIGNIFICANCE OF DESIGNATION**

The regulations of this overlay district shall supersede or supplement, as applicable, the regulations of the base zoning district. Where conflict results between the regulations of the overlay district and the provisions of the base zoning district, the provisions of the overlay district shall control. (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.4: USES PERMITTED**

The uses permitted by right and by conditional use permit are listed in the Table of Permitted Uses found in the base zoning district. If a "P" (Permitted by Right) or a "C" (Permitted by Conditional Use Permit) is not indicated for a use in the base zoning district or a use is not included in the base zoning district, it is prohibited. In addition, the following auto-related uses are specifically prohibited or permitted only by conditional use permit:

- \* Service stations (prohibited use)
- \* Car wash establishments (prohibited use)
- \* Automobile agencies (conditional use permit)
- \* Surface parking lots and garages without ground floor retail (conditional use permit)

All buildings fronting Forsyth Boulevard or Hanley Road must contain first (1st) floor retail. (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.5: SPECIAL DEVELOPMENT DISTRICT (SDD) OR PLANNED UNIT DEVELOPMENT (PUD) REQUIRED**

Any person requesting a building permit involving construction of a new building or structure shall submit an application for a rezoning to a Special Development District or Planned Unit Development District in accordance with [Chapter 405](#). (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.6: REZONING AMENDMENT**

The application process includes a request for rezoning pursuant to the provisions of [Chapter 405](#). Rezoning must be completed concurrently with the approval process for the special development or planned unit development. (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.7: MAXIMUM BUILDING HEIGHT**

A. There is no maximum building height on the south portion of the district between the east City limits and Lyle Avenue, on the south side of Forsyth Boulevard. Upper levels of tall buildings fronting the south side of Forsyth Boulevard between Lyle Avenue and Hanley Road and on the north side of Forsyth in the "C-2" and "R-4" District should step back to mitigate height.

B. Height must be in compliance with the base zoning height regulations in the "C-2" and "R-4" portions of the Forsyth TOD District north of Forsyth Boulevard and south of Forsyth Boulevard between Lyle Avenue and Hanley Road except as modified by a Special Development District (SDD) or planned unit development (PUD) as outlined in [Chapter 405](#). (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.8: MAXIMUM FLOOR AREA**

A. There is no maximum floor area ratio (FAR) for redevelopment on the south side of Forsyth Boulevard between Lyle and the east City limits and the area south of Forsyth Boulevard within the Forsyth TOD District. To encourage density, the minimum FAR for this area is three (3.0).

B. The FAR for the properties on the north side of Forsyth Boulevard and the south side from Lyle to Hanley shall conform to the FAR regulations of the base zoning. FAR may be modified subject to the provisions and requirements of the Special Development District (SDD) or planned unit development process as outlined in [Chapter 405](#). (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.12: SETBACK REQUIREMENTS**

The setback requirements are the same as in the base zoning district, except that the front yard setback must be a minimum of ten (10) feet. Setback requirements may be modified subject to the provisions and requirements of the special development or planned unit development process as outlined in [Chapter 405](#). The Forsyth TOD District will allow limited daytime valet parking with appropriate permit. (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.13: OFF-STREET PARKING AND LOADING REQUIREMENTS**

There are no minimum parking requirements in the Forsyth TOD District. Parking requirements are at the discretion of the Plan Commission and Board of Aldermen based upon a parking study provided by a parking professional substantiating the developer's stated parking need. Loading requirements are as stated in [Chapter 405, Article XXV](#), Off-Street Parking and Loading Regulations. (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.14: SITE PLAN AND ARCHITECTURAL CONSIDERATIONS**

This district is intended to foster development with a substantially enhanced environmental profile by, in part, emphasizing public transit and enhanced pedestrian accessibility. To achieve these goals, the district incentivizes development by reducing on-site parking thereby affording more economically productive use of available land. In evaluating whether proposed developments achieve these objectives, the Plan Commission/Architectural Review Board shall assess compliance with the following standards:

1. Linkage between the development and the Forsyth MetroLink Station, if one does not currently exist.

2. Leadership in energy and environmental design (LEED) certification from the U.S. Green Building Council at a minimum "Certified" level including applicable regional priorities or an equivalent certification from a nationally recognized third (3rd) party verified organization as determined by the Plan Commission.

3. City streetscape consistent with the City of Clayton's streetscape standards.

4. Greenspace/urban gathering areas open to the street and proportionate to the development size and scope.

The special development or planned unit development ordinance shall specify whether and how individual standards are to be satisfied and penalties for failure to fulfill agreed undertakings. (Ord. No. 6053 §1, 1-13-09)

#### **SECTION 410.759.15: CONSIDERATION OF RELEVANT PLANS**

The Board of Aldermen shall, in arriving at its decision on a proposed SDD or PUD, consider these regulations, [Chapter 405](#), the Master Plan and any other land use or urban design policies relevant to the specific site which have been accepted or adopted by the Board of Aldermen. The Plan Commission shall, at the time of forwarding its recommendations to the Board of Aldermen, forward any recommendation(s) pertaining to the specific site that is contained in the Master Plan. If the Plan Commission's recommendations vary from such specific recommendation(s) in the Master Plan for the site, such variations shall be noted and explained in the Plan Commission's report to the Board of Aldermen. (Ord. No. 6053 §1, 1-13-09)