CITY OF CHESTERFIELD
PLANNING AND ZONING COMMITTEE MEETING
THURSDAY, FEBRUARY 8, 2007
CONFERENCE ROOM 101
5:30 P.M.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 18, 2007 Planning and Zoning Committee Meeting Summary

II. OLD BUSINESS

III. NEW BUSINESS

A. **P.Z. 5-2005 Winter Wheat Place (Dollar Building Company):** A request for a change of zoning from "NU" Non-Urban District to E-One Acre for a 4.0 acre tract of land located on Winter Wheat Road, 3000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. (18U220092)

B. **P.Z. 11-2006 Blacks Ridge Office Building (Brinkmann Construction):** A request for an amendment to City of Chesterfield Ordinance 1557 to allow for Medical Office as a proposed use for a 4.26 acre "PC" Planned Commercial District located on the north side of Swingley Ridge Road at 16253 Swingley Ridge Road.

C. **P.Z. 17-2006 13506 Olive (Spirit Energy):** A request for a change of zoning from a "C2" Commercial District to a "PC" Planned Commercial District for a .31 acre tract of land located at 13506 Olive Blvd. at the southwest corner of Olive Blvd. and Woods Mill Road.

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE

V. ADJOURNMENT

Note: The Planning and Zoning Committee will consider and act upon the matters listed above, and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Notice is hereby given that the Planning and Zoning Committee may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3) 1994; bidding specification (RSMo 610.021(11) 1994; and/or proprietary technological materials (RSMo 610.021(15) 1994

I. A.

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Acting Director of Planning

DATE: January 22, 2007

SUBJECT: Planning & Zoning Committee Meeting Summary
January 18, 2007

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Thursday, January 18, 2007 in Council Chambers.

In attendance were: **Chair Mary Brown** (Ward IV)**; Councilmember Barry Flachsbart** (Ward I); **Councilmember Barry Streeter** (Ward II); and **Councilmember Dan Hurt** (Ward III).

Also in attendance were Councilmember Jane Durrell, Ward I; Councilmember Bruce Geiger, Ward II; Councilmember Mike Casey, Ward III; Councilmember Connie Fults, Ward IV; Maurice L. Hirsch, Jr., Planning Commission Chair; City Attorney Rob Heggie; Planning Commissioner Wendy Geckeler; Planning Commissioner Lynn O'Connor; Mike Geisel, Acting Director of Planning; Jennifer Yackley, Project Planner; and Mary Ann Madden, Planning Assistant.

Chair Brown called the meeting to order at 5:35 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 4, 2007 Planning and Zoning Committee Meeting Summary

Councilmember Streeter made a motion to approve the Meeting Summary of January 4, 2007. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

II. PROTEST PETITION HEARING

Chair Brown reviewed the procedures for the Protest Petition Hearing.

A. <u>P.Z. 20-2006 Mayer Manors, Inc. (Chesterfield Manors)</u>: A request for a change of zoning from a "NU" Non-Urban District to an "E-One Acre" Estate District for a 4.3 acre tract of land located at the northwest corner of Wildhorse Creek Ridge Road and Cripple Creek Road.

PETITIONER'S PRESENTATION:

1. <u>Mr. Vince Keady</u>, 168 North Meramec, #400, St. Louis, MO stated the following:
   - The original zoning for the property was done by St. Louis County as "Non-Urban", which is considered a "holding zone" as recognized by St. Louis County and Missouri law.
   - The surrounding zoning includes:
     - North of the site – Non-Urban
     - South of the site – Non- Urban
     - West of the site – R1 which includes the Country Place Subdivision
     - East of the site – R1 and R1A which includes Bentley Place Subdivision
   - The City's Comprehensive Plan indicates that the subject area is designated for One-Acre Residential zoning.
   - The site is not part of any other subdivision.
   - Mayer Manors is proposing a four-lot subdivision with the homes being accessed by Wild Horse Ridge Road. Mayer Homes has agreed to improve Wild Horse Ridge Road to a 24-foot wide road consistent with City standards.
   - Lot 4 of the site will be accessed from Cripple Creek Road. Mayer Homes has agreed to escrow the necessary funds in order to improve half of Cripple Creek Road to City standards.
   - The Planning Commission recommended approval of the petition.

2. <u>Mr. Jean Magre,</u> The Sterling Company, 5055 New Baumgartner Road, St. Louis, MO stated he was available for questions.

3. <u>Mr. Mike Falkner</u>, 5091 New Baumgartner, St. Louis, MO indicated he was available for questions.

SPEAKERS IN OPPOSITION:

1. <u>Mr. Tom Fleming</u>, 17067 Winter Wheat, Chesterfield, MO stated the following:
   - He is a Trustee of Wild Horse Ridge subdivision and has lived there for 30 years. He will refer to the site as a neighborhood of large lots.
   - Wild Horse Ridge subdivision is accessed through Bentley Place.
   - His neighborhood consists of 17 lots, all of which are three-plus acres. There are seven homes in the neighborhood.
   - Of the 17 lots, there are several four-acre lots, which are side lots or undeveloped lots. If the zoning were changed to one-acre zoning, some of these lots would be capable of supporting four homes.

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- He has concern that if the subject petition is approved, there could be the potential for future rezoning of the remaining lots to one-acre zoning resulting in 8-9 different subdivisions within one neighborhood.
- Speaker referred to the report prepared by the Public Works Department analyzing the area for future potential development. He agrees with the report in that it indicates that the topography of the area lends itself to E-2 zoning – one home on two acres. He disagrees with the report's assessment of the area having 50 acres – he stated that the area has 61.26 acres.
- He agrees with the report that the area could be developed to include 44 homes and that the road could support 44 homes. He does not feel it is advisable to have only one access in and out of the area for that many homes but recognizes that it has been done in the past.
- The residents in the area would like to see large-lot residential-type zoning for the area. He asked that the City rezone the entire area to E-2 or Large Lot Residential zoning. This rezoning would preserve the existing residents' quality of life and it would be consistent with the character of the neighborhood.

Planning Chair Hirsch pointed out that if the residents in the area registered their lots as one subdivision with indentures, it would eliminate future rezoning issues for the area. The indentures could limit the number of houses that could be developed on the land. Mr. Fleming stated that at least one of the lot owners would not be amenable to any type of trust indentures. He was legally advised that he would need 100% of the property owners in order to get enforceable trust indentures.

Responding to Mr. Fleming's request that the City rezone the area to E-2 zoning, Councilmember Streeter stated that the City does not typically rezone personal property. The City generally waits for property owners to petition the City for rezoning.

City Attorney Heggie stated that the Council has the ability to rezone property but he did not feel that the City would be in a position to go in and rezone the entire parcel to E-2 zoning. He noted that the zoning generally takes its character from the surrounding neighborhoods. He further stated that the "Non-Urban" zoning is considered a holding pattern, but the fact that there are homes built in the area on four-acre lots provides some evidence to the character of the neighborhood. He stated that Mr. Fleming and his neighbors have the option of rezoning their lots.

Councilmember Flachsbart stated that he is very sympathetic to the idea that the character of this neighborhood is Large-Lot Residential.

Responding to questions from Councilmember Flachsbart, City Attorney Heggie stated the following:

- The Council has the legal ability to rezone the subject site to E-2. However, the petition is requesting E-1 zoning. If the Council is not in

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agreement with E-1 zoning, it would have the option of turning it down with instructions to the Petitioner to come back with an E-2 petition.

- The City, not the Planning Commission, could pursue a petition to rezone the area to E-2 zoning. However, the City generally does not choose to take such actions.

Discussion was held on the difference between Large-Lot Residential (LLR) zoning and E-2 zoning. Councilmember Fults stated that LLR zoning does not allow development below a two-acre lot while E-2 zoning allows the flexibility to go down a zoning category. She expressed concern that rezoning will take place lot-by-lot in this area. She noted that if the entire tract was coming in for rezoning, the City would apply its standards to it for green space, etc., which will not happen if the area is rezoned four acres at a time.

Chair Brown noted that the Estate Districts are planned districts, which gives the City more ability to impose different standards. LLR is not a planned district.

Chair Hirsch stated that since E-2 zoning is a planned district, the City would have the ability to limit the number of homes allowed through the requirements of the Attachment A.

2. Mr. Ken Aston, 17058 Rooster Ridge Road, Chesterfield, MO stated the following:
   - He owns two lots in the area of the subject petition totaling approximately nine acres.
   - He pointed out that the total area was zoned under two different ordinances under St. Louis County.
   - All the lots are three acres or larger. The area has a unique and consistent character.
   - He has a contract from a developer who would be able to build six homes on his nine acres. If a third of an acre is purchased from the adjoining property, the developer would be able to build seven homes. He is not interested in selling but if the neighborhood character is changed by bringing it down to one-acre, he will sell his property. He pointed out that the proposed homes are smaller and will not match the rest of the area.
   - He feels the Council has the duty to correct zoning deficiencies and zoning errors made by St. Louis County, which is part of the reason Chesterfield incorporated.

3. Mr. Lee McKinney, 1323 Bentley Place Drive, Chesterfield, MO stated the following:
   - He is representing Bentley Place Subdivision property owners and has lived at his present address since 1997.
   - They are sympathetic to Mr. Fleming's request that the City consider E-2 zoning for the area.
   - Their principal concern is that they own the property that the road passes through to get to the other sites.

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4. Mr. Michael Jette, 17070 Rooster Ridge Road, Chesterfield, MO stated the following:
   - His four-acre lot would allow the construction of two more homes if rezoned; however, he is not interested in doing this.
   - He was the last landowner to purchase property in this area and planned to make his home there. He bought into a subdivision, which he thought would remain the same.
   - He asked that the City protect the existing landowners against developers who do not care about the surrounding residents.

City Attorney Heggie asked Mr. Jette if he had given any thought to having his property rezoned. Mr. Jette indicated that he had not. His understanding was that the whole area would have to be rezoned as one unit. City Attorney Heggie stated that there is no ban on him acting by himself, or with a few neighbors acting together, to have property rezoned. He pointed out that the parcels in this area were not put together as a legal subdivision – there are no subdivision indentures.

Councilmember Flachsbart stated that any property owner has the right to come to the City and ask for a specific zoning. The City then has the duty to consider the zoning request and come to a conclusion as to whether the zoning should be granted. If the zoning in an area is established, then the chances of changing the zoning are less probable than in those areas where the zoning has not been established. In the past, Non-Urban zoning has been treated by the Courts as a holding zoning vs. a final zoning.

REBUTTAL

1. Mr. Keady stated the following:
   - **Regarding the City being formed to "correct St. Louis County's errors":** When a City is formed, it appoints a Planning Commission who has the responsibility to determine the organized fashion by which the City will be zoned and organize the use of property within the City. The City of Chesterfield came up with its Comprehensive Plan, which recommends that the subject site should be used for one-acre residential zoning. Mayer Manors has presented an application with one-acre residential zoning. The Planning Commission also determined an area that is appropriate for two-acre residential zoning, which is west of the subject site.
   - **Regarding comments pertaining to a neighborhood vs. a subdivision:** The subject site is not part of a subdivision. If property owners choose to rezone their land, the Speaker did not feel it should affect the subject petition.
   - **Regarding comments that one-acre zoning would make the area too dense and not be in keeping with the characteristics of the neighborhood:** The aerial photograph and zoning map show that both to the east and the west are neighborhoods with one-acre, or denser, zoning for residential uses. Speaker felt that the subject site touches more one-acre zoning and one-acre lots than it does the other lots. Speaker

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provided the Committee with documents that show Mr. Fleming signed a petition in favor of the rezoning of Bentley Place, which is R1A zoning and includes 22,000 sq. ft. lots.

- They feel the Committee should give a recommendation of approval for the subject petition.

Councilmembers Hurt and Streeter felt that the subject site touches as much Non-Urban zoning as it does one-acre zoning.

Councilmember Streeter asked Mr. Keady if the Petitioner would be willing to develop the parcel under E-2 or LLR zoning. Mr. Keady replied that the Petitioner would not consider E-2 zoning because of economic reasons.

Councilmember Fults stated that the Comprehensive Plan is a guide – it is not just the map that shows the recommended zoning. There is also written language that gives the City some discretion - and character of neighborhood is a big part of the written text that goes along with the Land Use Map. The City has already set a precedent in other areas to protect the areas around NU zoning. She is looking at the character of the neighborhood and the development of the entire parcel.

Chair Hirsch asked Mr. Keady if there is any ability to have a single subdivision of Mayer Manors and Winter Wheat. Mr. Keady replied that it may be possible but he couldn't predict whether or not it would happen. He pointed out that any development along Cripple Creek Road would have to contribute to the improvement of the road – the road would be developed in a fashion so that it looks like a subdivision road. He stated that the property is valuable and there is a certain market and type of home that will yield a sale – it is those types of homes that will be developed in the area, if it happens.

Mr. Aston stated that the Committee members who worked on the Comprehensive Plan looked at the area as a single unit. If someone had pointed out to them that there could be seventeen different one-acre subdivisions, he felt that the Committee members would not have allowed it.

Mr. Fleming thanked the Committee for their time and stated that if the City does not see the necessity of rezoning the area to LLR or E-2, he will meet with the residents of the area to go through the petition process to rezone the entire subdivision. As this will be a long and expensive process for the property owners, he prefers that the City rezone the land.

The Protest Hearing was concluded at this time and a five-minute recess was taken.

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III. OLD BUSINESS

A. <u>P.Z. 20-2006 Mayer Manors, Inc. (Chesterfield Manors)</u>: A request for a change of zoning from a "NU" Non-Urban District to an "E-One Acre" Estate District for a 4.3 acre tract of land located at the northwest corner of Wildhorse Creek Ridge Road and Cripple Creek Road.

<u>Ms. Jennifer Yackley,</u> Project Planner, gave a PowerPoint presentation noting the following:

- Required Minimum Lot Size: 22,000 square feet
- Minimum Lot Size shown on Plan: 32,577 square feet.
- The required 30-foot landscape buffers do not count towards minimum lot size.
- The subject site proposes one-acre density with four houses on a 4.3 acre site.
- Comprehensive Plan designates the subject site as one-acre density.
- **LLR zoning vs. E-2 zoning:**
  - LLR zoning is straight zoning requiring any such petition to adhere to all the zoning regulations already set up in the Zoning Ordinance.
  - LLR zoning requires three-acre density.
  - Estate Districts are planned districts which include setback requirements, buffering requirements, etc. There would also be a written Attachment A that would allow for more specifics for a particular development.
  - E-2 zoning has a minimum lot size of one acre; and E-1 zoning has a minimum lot size of 22,000 sq. ft.
  - Anything zoned under the E-District cannot count the 30-foot required landscape buffer as part of the lot size.
- **Public Works Analysis of the Road System:**
  - It has been determined that there are 50 developable acres due to topography. These 50 acres do not include the subject petition or the Winter Wheat development.
  - Future development beyond this project and the Winter Wheat project would yield up to 18 new houses.
  - Forty-four houses would use the road systems. These 44 houses include the existing 7 homes, the proposed 7 homes in Winter Wheat and Mayer Manors, the 12 existing homes in Bentley Place, and the possible 18 future homes.
  - Wild Horse Ridge Road, Cripple Creek Road and Winter Wheat Road will be improved to City standards.
  - A second access point is not practical because of topography.
  - Public Works believes that the current access is adequate if the remaining parcels are developed for a total of 44 homes in the area.

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Mr. Mike Geisel, Acting Director of Planning, stated the following:

- The fifty acres, referred to in the Public Works Report, is an estimate, along with the possible 44 home sites. These numbers could change a bit.
- The road is adequate to serve the amount of traffic from 44 homes but the length of the road would exceed the City's standards under its Subdivision Ordinance. The single-access to the site is adequate but not desirable. The City prefers multiple ways in and out of subdivisions.
- He thinks the Fire District would prefer to have a multiple point of access. The Fire District has reviewed the subject petition but has not reviewed any proposed development at the rear of the site, which will probably be an issue for them.
- Regarding lots being developed one at a time rather than collectively, there would be a higher yield for more lots grouped together. If the lots are developed individually, there would not be as many homes built because grading would be constrained and roads wouldn't be able to be adjusted. Some lots could be developed at a higher yield because less grading would be required. Financially, it would be to a petitioner's advantage to accumulate the lots and develop them as one site.
- The 30-foot landscape buffer and road easement cannot be included as part of the lot size.
- Thirty acres of the 80 acres in question is common ground for the Chesterfield Estates subdivision. Much of these 30 acres are in floodplain and floodway.

It was noted that if the lots were developed individually under the Estate District, they would all be required to have the 30-foot landscape buffers, which would decrease the density.

Councilmember Flachsbart made a motion to deny P.Z. 20-2006 Mayer Manors, Inc. (Chesterfield Manors) and recommend that the Petitioner consider Large-Lot Residential or E-2 zoning. The motion was seconded by Councilmember Hurt.

Chair Hirsch suggested that the motion be amended to include only E-2 zoning. He noted that the LLR zoning is straight zoning and the City gives up a lot with LLR. The Attachment A for E-2 zoning could include any specifications the City wants.

Councilmember Flachsbart stated he did not want to change the motion because he wants to give the developer some flexibility in zoning choices. Councilmember Hurt stated he did not want to amend the motion either.

Councilmember Streeter stated that he is convinced the area has acted as a subdivision. After hearing the information about the roads, he believes E-2 zoning is appropriate.

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Councilmember Flachsbart stated that his decision is driven by the character of the neighborhood and believes that E-1 zoning is not in keeping with the character of the neighborhood.

Chair Brown agreed that her viewpoint is also based on the character of the neighborhood.

Councilmember Hurt agreed with preserving the character of the neighborhood.

Councilmember Fults pointed out that the entire tract of land includes people's homes and is their neighborhood.

The motion to deny passed by a voice vote of 4 to 0.

Chair Brown announced that the subject petition will be on the February 5th City Council Agenda, which will require six votes for approval because of the Protest Petition.

IV. NEW BUSINESS - None

V. PENDING PROJECTS/DEPARTMENTAL UPDATE - None

VI. ADJOURNMENT

The meeting adjourned at 7:16 p.m.

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III.A.

City of Chesterfield

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February 1, 2007

Planning and Zoning Committee
City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO 63017

RE: **P.Z. 5-2005 Winter Wheat Place (Dollar Building Company):** a request for a change of zoning from "NU" Non-Urban District to E-One Acre for a 4.0 acre tract of land located on Winter Wheat Road, 3000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. (18U220092)

Dear Planning and Zoning Committee:

At the January 22, 2007 session, the Planning Commission voted to recommend approval of the above-referenced project by a vote of 6 to 1. Issues discussed during the Commission's review were:

- Tree retention
- Access
- Road Improvements

Attached are copies of Staff's reports, the Attachment A, and the Preliminary Plan.

Respectfully Submitted,

Annissa McCaskill-Clay

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

Cc: Michael G. Herring, City Administrator
Robert Heggie, City Attorney
Michael O. Geisel, Acting Director of Planning
Jeff Paskiewicz, Civil Engineer

ATTACHMENT A

In keeping with the following Comprehensive Plan policies, these conditions have been developed:

- 1.2 Adherance to the Plan
- 2.1 Quality Residential Development
- 2.1.1 Conservation of Existing Quality of Life
- 2.1.3 Encourage Preservation of Existing Residential Neighborhoods
- 2.1.4 Compatible In-Fill Residential Construction
- 7.2.9 Access Management
- 8.2.2 Underground Electric Service
- 8.3 Stormwater Management

I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall be limited to those conditions specified in Section A, General Criteria-Concept Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. Definitions

1. Site Development Concept Plan is a conceptual plan for development in a planned district being done in phases. A concept plan provides an overall picture of a development that is being divided into sections to be developed in phases.

2. A Site Development Section Plan is a plan for development for sections of the overall concept plan.

3. Site Development Plan is a plan for development in planned districts that is being done in one phase.

C. PERMITTED USES

1. The use allowed this E One Acre District shall be:
   a. Three (3) Detached single family homes

2. The above uses in the E One Acre District shall be restricted as follows:

   a. The average lot size shall be 1.3 acres.

b. The minimum lot size shall be no less than twenty-two thousand (22,000) square feet.

D. LOT SIZE, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. HEIGHT

a. The maximum height of the detached single family homes shall be fifty (50) feet.

E. STRUCTURE SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than a freestanding subdivision monument sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

a. Seventy-five feet from the northern boundary (N0°55'22"W) of the "E-One Acre" District.

b. The Site Development Plan shall provide clearing lines for each lot which shall in total meet the 39% preserved woodland as set out in G.1.

2. LOT CRITERIA

In addition to the above-referenced requirements, no building or structures other than boundary and retaining walls, light standards, flag poles or fences, the following lot criteria shall apply:

a. Front yard: Twenty-five (25) feet from the Winter Wheat Road easement on the western boundary of the "E-One Acre" District.

b. Side yard: Twenty (20) feet from the side property line.

i. A minimum of forty (40) feet must be maintained between structures.

c. Rear yard setback: Twenty-five (25) feet from the rear property line. .

F PARKING REQUIREMENTS

1. Parking for this development will be as required in the City of Chesterfield Code.

2. Construction Parking

   a. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

   b. No construction related parking shall be permitted within the Winter Wheat Drive roadway easement.

G. LANDSCAPE AND TREE REQUIREMENTS

1. A minimum of 39% of the existing tree cover shall be maintained.

2. The development of the subject site shall adhere to the requirements of the City of Chesterfield Tree Manual.

3. Driveways and parking in the proposed development shall be located in such a way that Tree #3, Tree#7 and Tree #9 and their root systems are not disturbed or destroyed.

4. Provide tree protection techniques such as fencing and possible branch pruning toward new house, and root pruning or others as directed by the City of Chesterfield in order to preserve Tree #22 or Tree #24.

H. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield for sight distance considerations prior to installation or construction.

2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.

3. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

I. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

J. ACCESS/ACCESS MANAGEMENT

1. Provide a fifty (50) foot wide private roadway easement or other appropriate legal intstrument(s) guaranteeing permanent access to the adjacent properties that currently utilized Winter Wheat Road for access.

K. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide all easements or other legal instruments necessary to provide for the required improvements to Cripple Creek Road and Winter Wheat Road.

2. Improve Winter Wheat Road along the entire frontage of the site to provide a 24 foot wide pavement, and storm drainage facilities, as directed by the Department of Public Works. The existing pavement shall be cored to verify that it meets City Standards. If it is determined that the existing pavement section does not meet City standards, the existing pavement will have to be brought up to City standards, as directed by the Department of Public Works. This work may include adding an asphalt overlay or may involve the complete reconstruction of the road.

3. Improvements to Winter Wheat Road and Cripple Creek Road shall be completed prior to the issuance of building permits exceeding 60% of the approved dwelling units. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 60%.

4. Improve Cripple Creek Road along the entire frontage of the site and through the intersection with Wild Horse Ridge Road to provide for ½ of a 24 foot wide pavement section and storm drainage facilities, as directed by the Department of Public Works. The existing pavement shall be cored to verify that it meets City standards. If it is determined that the existing pavement section does not meet City standards, the existing pavement shall be brought up to City

standards, as directed by the Department of Public Works. This work may include adding an asphalt overlay or may involve the complete reconstruction of the road.

L. TRAFFIC STUDY

Provide a traffic study as directed by the City of Chesterfield. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

M. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed, or the Mayor, may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

N. STORMWATER AND SANITARY SEWER

1. Provide public sewer service for the site, including sanitary force main, gravity lines and/or regional pump stations, as directed by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.

3. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The

location and types of storm water management facilities shall be identified on the Site Development Plan.

O. ROADWAY IMPROVEMENTS AND CURB CUTS.

Obtain approval from the City of Chesterfield Department of Public Works for the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

P. GEOTECHNICAL REPORT.

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on the Site Development Plan.

Q. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

2. Sleeves for future telecommunication services are required to be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS AND SITE DEVELOPMENT CONCEPT PLANS

A. The developer shall submit a Site Development Plan within eighteen (18) months of City Council approval of the Preliminary Development Plan. This requirement shall be accomplished prior to issuance of building permits.

B. Failure to comply with these submittal requirements will result in the expiration of the preliminary development plan and will require a new public hearing.

C. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

D. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.

B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA – SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

A. Site Development Plan shall include, but is not limited to, the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than 1 inch equals 100 feet.

2. Outboundary plat and legal description of the property.

3. Density Calculations, including the square footage of each lot.

4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

5. Provide open space percentage for overall development including separate percentage for each lot on the plan.

6. Zoning District lines and floodplain boundaries.

7. A note indicating all utilities will be installed underground.

8. A note indicating signage approval is a separate process.

9. The location of all buildings, including size, height and square footage.

10. Specific structure and parking setbacks along all roadways and property lines.

11. Provide the greenspace percentage for each lot on the plan.

12. Provide open space percentage.

13. Address trees and landscaping in accordance with the City of Chesterfield Code.

14. Provide a lighting plan in accordance with the City of Chesterfield Code.

15. Floodplain boundaries.

16. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

17. Confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.

18. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.

19. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.

20. Indicate the location of proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.

21. Size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements and curb cuts on and adjacent to property in question.

22. Show location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.

23. Show existing and proposed contours at intervals of not more than two (2) foot, and extending one hundred fifty (150) feet beyond the limits of the site.

24. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

25. Show preliminary stormwater and sanitary sewer facilities.

26. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

27. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

28. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, and Spirit of St. Louis Airport.

29. Show location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures and landscaping.

V. TRUST FUND CONTRIBUTION

A. The developer will contribute to the Eatherton-Kehrs Mill Road Trust Fund as directed. This contribution will not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

Type of Development	Required Contribution
S.F. Dwelling	$879.10/parking space

(Parking spaces as required by the City of Chesterfield Code.)

If types of development differ from those listed, the Department of Highways and Traffic will provide rates.

Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

If this development is located within a trust fund area, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development will be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2006 will be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

V. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VI. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, the developer will provide the following:

1. Comments/approvals from the appropriate Fire District, Spirit of St. Louis Airport, and the Metropolitan St. Louis Sewer District.

2. Copies of recorded easements for off-site work, including book and page information, will be provided.

VII. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements will be met:

1. Notification of Department of Planning

   Prior to the issuance of foundation or building permits, all approvals from the above mentioned agencies and the City of Chesterfield Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

2. Notification of St. Louis County Department of Public Works

   Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the appropriate Fire District, Spirit of St. Louis Airport and the Metropolitan Sewer District.

3. Certification of Plans

   Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The

Geotechnical Engineer will be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

VIII. OCCUPANCY PERMIT/FINAL OCCUPANCY

Prior to final occupancy of any building and/or release of subdivision escrows, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

XIV. FINAL RELEASE OF ESCROW

Prior to the release of final escrow, the developer will provide certification by a Registered Land Surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

All conditions of the Escrow as stated in the Escrow Agreement shall be met and approved by the Department of Public Works per the established Escrow Agreement.

XV. GENERAL DEVELOPMENT CONDITIONS

All streets within this development shall be private and remain private forever. Private street signage, in conformance with Section 1005.180 of the Subdivision Ordinance, shall be posted within 30 days of the placement of the adjacent street pavement.

XVI. ENFORCEMENT

1. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.

2. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of permits by issuing Departments and Commissions.

3. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City

of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.

4. Waiver of Notice of Violation per the City of Chesterfield Code.

5. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

BILL NO._____ **ORDINANCE NO. _____**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "E" ONE-ACRE DISTRICT FOR A 4.0 ACRE TRACT OF LAND LOCATED ON WINTER WHEAT ROAD, 3,000 FEET SOUTHEAST OF THE INTERSECTION OF WILDHORSE CREEK ROAD AND LONG ROAD. (P.Z. 5-2005 WINTER WHEAT PLACE/DOLLAR BUILDING COMPANY)

WHEREAS, the petitioner, Dollar Building Company, has requested a change in zoning from "NU" Non-Urban District to "E" One Acre District for a 4.0 acre tract of land located on Winter Wheat Road, 3,000 feet southeast of the intersection of Wild Horse Creek Road and Long Road; and,

WHEREAS, the Planning Commission held a public hearing on June 13, 2005 to consider the matter; and,

WHEREAS, P.Z. 5-2005 was considered by the Planning Commission and recommended for approval by a vote of 6-1.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the NU" Non-Urban District to the "E" One Acre District 4.0 acre tract of land located on Winter Wheat Road, 3,000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. A description of the subject site is as follows:

PROPERTY DESCRIPTIONS

A tract of land being part of that parcel conveyed to "The Wild Bunch" by deed recorded in Book 6725, page 634 of the St. Louis County Records, situated in U.S. Survey 886, Township 45 North-Range 4 East, in the City of Chesterfield, St. Louis County, Missouri being more particularly described as:

Beginning at a point on the eastern line of Lot 39 of "Country Place at Chesterfield Plat One", a subdivision according to plat thereof recorded in Plat Book 249, page 39 of the St. Louis County Records at the southwestern corner of a tract of land conveyed to Ebello and Norma Pasia by deed recorded in Book 6753, page 75 of the St. Louis County Records, thence along Pasia's southern line, South 89 degrees 54 minutes 27 seconds East 303.23 feet to the northwestern corner of a tract of land conveyed to Dennis Walsh, Etal. By deed recorded in Book 9435, page 666 of the St. Louis County Records, thence along Walsh's western line, South 04 degrees 31 minutes 28 second West 169.87 feet to a point; thence South 25 degrees

40 minutes 59 seconds East 75.26 feet to a point; thence South 01degree 01 minute 43 seconds east 316.00 feet to a point on the northern line of Parcel 1 of those tracts of land conveyed to Thomas Fleming, Trustee by deed recorded in Book 11949, page 1634 of the St. Louis County Records, thence along Fleming's northern line, South 86 degrees 55 minutes 19 seconds West 319.39 feet to a point on the eastern line of Lot 80 of "Country Place of Chesterfield Plat Three", a subdivision according to plat thereof recorded in Plat Book 263, Page 67 of the St. Louis County Records; thence along the eastern line of said subdivision, North 00 degrees 55 minutes 22 seconds West 570.82 feet to the point of beginning, containing 4.00 acres according to a survey by Volz, Inc. during the month of October, 2004.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council.

Section 3. The City Council, pursuant to the petition filed by Dollar Construction in P.Z. 5-2005 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearings, held by the Planning Commission on the 13th day of June 2005, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this _____day of _____, 2007.

_____
MAYOR

ATTEST:

_____
CITY CLERK

FIRST READING HELD: _____

VIII. A

MEMORANDUM

DATE: JANUARY 17, 2007

TO: CITY OF CHESTERFIELD PLANNING COMMISSION

FROM: ANNISSA G. MCCASKILL-CLAY

RE: P.Z. 5-2005 WINTER WHEAT PLACE ROAD SYSTEM

At its January 8, 2007 session, the Planning Commission requested that staff create a map showing the road systems that serve the subject area of the above-referenced petition. Said map is attached for the Commission's review.

Attachments:

1. P.Z. 5-2005 Winter Wheat Place Map
2. January 8, 2007 Staff Report
3. Attachment A
4. Previous Reports
5. Preliminary Plan

AGMC/agmc

WILD HORSE CREEK ROAD
BENTLEY PLACE DRIVE
WILD HORSE RIDGE
MAYER MANORS
4
CRIPPLE CREEK
WINTER WHEAT ROAD
ROOSTER RIDGE ROAD

VIII.A.

City of Chesterfield

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

December 29, 2006

Planning Commission
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

The agenda for the Planning Commission meeting on January 8, 2007 will include the below referenced matter for your review:

P.Z. 5-2005 Winter Wheat Place (Dollar Building Company): a request for a change of zoning from "NU" Non-Urban District to E-One Acre for a 4.0 acre tract of land located on Winter Wheat Road, 3000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. (18U220092)

The above-referenced project was last on the Planning Commission agenda on February 13, 2006 for vote. At that meeting, the petitioner's request that it be held from the agenda was granted by the Commission by a vote of 6-0. At its March 13, 2006 session, the following issues were raised by the Commission:

1. Provide additional information regarding the history of the Winter Wheat road as it goes through Bentley Place and behind the properties that have been subdivided. Is there any history of what the thinking was about the access road at the time Bentley Place was approved?

   Staff Response: ***Staff has reviewed the meeting summaries for the petition to zone Bentley Place. Winter Wheat was in existence prior to the development of Bentley Place. There was no discussion regarding necessary improvements to Winter Wheat, Cripple Creek or Wildhorse Ridge Roads. However, the developer of Bentley Place agreed to widen Wild Horse Ridge Road, landscape the roadway and provide a new entryway that was to be comparable in design and structure for Bentley.***

2. Provide information from Public Works as to how they would perceive the road which goes from Wild Horse back to the subject site. Provide information as to how and when would it be developed – especially with the view that there may be additional properties to the back that also use this road as an access. If these properties were to be developed, when would the beginning part of the road be developed?

***Staff Response:** The previous requirements provided for this proposed development have been changed. Please see pg 4, K.1-4. In addition, the Public Works Department has reviewed access in the area as it relates to future development. In their memorandum, they have advised that "...Chesterfield Manors and Winter Wheat developments will be responsible for improving the entire length of Wild Horse Ridge Road and portions of Cripple Creek Road and Winter Wheat Road to City standards. Future development of the 50 acres would also require improvements and or reconfiguration to the remaining unimproved portions of Cripple Creek and Winter Wheat Roads."*

3. Review the possibility of zoning the site "LLR".

   Petitioner's Response: The Comprehensive Plan calls for one-acre density in the area that includes the site. New subdivisions that are in close proximity to this subdivision , Bentley Place (approved by the City in 1994 and Country Place approved by St. Louis County in 1985) are zoned R1/R1A and R1, respectively. The Intent and Purpose of "LLR" as expressed in Section 1003.106 do not apply to this site. For the forgoing reasons, "LLR is not appropriate."

   ***Staff Response:** The Intent and Purpose of the "LLR" Large Lot Residential District is as follows:*

   > ***Intent and purpose:** The purpose of the "LLR" Large Lot Residential District is to provide for residential uses and activities, and other compatible uses in areas where the normal provision of community infrastructure is not desirable or not feasible. Single-family residential development in this district is intended to conform to standards set forth in Section 1005.135 of the City's Subdivision Regulations (large lot subdivision). The large lot subdivision standards, generally, do not require minimum pavement widths, sidewalks, streetlights and other improvements applicable to residential subdivisions containing lots of less than three (3) acres.*

Staff has attached the previous issue and vote report for the Commission to review. No vote is requested for the January 8, 2007 meeting. A draft of the revised Attachment A is also attached for your review.

Respectfully Submitted,

Annissa McCaskill-Clay

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

MEMORANDUM

DATE: December 27, 2006

TO: Mike Geisel, DPW/CE

FROM: Brian McGownd, DDPW/ACE

RE: Winter Wheat and Chesterfield Manors – Access Related to Future Development

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The above referenced residential developments have been proposed along the south side of Wild Horse Creek Road, just west and south of the Bentley Place subdivision. Access to both developments will be provided via Bentley Place Drive and Wild Horse Ridge Road, with Bentley Place Drive providing direct access to Wild Horse Creek Road.

Once completed, the new developments would add seven homes with one existing home being demolished; therefore, a total of six new homes will utilize the current access. It is our understanding that a concern has arisen regarding the possibility of future development/redevelopment of the approximately 80 acres of property south and east of the proposed developments. The Public Works Department has been asked to evaluate the adequacy of the current access to Wild Horse Creek Road under the assumption that if the above referenced 80 acres were ever developed/redeveloped, the development would be routed to Wild Horse Creek Road via Bentley Place Drive. As you know, emergency access to developments is controlled and dictated by the appropriate fire district, not by the City, therefore, the requested evaluation of the adequacy of the existing access to Wild Horse Creek Road does not include nor address emergency access issues.

Thirty acres of the 80 acres under question is common ground for the Chesterfield Estates subdivision. This common ground is heavily encumbered by regulatory floodplain. Even if allowed by the subdivision's indentures, development of the 30 acres would be difficult at best. It is highly unlikely that this common ground will ever be developed, therefore, this 30 acres of common ground has been excluded from this analysis.

The topography of the remaining 50 acres consists of four ridge lines rising 100 feet from the low lying areas immediately adjacent to Caulks Creek. The comprehensive plan provides for one acre single family residences in this area, but due to the challenging terrain it would be difficult to achieve a density of 50 one acre lots, therefore, it would be realistic that development of the 50 acres would yield approximately 25 two acre lots. Of these 25 potential homes, seven currently exist; therefore a yield of 18 homes would be generated from the development/redevelopment of the 80 acres in question. Therefore, 18 potential new homes, seven existing homes, seven proposed homes and the existing 12 homes in Bentley Place add up to a total of 44 homes that will utilize Bentley Place Drive to access Wild Horse Creek Road.

The access utilized for the developments discussed above would be via Wild Horse Ridge Road that connects to Bentley Place Drive which ultimately connects to Wild Horse Creek Road. The Chesterfield Manors and Winter Wheat developments will be responsible for improving the entire length of Wild Horse Ridge Road and portions of Cripple Creek Road and Winter Wheat Road to City standards. Future development of the 50 acres would also require improvements and or

reconfiguration to the remaining unimproved portions of Cripple Creek and Winter Wheat Roads. Ideally it would be advantageous to improve Winter Wheat Road in a manner that would loop back into Cripple Creek Road from the east, but the topography of the eastern boundaries of the area in question would make this difficult to achieve.

A second point of access through the Country Place or Chesterfield Estates subdivisions would be beneficial, but due to the topographic constraints and locations of existing homes, it would be difficult to construct such an access. The proposed Fox Hill Farms subdivision, currently under review, is located immediately east of the Chesterfield Estates common ground, but once again the subdivision layout, alignment of Caulks Creek, and topographic constraints would make a roadway connection difficult at best.

Although a second point of access is desirable for all developments, it appears from our analysis that, in this instance, a second point of access and/or some sort of looping of interior roads is not practical. As you know, several developments within the City, both old and recent, have been approved with one means of access. The adjacent Country Place subdivision, which contains over 100 homes, has one point of access to Wild Horse Creek Road. The recently approved Kendall Bluff subdivision contains approximately 115 homes, and also has only one access point to Ladue Road.

Therefore, due to the fact that the proposed developments, the existing Bentley Place subdivision and the potential development/redevelopment of the surrounding parcels will yield approximately 44 single family homes, and with the improvement of all the existing roads to City standards, we believe the current access to Wild Horse Creek Road via Bentley Place Drive is adequate.

cc: Bonnie Hubert, Superintendent of Engineering Operations
Jeff Paskiewicz, Civil Engineer
Aimee Nassif, Senior Planner for Zoning Administration

VIII. A.

City of Chesterfield

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

February 8, 2006

Planning Commission
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Director of Planning JP

Dear Commission Members:

The following petition is hereby submitted for your consideration:

Petition: P.Z. 5-2006 Winter Wheat Place

Petitioner: Dollar Building Company

Requests: A change of zoning from an "NU" Non-Urban District to a "E" One Acre District

Location: 18U220092

Hearing Dates: June 13, 2005

Speakers:

In favor: 0
In opposition: 7
Neutral: 0

Petitioner's Request

A change of zoning from an "NU" Non-Urban District to an "E" One Acre District for a parcel located on Winter Wheat Road. Total area to be rezoned: 4 acres.

Area Land Use and Zoning

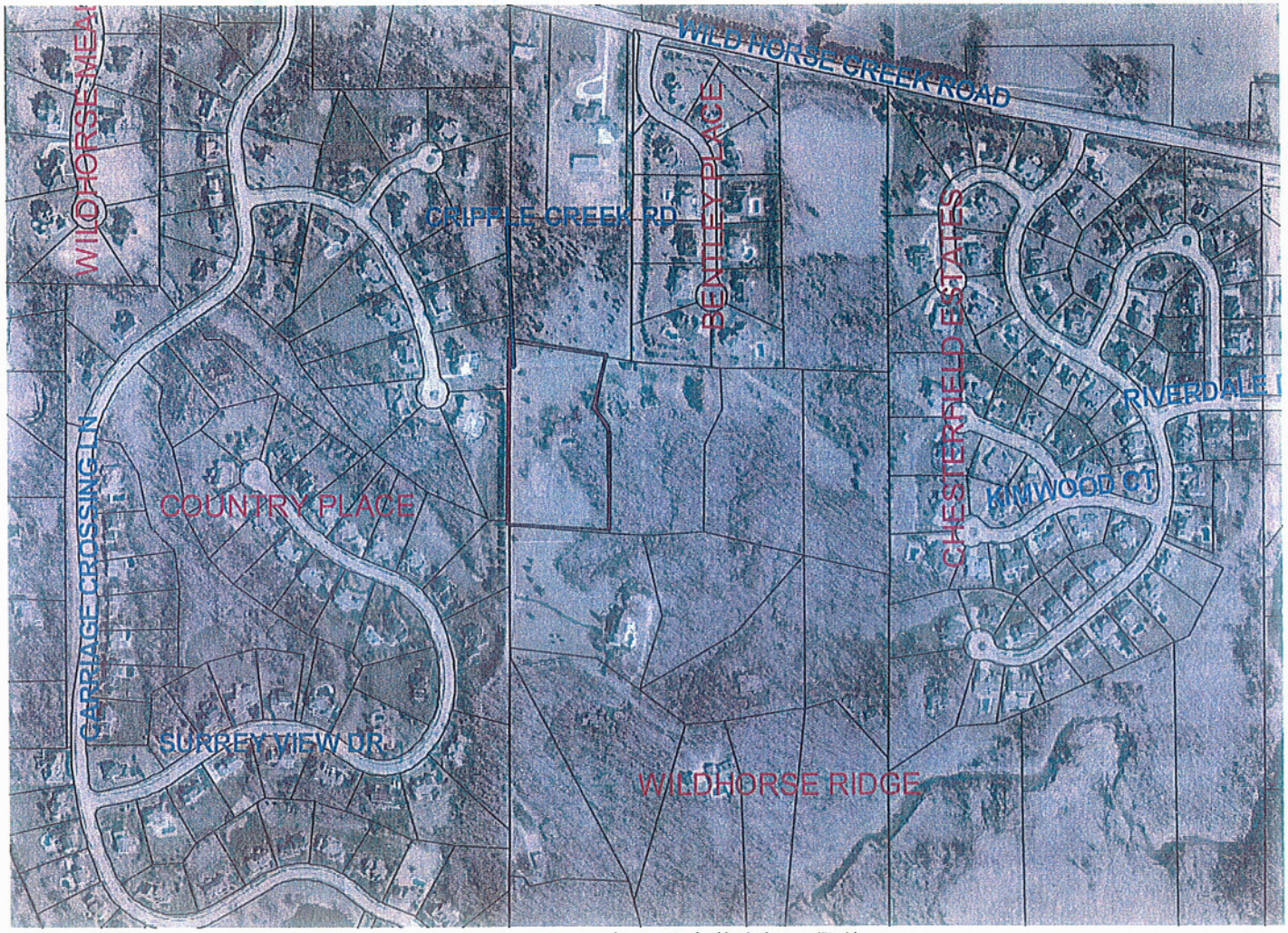
The subject site is located on Winter Wheat Road, 3000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. They were zoned "NU" Non-Urban District prior to incorporation by the City of Chesterfield.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel are as follows:

North: North of the subject site is a vacant property zoned NU Non-Urban.

South/East: To the South and the East are Wildhorse Ridge Subdivision (NU). Further east is Chesterfield Estates (R1)



West: The property to the west is Country Place Subdivision. (R1)

Site Area History

The subject site is located was zoned "NU" Non-Urban prior to incorporation of the City of Chesterfield.

Infrastructure Improvements and Related Comments

The Metropolitan St. Louis Sewer District (MSD), the Monarch Fire Protection District, the City of Chesterfield Public Works, have all submitted comments concerning this petition.

Comprehensive Plan and Policies
The City of Chesterfield Comprehensive Plan provides that Single Family Residential with a one (1)-acre density is an appropriate land use for this site.

PROJECT ISSUES

The following are the list of issues that were identified at the Issues Meeting on November 14, 2005:

1. Provide information about what is happening with the topography in the northwest corner of the site.

Staff Response: ***The Petitioner has advised that they have acquired an off-site easement for future grading.***

2. Request that the Department of Public Works re-look at the issue of requiring the Petitioner to improve only that part of the road in front of the development and explain why they are not requiring the whole road to be improved.

Staff Response: ***Attached please find correspondence from resident Tom Fleming and a memorandum from the Director of Public Works regarding this issue.***

3. Provide wording on how the following trees can be saved – Tree #3, 7, 11, and 22 or 24.
4. Provide wording with respect to screening and root pruning, etc. that would be needed to save the trees per Mr. Rocca.

Staff Response: ***As the Commission may remember, Mr. Rocca provided previously provided comments on all these trees with the exception of #11. He has re-reviewed these tree with the addition of #11. Please see the table below. It includes possible language to save the listed trees, where possible.***

Tree Number	*Type*	*Condition*	*Possible Language for Measures Needed to Save*
3	*Silver Maple*	*Good*	*Locate the driveway on Lot One (1) in such a way that the Tree #3 and its root system are not negatively impacted. Note: This will likely involve moving the driveway further North.*
7	*Crabapple*	*Good*	*Locate the driveway on Lot One (1) in such a way that the Tree #7 and its root*

			the Trees # 3 and 7and their root systems are not negatively impacted. Note: This will likely involve moving the driveway further North.
9	*Silver Maple*	*Fair*	*Locate the driveway and parking on Lot One (1) in such a way that Tree # 9 and its root systems are not negatively impacted. Note:Would still be difficult to save.*
11	*Willow*	*Poor*	*There are no protection measures that could save this tree.*
22	*Pin Oak*	*Good*	*Provide tree protection techniques such as fencing and possible branch pruning toward new house, and root pruning or others as directed by the City of Chesterfield in order to preserve Tree #22.*
24	*Pin Oak*	*Good*	*Provide tree protection techniques such as fencing and possible branch pruning toward new house, and root pruning or others as directed by the City of Chesterfield in order to preserve Tree #24.*

5. Notify Mr. Fleming and his association as to when this petition is on the agenda again. Also inform Mr. Fleming of the results of this meeting.

Staff Response: ***Mr. Fleming has been notified and been provided a copy of this report and Attachment A.***

The following are issues that were identified at the Public Hearing.

G. LANDSCAPE AND TREE REQUIREMENTS PG. 3

1. The Commission requested that the Petitioner review the current plan of removing 30 of the existing 50 trees on the subject site.

- Specifically, the Commission wanted the Petitioner to review its plan regarding the 7 Monarch trees on the lot.

Petitioner's Response:"Petitioner can save tree numbers 7 and 18 listed on the Tree Preservation Plan. Also, either tree number 22 **or** 24 can be saved. Grading issues prevent both from being saved. Many of the trees to be taken down are close to the existing house and most likely would not survive the house's demolition. Others are in the footprint of the proposed home sites.

It should be noted that Petitioner is saving 39.3% of the site's trees, where 30% is required. Petitioner will save as many trees as possible, as it is in both the City's and Petitioner's interest to keep the site's trees for the enjoyment of future home owners."

2. Staff was requested to have the City of Chesterfield Tree Consultant review whether the following trees can be saved:

- Tree #18 (a 38" diameter Silver Maple)
- Tree #9 (a 32" diameter Silver Maple)
- Tree #7
- Tree #22
- Tree #3
- Tree #24

Petitioner's Response: "See response to TREES Issue #1 above."

J. ACCESS/ACCESS MANAGEMENT PGS. 4-5

1. Has the developer looked at any alternate public routes for access rather than coming through Bentley Place?

Petitioner's Response: "There is no other feasible access. The proposed access already exists for the benefit of the subject site."

2. How long is it from the public road to the last property?

Petitioner's Response: "Approximately 3,000 feet."

K. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION PG. 5

1. Will the street be paved?

Petitioner's Response:"Yes."

2. Regarding the City road being built in the project, is it something other than the City's standards? If this is to be a private road but built to City standards, contrast it to what it would be compared to how it is now.

Petitioner's Response: "The road in front of the subject site will be built to City standards."

N. STORM WATER AND SANITARY SEWER PG. 6-7

1. Provide information on the water run-off and its effect downstream on Caulks Creek. Does it need retention? If not, why not?

Petitioner's Response: "This site drains to Bonhomme Creek and Caulks Creek. The differential runoff from the proposed lots will be well below the minimum 2.0 cfs required to generate the need for detention. A letter from MSD stating that detention is not required is attached to this letter."

2. Is there an MSD requirement that would force owners to join MSD sewer?

Petitioner's Response:"There is no such requirement."

R. MISCELLANEOUS PG. 9

1. Will there be provisions for sewer, water and gas to neighboring lots?

   Petitioner's Response: "Sewer, water, and gas will be provided along the frontage of the proposed lots. Extending these utilities could be done by neighboring properties at there own expense, coordination and approval by the utility companies."

2. How are utilities getting to the subject site?

   Petitioner's Response: Existing utilities will be extended from Chaise Ridge which lies west of the subject site.

BACKGROUND ISSUES (NON-ATTACHMENT A ISSUES)

1. What property owners have the Petitioner met with– Bentley Place and the surrounding area?

Petitioner's Response:Petitioner met with the following property owners:

5-16-05 – Petitioner met with Maria Wilmas of 17716 Wild Horse Creek Road. She owns the lot at 17050 Cripple Creek. Petitioner met with Ms. Wilmas and gave her a copy of the Preliminary Plan with an attached comment sheet. She stated that she would send her comments to Tom Fleming after reviewing the plan.

5-16-05 – Petitioner met with Maria Wilmas of 17716 Wild Horse Creek Road. She owns the lot at 17050 Cripple Creek. Petitioner met with Ms. Wilmas and gave her a copy of the Preliminary Plan with an attached comment sheet. She stated that she would send her comments to Tom Fleming after reviewing the plan.

5-18-05 – Petitioner called the agent for the property owner at 699 Wildhorse Ridge Road as requested by a posted sign. Petitioner left messages with the owner's agent in an attempt to get an address or telephone number of the property owner to discuss the pending rezoning petition. Petitioner called twice, three days apart, with no response.

5-25-05 – Petitioner went to 17067 Rooster Ridge, home of Tom Fleming. Petitioner found nobody home at the time of his visit. Petitioner left a copy of the Preliminary Plan and a comment form, including Petitioner's address and telephone number if the homeowner had questions regarding the petition. Mr. Fleming returned the comment form to Petitioner, including signatures from eight (8) area neighbors.

5-26-05 – Petitioner met with the Strockers at 17111 Chaise Ridge (Country Ridge Subdivision). Petitioner spoke with Vivian Strocker and gave her a copy of the Preliminary Plan and comment sheet.

5-29-05 – To Petitioner's knowledge, Mr. Harry Fangchin at 17101 Chaise Ridge Road received a copy of the Preliminary Plan from the Strockers.

6-09-05 – Mr. Harry Fangchin called Petitioner to discuss the Preliminary Plan. Mr. Fangchin was concerned that the pine trees between his property and the subject site were going to be removed. Petitioner stated that some of the trees were on his (Fangchins) property and some were on the subject site. Petitioner told Mr. Fangchin that the all trees will remain.

Petitioner did not contact residents of Bentley Place.

2. Was a title search done for this specific parcel?

Petitioner's Response: Yes. It was done by the title company that insured the title.

3. Describe what is happening with the road before the entrance to the subdivision from Bentley Place.
    a. Provide history of the road;
    b. Provide information as to who owns the road;
    c. Provide information about the road agreements and how they work;
    d. How many properties are currently served by the road?

Petitioner's Response: "See copy of Road Easement Agreement attached, recorded at Book 6753, Page 738, St. Louis County Records. The Road Easement Agreement created a 50-foot wide road easement "*for the benefit of the owners of the tracts of land as described in deed recorded in Book 6725, Page 364 and their heirs and assigns*." A copy of that deed is attached to this letter, and the legal description includes the subject property and all properties currently served by the road easement."

4. Who maintains the section of the road on which the subject site has frontage?

Petitioner's Response: "By law, it is the responsibility of the properties using the road to fairly share the cost of maintaining the road. The Road Easement Agreement does not specifically provide for maintenance; it only creates the easement."

5. What was done with the road that accesses this area when Bentley Place was reviewed?

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6. Regarding the Road Agreement ("Road Maintenance Agreement") provided by Mr. Tom Fleming, what are the rights and responsibilities of the property owners to maintain/assist in the maintenance of the road?

Petitioner's Response:"See copy of the letter from Title Company, attached. The subject site is not bound by the Road Maintenance Agreement. However, see responses to "General Road" numbers 1 and 2. ***(Please see Items #2 and #3 of this section for the responses referenced by the petitioner.)"***

7. Was Bentley Place included in the Road Maintenance Agreement?

Petitioner's Response:"No."

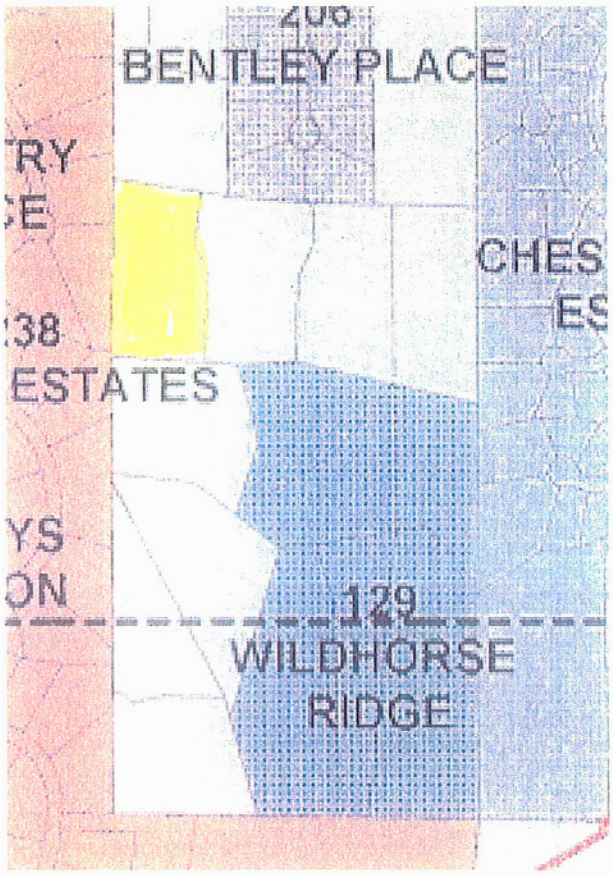
8. Clarify the subdivision map. Explain the map section surrounding area "129" where the City boundary line is.
    - What does "129 Wildhorse Ridge" stand for?
    - Research whether "Wildhorse Ridge" refers only to the areas over "129".
    - What do the dotted lines denote on the map?

Petitioner's Response:

- "129 Wildhorse Ridge" is the designation for *Wildhorse Ridge Subdivision* on the City's Subdivision Base Map, as indicated below. The subject site is outlined in **RED**.
- Yes – "Wildhorse Ridge" refers only to the areas over "129" encompassing six (6) parcels – 17061 Rooster Ridge Drive, 17055 Rooster Ridge Drive, 17040 Rooster Ridge Drive, 17058 Rooster Ridge Drive, 17052 Rooster Ridge Drive

and 17046 Rooster Ridge Drive. Parcels NOT shaded in blue are NOT part of *Wildhorse Ridge Subdivision.*

- The dotted line on the Subdivision Base Map illustrates the dividing line for locator numbers. Parcels above this line have "18U…" locator numbers. Parcels below this line have "19U…" locator numbers.



3. Was the subject site included when the subdivision was platted?

Petitioner's Response:"No."

4. Do the indentures for Wildhorse Ridge include a legal description or list of included properties?

Petitioner's Response:"There are no indentures applicable to the subject site."

5. Provide clarification as to what parcels consist of "Wildhorse Ridge Subdivision".

Petitioner's Response: "Wildhorse Ridge subdivision consists of the following six parcels:

1. 17061 Rooster Ridge Drive;
2. 17055 Rooster Ridge Drive;
3. 17040 Rooster Ridge Drive;
4. 17058 Rooster Ridge Drive;
5. 17052 Rooster Ridge Drive; and
6. 17046 Rooster Ridge Drive."

12. Why is the subject site not shown as a part of the Wildhorse Ridge Subdivision on the Subdivision Map?

Petitioner's Response:"It is not part of *Wildhorse Ridge Subdivision* or any other subdivision."

Respectfully Submitted,

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

Attachments

VIII. B.

City of Chesterfield

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

November 8, 2005

Planning Commission
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Director of Planning

The agenda for the Planning Commission meeting on November 14, 2005 will include the below referenced matter for your review:

P.Z. 5-2005 Winter Wheat Place (Dollar Building Company): a request for a change of zoning from "NU" Non-Urban District to E-One Acre for a 4.0 acre tract of land located on Winter Wheat Road, 3000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. (18U220092)

A public hearing for the above-referenced petition was held on June 13, 2005. At that time, issues were identified for response by the petitioner and staff. Staff response includes:

ISSUE HAS BEEN ADDRESSED- The Department of Planning has reviewed the material submitted and found the information complete and therefore the issue has been addressed. Unless directed by Planning Commission, this issue will be considered resolved and will be removed from future reports.

PETITIONER HAS ADDRESSED THE ISSUE- The Department of Planning has reviewed the material submitted and request direction from the Planning Commission whether the issue has been resolved.

ISSUE REMAINS OPEN- The Department of Planning has reviewed the petitioner's response to this issue and finds it incomplete. The Planning Commission has an opportunity to clarify the issue with Staff and request additional information.

G. LANDSCAPE AND TREE REQUIREMENTS

1. The Commission requested that the Petitioner review the current plan of removing 30 of the existing 50 trees on the subject site.
    - Specifically, the Commission wanted the Petitioner to review its plan regarding the 7 Monarch trees on the lot.

Petitioner's Response:Petitioner can save tree numbers 7 and 18 listed on the Tree Preservation Plan. Also, either tree number 22 **or** 24 can be saved. Grading issues prevent both from being saved. Many of the trees to be taken down are close to the existing house and most likely would not survive the house's demolition. Others are in the footprint of the proposed home sites.

It should be noted that Petitioner is saving 39.3% of the site's trees, where 30% is required. Petitioner will save as many trees as possible, as it is in both the City's and Petitioner's interest to keep the site's trees for the enjoyment of future home owners.

Staff Response: ISSUE HAS BEEN ADDRESSED.

2. Staff was requested to have the City of Chesterfield Tree Consultant review whether the following trees can be saved:

    - Tree #18 (a 38" diameter Silver Maple)
    - Tree #9 (a 32" diameter Silver Maple)
    - Tree #7
    - Tree #22
    - Tree #3
    - Tree #24

Petitioner's Response:See response to TREES Issue #1 above.

Staff Response: The table below outlines Mr. James Rocca's response to the Commission's request

Tree Number	*Type*	*Condition*	*Measures Needed to Save*
3	*Silver Maple*	*Good*	*Driveway would have to be moved to the North.*
7	*Crabapple*	*Good*	*Driveway would have to be moved to the North.*
9	*Silver Maple*	*Fair*	*Would still be difficult to save. A change in the location of new driveway and parking.*
18	*Silver Maple*	*Good*	*Demolition equipment would have to be kept away from this tree and protective fencing could be used.*
22	*Pin Oak*	*Good*	*Tree protection techniques including fencing and possible branch pruning toward new house, and root pruning.*
24	*Pin Oak*	*Good*	*Tree protection techniques including fencing and possible branch pruning toward new house, elimination of soil fill around base and root pruning.*

A copy of Mr. Rocca's comments is attached for the Commission's review. (Exhibit 1)

ISSUE HAS BEEN ADDRESSED.

K. ACCESS/ACCESS MANAGEMENT

1. Has the developer looked at any alternate public routes for access rather than coming through Bentley Place?

Petitioner's Response: There is no other feasible access. The proposed access already exists for the benefit of the subject site.

Staff response: ***PETITIONER HAS ADDRESSED THE ISSUE***

2. How long is it from the public road to the last property?

Petitioner's Response: Approximately 3,000 feet.

Staff Response: ***ISSUE HAS BEEN ADDRESSED***

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Will the street be paved?

Petitioner's Response: Yes.

Staff Response: ***The Department of Public Works is requiring that the Petitioner improve Winter Wheat along the frontage of the site to provide a twenty-four (24) foot wide pavement.***

ISSUE HAS BEEN ADDRESSED.

2. Regarding the City road being built in the project, is it something other than the City's standards? If this is to be a private road but built to City standards, contrast it to what it would be compared to how it is now.

Petitioner's Response: The road in front of the subject site will be built to City standards.

Staff Response: ***The Department of Public Works is requiring that the improvements done along the frontage of the site conform to City standards.***

PETITIONER HAS ADDRESSED THE ISSUE.

Q. STORM WATER AND SANITARY SEWER

1. Provide information on the water run-off and its effect downstream on Caulks Creek. Does it need retention? If not, why not?

Petitioner's Response:This site drains to Bonhomme Creek and Caulks Creek. The differential runoff from the proposed lots will be well below the minimum 2.0 cfs required to generate the need for detention. A letter from MSD stating that detention is not required is attached to this letter.

Staff Response: ***PETITIONER HAS ADDRESSED THE ISSUE.***

2. Is there an MSD requirement that would force owners to join MSD sewer?

Petitioner's Response:There is no such requirement.

Staff Response: ***ISSUE HAS BEEN ADDRESSED.***

R. MISCELLANEOUS

1. Will there be provisions for sewer, water and gas to neighboring lots?

   Petitioner's Response: Sewer, water, and gas will be provided along the frontage of the proposed lots. Extending these utilities could be done by neighboring properties at there own expense, coordination and approval by the utility companies.

   Staff Response: ***ISSUE HAS BEEN ADDRESSED.***

2. How are utilities getting to the subject site?

   Petitioner's Response: Existing utilities will be extended from Chaise Ridge which lies west of the subject site.

   Staff Response: ***ISSUE HAS BEEN ADDRESSED.***

BACKGROUND ISSUES (NON-ATTACHMENT A ISSUES)

1. What property owners have the Petitioner met with– Bentley Place and the surrounding area?

Petitioner's Response:Petitioner met with the following property owners:

5-16-05 – Petitioner met with Maria Wilmas of 17716 Wild Horse Creek Road. She owns the lot at 17050 Cripple Creek. Petitioner met with Ms. Wilmas and gave her a copy of the Preliminary Plan with an attached comment sheet. She stated that she would send her comments to Tom Fleming after reviewing the plan.

5-18-05 – Petitioner called the agent for the property owner at 699 Wildhorse Ridge Road as requested by a posted sign. Petitioner left messages with the owner's agent in an attempt to get an address or telephone number of the property owner to discuss the pending rezoning petition. Petitioner called twice, three days apart, with no response.

5-25-05 – Petitioner went to 17067 Rooster Ridge, home of Tom Fleming. Petitioner found nobody home at the time of his visit. Petitioner left a copy of the Preliminary Plan and a comment form, including

Petitioner's address and telephone number if the homeowner had questions regarding the petition. Mr. Fleming returned the comment form to Petitioner, including signatures from eight (8) area neighbors.

5-26-05 – Petitioner met with the Strockers at 17111 Chaise Ridge (Country Ridge Subdivision). Petitioner spoke with Vivian Strocker and gave her a copy of the Preliminary Plan and comment sheet.

5-29-05 – To Petitioner's knowledge, Mr. Harry Fangchin at 17101 Chaise Ridge Road received a copy of the Preliminary Plan from the Strockers.

6-09-05 – Mr. Harry Fangchin called Petitioner to discuss the Preliminary Plan. Mr. Fangchin was concerned that the pine trees between his property and the subject site were going to be removed. Petitioner stated that some of the trees were on his (Fangchins) property and some were on the subject site. Petitioner told Mr. Fangchin that the all trees will remain.

Petitioner did not contact residents of Bentley Place.

Staff Response: ***ISSUE HAS BEEN ADDRESSED.***

2. Was a title search done for this specific parcel?

Petitioner's Response: Yes. It was done by the title company that insured the title.

Staff Response: ***ISSUE HAS BEEN ADDRESSED.***

3. Describe what is happening with the road before the entrance to the subdivision from Bentley Place.
    a. Provide history of the road;
    b. Provide information as to who owns the road;
    c. Provide information about the road agreements and how they work;
    d. How many properties are currently served by the road?

Petitioner's Response: See copy of Road Easement Agreement attached, recorded at Book 6753, Page 738, St. Louis County Records. The Road Easement Agreement created a 50-foot wide road easement "*for the benefit of the owners of the tracts of land as described in deed recorded in Book 6725, Page 364 and their heirs and assigns*." A copy of that deed is attached to this letter, and the legal description includes the subject property and all properties currently served by the road easement.

Staff Response: ***PETITIONER HAS ADDRESSED THE ISSUE.***

4. Who maintains the section of the road on which the subject site has frontage?

Petitioner's Response: By law, it is the responsibility of the properties using the road to fairly share the cost of maintaining the road. The Road Easement Agreement does not specifically provide for maintenance; it only creates the easement.

Staff Response: ***Attached please find correspondence provided by Mr. Tom Fleming, Trustee of Wildhorse Ridge Subdivision for inclusion with the "Issues" Packet. (Exhibit 2) Included is a Road Maintenance Agreement for Wildhorse Ridge Subdivision. Included in the signature area of the agreement are then-owners of the subject site which is 406 Winter Wheat. This agreement was recorded on September 4, 1986.***

ISSUE REMAINS OPEN

5. What was done with the road that accesses this area when Bentley Place was reviewed?

Petitioner's Response:Permanent access was provided to Bentley Place Drive.

Staff Response: ***PETITIONER HAS ADDRESSED THE ISSUE.***

6. Regarding the Road Agreement ("Road Maintenance Agreement") provided by Mr. Tom Fleming, what are the rights and responsibilities of the property owners to maintain/assist in the maintenance of the road?

Petitioner's Response:See copy of the letter from Title Company, attached. The subject site is not bound by the Road Maintenance Agreement. However, see responses to "General Road" numbers 1 and 2. ***(Please see Items #2 and #3 of this section for the responses referenced by the petitioner.)***

Staff Response: ***See Staff's response to Item #4 of this section.***

ISSSUE REMAINS OPEN

7. Was Bentley Place included in the Road Maintenance Agreement?

Petitioner's Response:No.

Staff Response: ***Bentley Place was zoned by the City of Chesterfield in 1994, several years after the execution of the Road Maintenance Agreement.***

ISSUE HAS BEEN ADDRESSED.

8. Clarify the subdivision map. Explain the map section surrounding area "129" where the City boundary line is.
    - What does "129 Wildhorse Ridge" stand for?
    - Research whether "Wildhorse Ridge" refers only to the areas over "129".
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Petitioner's Response:

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- Yes – "Wildhorse Ridge" refers only to the areas over "129" encompassing six (6) parcels – 17061 Rooster Ridge Drive, 17055 Rooster Ridge Drive, 17040 Rooster Ridge Drive, 17058 Rooster Ridge Drive, 17052 Rooster Ridge Drive and 17046 Rooster Ridge Drive. Parcels NOT shaded in blue are NOT part of *Wildhorse Ridge Subdivision.*
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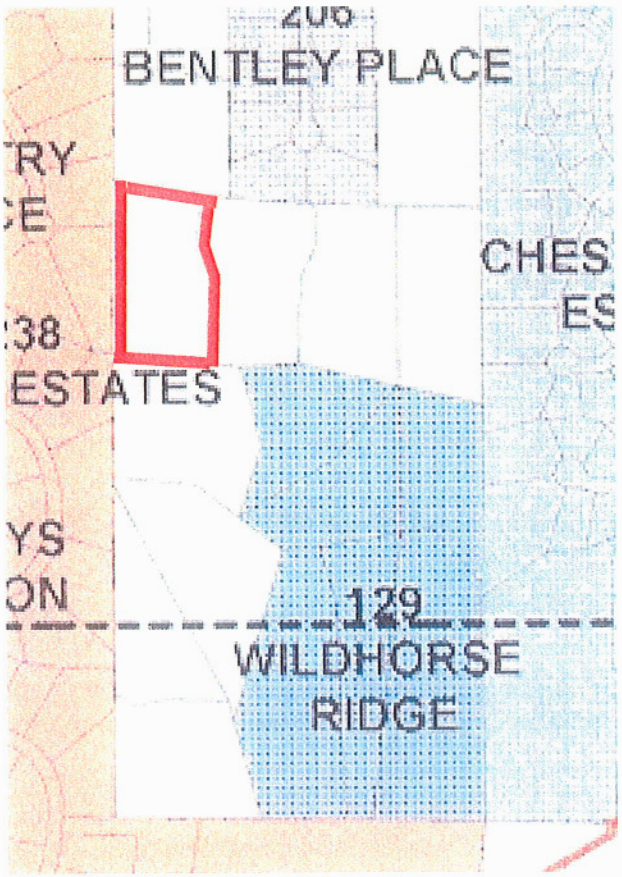

Staff Response: ***The Petitioner's explanation is correct.***

ISSUE HAS BEEN ADDRESSED.

3. Was the subject site included when the subdivision was platted?

Petitioner's Response:No.

Staff Response: ***Staff has provided copies of plats for Wildhorse Ridge. The subject site is highlighted in green and is not included in the properties platted as part of the subdivision. (Exhibits and)***

ISSUE HAS BEEN ADDRESSED.

4. Do the indentures for Wildhorse Ridge include a legal description or list of included properties?

Petitioner's Response: There are no indentures applicable to the subject site.

Staff Response: ***ISSUE HAS BEEN ADDRESSED.***

5. Provide clarification as to what parcels consist of "Wildhorse Ridge Subdivision".

Petitioner's Response: Wildhorse Ridge subdivision consists of the following six parcels:

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2. 17055 Rooster Ridge Drive;
3. 17040 Rooster Ridge Drive;
4. 17058 Rooster Ridge Drive;
5. 17052 Rooster Ridge Drive; and
6. 17046 Rooster Ridge Drive.

Staff Response: ***Staff has reviewed these addresses and verified that these are the only addresses of record for Wildhorse Ridge Subdivision according to St. Louis County records.***

ISSUE HAS BEEN ADDRESSED.

12. Why is the subject site not shown as a part of the Wildhorse Ridge Subdivision on the Subdivision Map?

Petitioner's Response: It is not part of *Wildhorse Ridge Subdivision* or any other subdivision.

Staff Response: ***The City of Chesterfield Subdivision map is drawn to show properties according to recorded plats. As shown in Exhibits 3 and 4, the subject site was not platted as a part of Wildhorse Ridge Subdivision.***

ISSUE HAS BEEN ADDRESSED.

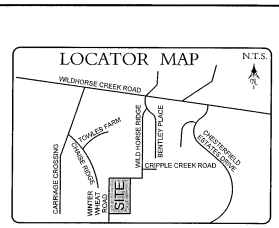
The Department of Planning requests review of issues for P.Z. 5-2005 Winter Wheat Place (Dollar Building Company).

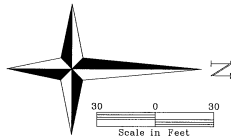
Respectfully Submitted,

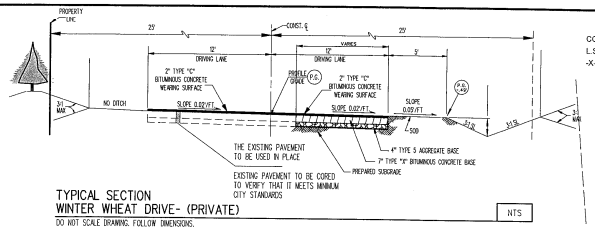
Annissa McCaskill-Clay

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

Attachments: Exhibit 1: Comments from the City's consultant regarding trees.
Exhibit 2: Information received from Tom Fleming
Exhibit 3: Plat for Wildhorse Ridge recorded 1976
Exhibit 4: Plat for Wildhorse Ridge recorded 1977







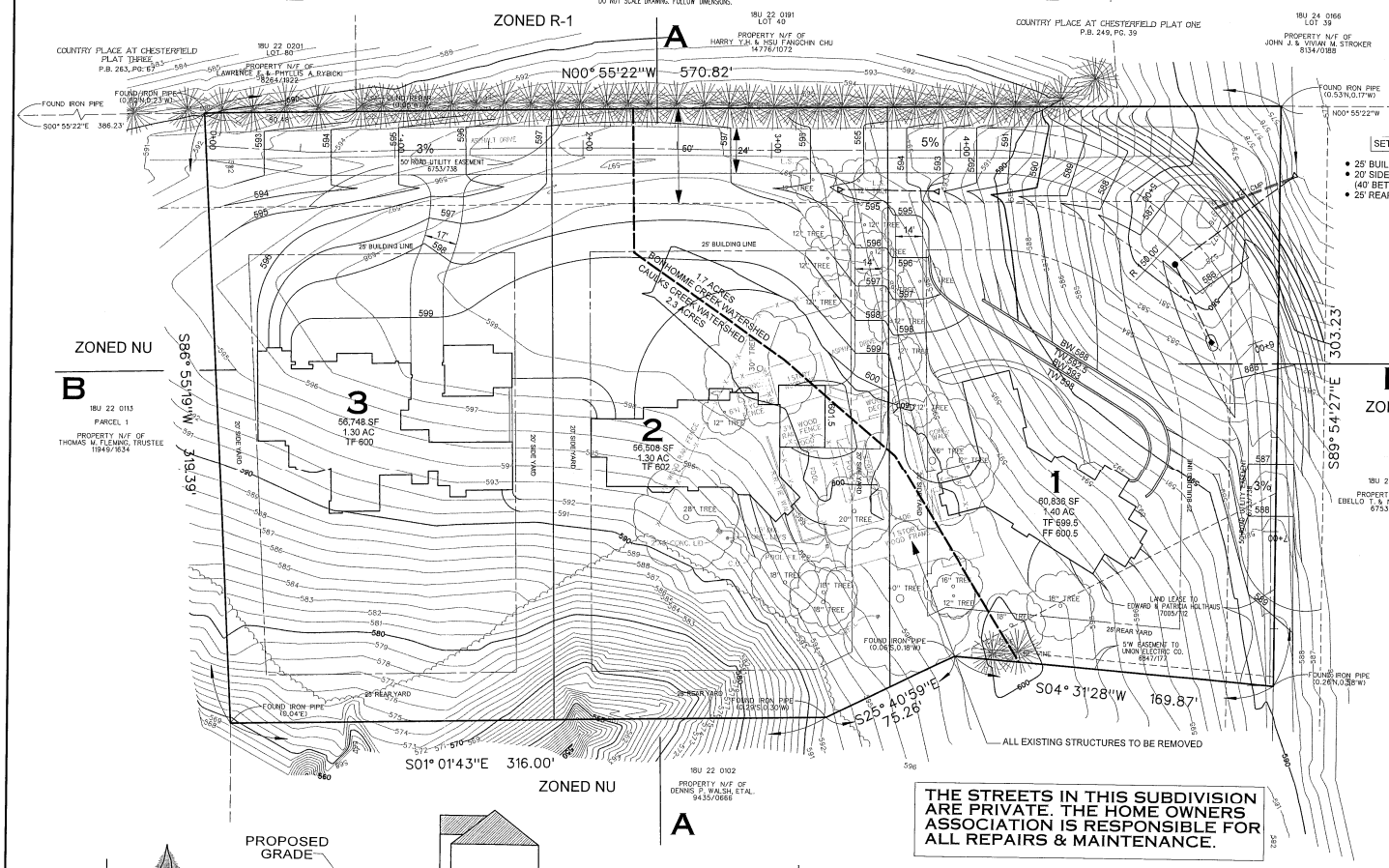
TYPICAL SECTION
WINTER WHEAT DRIVE- (PRIVATE)
DO NOT SCALE DRAWING. FOLLOW DIMENSIONS.
NTS

LEGEND

CO	CLEAN OUT
L.S.	LIGHT STANDARD
-X-	FENCE

LEGEND

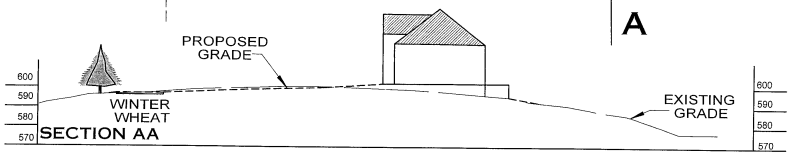
EXISTING CONTOURS	400
PROPOSED CONTOURS	400
EXISTING SANITARY SEWER	
PROPOSED SANITARY SEWER	
EXISTING STORM SEWERS	
PROPOSED STORM SEWERS	
EXISTING TREE	

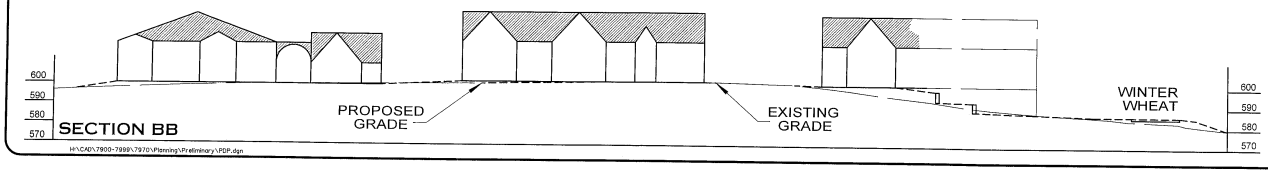


SETBACKS

- 25' BUILDING LINE
- 20' SIDE YARD
  (40' BETWEEN STRUCTURES)
- 25' REAR YARD

THE STREETS IN THIS SUBDIVISION ARE PRIVATE. THE HOME OWNERS ASSOCIATION IS RESPONSIBLE FOR ALL REPAIRS & MAINTENANCE.





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LEGAL DESCRIPTION

A TRACT OF LAND BEING PART OF THAT PARCEL CONVEYED TO "THE WILD BUNCH" BY DEED RECORDED IN BOOK 6725, PAGE 634 OF THE ST. LOUIS COUNTY RECORDS, SITUATED IN U.S. SURVEY 896, TOWNSHIP 45 NORTH - RANGE 4 EAST, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE EASTERN LINE OF LOT 39 OF "COUNTRY PLACE AT CHESTERFIELD PLAT ONE", A SUBDIVISION ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 249, PAGE 39 OF THE ST. LOUIS COUNTY RECORDS AT THE SOUTHWESTERN CORNER OF A TRACT OF LAND CONVEYED TO EBELLO AND NORMA PASIA BY DEED RECORDED IN BOOK 6753, PAGE 750 OF THE ST. LOUIS COUNTY RECORDS, THENCE ALONG PASIA'S SOUTHERN LINE, SOUTH 89 DEGREES 54 MINUTES 27 SECONDS EAST 303.23 FEET TO THE NORTHWESTERN CORNER OF A TRACT OF LAND CONVEYED TO DENNIS WALSH, ETAL, BY DEED RECORDED IN BOOK 9435, PAGE 666 OF THE ST. LOUIS COUNTY RECORDS, THENCE ALONG WALSH'S WESTERN LINE, SOUTH 04 DEGREES 31 MINUTES 28 SECONDS WEST 169.87 FEET TO A POINT; THENCE SOUTH 25 DEGREES 40 MINUTES 59 SECONDS EAST 75.26 FEET TO A POINT; THENCE SOUTH 01 DEGREE 01 MINUTE 43 SECONDS EAST 316.00 FEET TO A POINT ON THE NORTHERN LINE OF PARCEL 1 OF THOSE TRACTS OF LAND CONVEYED TO THOMAS FLEMING, TRUSTEE BY DEED RECORDED IN BOOK 11949, PAGE 1634 OF THE ST. LOUIS COUNTY RECORDS, THENCE ALONG FLEMING'S NORTHERN LINE, SOUTH 86 DEGREES 55 MINUTES 19 SECONDS WEST 319.39 FEET TO A POINT ON THE EASTERN LINE OF LOT 80 OF "COUNTRY PLACE AT CHESTERFIELD PLAT THREE": A SUBDIVISION ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 263, PAGE 67 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE EASTERN LINE OF SAID SUBDIVISION, NORTH 00 DEGREES 55 MINUTES 22 SECONDS WEST 570.82 FEET TO THE POINT OF BEGINNING, CONTAINING 4.00 ACRES ACCORDING TO A SURVEY BY VOLZ, INC. DURING THE MONTH OF OCTOBER, 2004.

PROJECT NOTES

LOCATOR NUMBERS:	18U 22 0092
OWNER OF RECORD:	LOIS H. AND RICHARD L. BOCKENKAMP 406 WINTER WHEAT ROAD CHESTERFIELD, MO 63005
PREPARED BY:	VOLZ INCORPORATED 10649 INDIAN HEAD INDTL. BLVD. ST. LOUIS MO. 63132-1166
PREPARED FOR:	DOLLAR BUILDING COMPANY, LLC 13811 WELLINGTON MANOR COURT CHESTERFIELD, MO 63017
AREA OF SITE:	4.00 ACRES
EXISTING ZONING:	"NU"
PROPOSED ZONING:	"E ONE ACRE"
PROPOSED USES:	SINGLE FAMILY RESIDENCES

GROSS AREA OF SITE:	4.00 AC.
AREA OF R.O.W.	.81 AC.
NET AREA OF SITE	3.19 AC.

$\frac{(3.19\ AC)}{(1\ AC)} = 3.19$

MINIMUM LOT AREA: 22,000 SF

NUMBER OF LOTS PROPOSED: 3 LOTS

REQUIRED & PROPOSED PARKING: 3 LOTS (1 SPACE PER LOT) = 3 SPACES

GENERAL NOTES:

THIS SITE IS IN THE FOLLOWING DISTRICTS:

METROPOLITAN ST. LOUIS SEWER DISTRICT
ROCKWOOD R6 SCHOOL DISTRICT
MONARCH FIRE PROTECTION DISTRICT
CAULKS CREEK WATERSHED
BONHOMME CREEK WATERSHED

THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:

AMEREN U.E.
CHARTER COMMUNICATION (CABLE TV)
LACLEDE GAS COMPANY
MISSOUR AMERICAN WATER COMPANY
SOUTHWESTERN BELL TELEPHONE COMPANY

SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE ST. LOUIS COUNTY & METROPOLITAN ST.LOUIS SEWER DISTRICT.

STORMWATER MANAGEMENT SHALL BE DESIGNED PURSUANT TO THE CITY OF CHESTERFIELD & METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS.

THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATIONS SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.

GRADING SHALL BE PER CITY OF CHESTERFIELD STANDARDS

ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH THE CITY OF CHESTERFIELD AND METROPOLITAN SEWER DISTRICT STANDARDS.

NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT WHICH HAS BEEN ACCEPTED AND APPROVED BY THE CITY OF CHESTERFIELD.

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN AND SHALL BE LOCATED IN EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING, THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

BY THE ORDER OF DOLLAR BUILDING COMPANY L.L.C., WE HAVE PREPARED A PRELIMINARY DEVELOPMENT PLAN. THE RESULTS OF WHICH ARE CURRENTLY REPRESENTED ON THIS DRAWING, WHICH IS A PRELIMINARY DEVELOPMENT PLAN - NOT FOR CONSTRUCTION AND WAS PREPARED FOR THE SOLE LIMITED PURPOSE OF PROVIDING A CONCEPT FOR THE PROPOSED DEVELOPMENT OF THE TRACT, AND IS INTENDED ONLY FOR THE PRELIMINARY USE OF GOVERNMENTAL REVIEWING AUTHORITIES FOR THE PURPOSE OF OBTAINING APPROVAL OF A CONCEPT, AND IS SUBJECT TO SUCH COMMENTS, RECOMMENDATIONS OR REVISIONS AS MAY BE DEEMED NECESSARY OR APPROPRIATE IN FURTHERANCE OF SUCH PURPOSES.

IN THE PREPARATION OF THIS PLAT, NO GRADING BALANCE HAVE BEEN DONE AND THIS CONCEPT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE;SOILS AND SUBSURFACE INFORMATION HAVE NOT BEEN MADE AVAILABLE AND HENCE NOT TAKEN INTO ACCOUNT; BOUNDARY LINES HAVE BEEN PREPARED FROM INFORMATION SUPPLIED BY THE CLIENT WITHOUT BENEFIT OF TITLE SEARCH OR FIELD SURVEYS; TOPOGRAPHIC DATA HAS BEEN TAKEN FROM EXISTING MAPS AND NOT VERIFIED BY PHYSICAL ELEVATIONS; ZONING DENSITY IS ASSUMED;AND THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION; ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE AFORESAID MATTERS AND FOR DILIGENCE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

THIS IS TO CERTIFY THAT THIS SITE DEVELOPMENT PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. THIS IS A PRELIMINARY PLAT - NOT FOR CONSTRUCTION.

TIMOTHY J. WINTERER
NUMBER 27173
STATE OF MISSOURI
12/18/06

TIMOTHY J. WINTERER
12/18/06

STATE OF MISSOURI
12/18/06
LS-143
RICHARD W. NORVELL
NORVELL & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

RICHARD W. NORVELL P.L.S.
MO. REG. P.L.S. #1437

DOLLAR BUILDING COMPANY, LLC
13811 WELLINGTON MANOR COURT
CHESTERFIELD, MO 63017
PHONE: 636-537-1777
FAX: 314-434-8870

VOLZ
10649 Indian Head Ind'l Blvd.
St. Louis, Mo. 63132
Phone:(314) 993-0500
Fax:(314) 993-4250

RECEIVED
12/21/2006

WINTER WHEAT PLACE

PRELIMINARY DEVELOPMENT PLAN

7970

03-00-2005

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City of Chesterfield

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February 1, 2007

Planning and Zoning Committee
City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO 63017

RE: **P.Z. 11-2006 Blacks Ridge Office Building (Brinkmann Construction):** a request for an amendment to City of Chesterfield Ordinance 1557 to allow for Medical Office as a proposed use for a 4.26 acre "PC" Planned Commercial District located on the north side of Swingley Ridge Road at 16253 Swingley Ridge Road.

Dear Planning and Zoning Committee:

At the June 12, 2006 City of Chesterfield Planning Commission meeting, a public hearing was held for an ordinance amendment to allow medical office as a permitted use. There were no issues regarding this request; Planning Commission voted to recommend approval by a vote of 8-0.

Upon review of the application, it was discovered that the site did not have the lights installed as shown on the Site Development Plan approved in July 1999. As a compromise, this project proceeded to Planning Commission with the understanding that this issue would be resolved prior to being placed upon the Planning and Zoning Committee agenda. The lights were recently installed as required by the City. This project is now before you for consideration.

Attached please find a copy of the Attachment A as approved by the Planning Commission.

Respectfully submitted,

Jennifer L. Yackley
Project Planner

Respectfully submitted,

Aimee E. Nassif
Senior Planner of
Zoning Administration

Cc: Rob Heggie, City Attorney
Michael G. Herring, City Administrator
Michael Geisel, Acting Director of Planning

BILL NO. _____ **ORDINANCE NO. _____**

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBERS 1413, 1495 AND 1557 TO ALLOW FOR AN AMENDMENT TO THE PERMITTED USES FOR A "PC" PLANNED COMMERCIAL DISTRICT FOR A 4.26-ACRE TRACT OF LAND LOCATED ON NORTH SIDE OF SWINGLEY RIDGE ROAD, WEST OF OLIVE BOULEVARD (P.Z. 11-2006 BLACKS RIDGE OFFICE BUILDING {BRINKMANN CONSTRUCTION}).

WHEREAS, the petitioner, Brinkmann Construction requested that medical office be added as a permitted use; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the request to add medical office as a permitted use; and,

WHEREAS, the City Council, having considered said request, voted to approve the change of zoning.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. City of Chesterfield Ordinance Numbers 1413, 1495 and 1557 are hereby repealed and those conditions therein are incorporated into this Attachment A, which is attached hereto and made a part hereof for Swingley Ridge Office Building.

LEGAL DESCRIPITON

A tract of land being part of Lots 4, 5 and 6 of Pickwick Shopping Center, according to Plat recorded in plat book 64, page 30, and part of lot 33 of West County Acres Plat 1. According to Plat recorded in plat book 64, page 64 of the St. Louis County Records, in US survey 415, township 45 north, range 4 east, City of Chesterfield, St. Louis County, Missouri and more particularly described as follows:

Beginning at a set 1/2" iron rod set for the northwest corner of lot 29 of the above said West county Acres plat 1: thence along the southwesterly line of said lot 29 and the southwesterly line of lots 30, 31, and 32 of said West County Acres Plat 1, and the southwesterly line of lot 7 of the above said Pickwick Shopping Center the following coursed and distances: South 73°03'44" East 311.12 feet; thence South 35°31'07" East 279.05 feet to a set ½" iron rod; thence South 13°45'30"East 301.77 feet to a set ½"iron rod set on the northeasterly line of U.S. Highway 40, as established by an unrecorded deed from Gloria Norma Escobedo Derojas and Alfredo Rojas Leon to the State of Missouri, signed October 11, 1988, and by deed recorded in Book 11360, pages 992 said point being on a curve for which the radius bears north 25°54'05" east 389.26 feet; thence along the northeasterly line of said U.S. Highway 40 the following courses and distances: in a northwesterly direction along last said curve in an arc distance of 3.13 feet to a set ½" iron rod set for a point of compound curvature, said curve having a radius of 2,221.83 feet; thence along said curve an arc distance of 310.92 feet to a set ½" iron rod set for a point of curvature to the right, said curve having a radius of 2794.79 feet; thence along said curve an arc distance of 487.74 feet to a set ½" iron

rod set for a point on the curve and the southeast corner of a tract of land now or formerly owned by the Atrium at Chesterfield, L.P. by deed recorded in book 8352, page 2457 of the St. Louis County Records; thence along the southeasterly line of said atrium at Chesterfield tract the southeasterly line of said Atrium at Chesterfield tract the following courses and distances: north 57°33'34" east 107.66 feet to a cut cross on a concrete flume: thence south 74°18'51" east 103.85 feet to a set ½" iron rod set on the southeasterly line of aforementioned lot 10 of John Long Estate Partition; thence north 10°34'34" east continuing along the southeasterly line of said Atrium at Chesterfield tract and the southeasterly line of said lot 10 of the John Long Estate Partition a distance of 56.28 feet to the point of beginning and containing 4.258 acres more or less.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment "A", which is attached hereto and, made a part of.

Section 3. The City Council, pursuant to the petition filed by Brinkmann Construction in P.Z. 11-2006, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 12th day of June, 2006, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this _____day of _____, 2007.

_____
MAYOR

ATTEST:

_____
CITY CLERK

FIRST READING HELD: _____

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall adhere to conditions specified under General Criteria-Site Development Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. PERMITTED USES

1. The uses allowed in this "PC" Planned Commercial District shall be:

   a. Restaurants-sit down.

   b. Medical and dental offices.

   c. Offices and office buildings.

   d. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are being offered for sale or hire to the general public on the premises.

2. The above uses in the "PC" Planned Commercial District shall be restricted as follows:

   a. The use "d" listed above shall be ancillary to the office uses and shall be focused to the interior of the office building, with the exception of the use--restaurants-sit down.

C. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. FLOOR AREA

   Total building floor area shall not exceed 76,250 square feet so long as the development meets the applicable parking requirements.

2. HEIGHT

   a. The maximum height of the building, exclusive of roof screening, shall not exceed (3) three visible floors from the South and (4) four visible floors from the North.

b. The height of the parking structure shall be reviewed by the City of Chesterfield.

3. BUILDING REQUIREMENTS

a. A minimum of 35% openspace is required for this development.

b. Floor Area Ratio: F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two (2) calculations: one (1) calculation for those areas above grade and another that includes building area below grade.

This development shall have a maximum Floor Area Ratio (F.A.R.) of 0.40.

c. The development shall not exceed a maximum of two (2) structures, which could include one (1) parking structure.

E. SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

Building Setbacks

a. Thirty-five (35) feet from the right-of-way of Swingley Ridge Drive Extension.

b. Two hundred and forty-five (245) feet from the east property limit of this parcel.

c. One hundred and eighty-five (185) feet from the north property limit of this parcel.

d. Two hundred and sixty (260) feet from the west property limit of this parcel.

Parking Structure Setbacks

a. One hundred and eighty-five (185) feet from the north property limit of this parcel (from lines with bearing N57° 33' 34", S74° 78' 15", and N10° 34' 34"E).

c. Zero (0) feet from the property line with bearing S73° 03' 44"E.

d. Zero (0) feet from the property line with bearing S35° 31' 07"E.

e. Ten (10) feet from the east property limit of the parcel, except where the site shares a property line with Swingley Ridge II (PZ 11-99) the setback shall be zero (0) feet (line bearing S 13° 45' 30E).

f. Thirty-five (35) feet from the right-of-way of Swingley Ridge Drive.

2. PARKING SETBACKS

No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

a. Fifteen (15) feet from the right-of-way of Swingley Ridge Drive Extension

b. Ten (10) feet from the east property limit of the parcel, except where the site shares a property line with Swingley Ridge II (PZ 11-99) the setback shall be zero (0) feet (line with bearing S 13° 45' 30" E).

c. Ten (10) feet from the north property limit of the parcel (from lines with bearing N57° 33' 34", S74° 78' 15", and N10° 34' 30"E).

d. Zero (0) feet from the property line with bearing S35° 31' 07"E.

e. Zero (0) feet from the property line with bearing S73° 03' 44"E.

F. PARKING AND LOADING REQUIREMENTS

1. Loading requirements shall be as required by Section 1003.165 Parking and Loading Regulations of the City of Chesterfield Zoning Ordinance. Parking for this development shall, at a minimum, be provided at four (4) spaces per one thousand (1000) square feet of gross floor area. For all permitted uses requiring more than four (4) spaces per one thousand (1000) square feet of gross floor area, the parking requirements shall be as required by Section 1003.165.

2. Construction Parking

   a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.

   b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

3. Parking lots shall not be used as streets.

G. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.

2. Landscaping, if proposed in the right-of-way, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, or any other applicable agency.

3. Building and parking setbacks and curb islands at the ends of parking rows shall be landscaped and approved by the Planning Commission on appropriate development plans. Planter islands should be sufficient in area to support mature shade trees.

4. Landscaping with a combination of deciduous and evergreen trees shall be installed along the property limits of this development which abuts residential properties, and six (6) deciduous or evergreen trees along both the northeastern and southeastern portions of the parking garage shall be provided, as approved by the Planning Commission on the appropriate Site Development Plan.

5. All new landscaping materials shall meet the following criteria:

   (1) Deciduous Trees-two and one-half (2 ½) inches minimum caliper.
   (2) Evergreen Trees-four (4) feet minimum height.
   (3) Shrubs-eighteen (18) inch minimum diameter.

H. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.

2. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

3. No advertising, temporary or portable signs shall be permitted.

I. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

2. The height and location of all light standards shall be as approved by the City of Chesterfield. No source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property.

J. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.

2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.

3. Trash enclosures: The location and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. The material will be as approved by the Planning Commission in conjunction with the Site Development Plan.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

K. ACCESS/ACCESS MANAGEMENT

1. Access shall be provided by two (2) entrances off of Swingley Ridge Road. Drives shall be constructed to type 2 commercial concrete entrance standards. A minimum distance of two hundred (200) feet shall be maintained between drives off Swingley Ridge Road, including access drives to adjacent tracts.

2. Access and circulation to this site shall be per the review and approval of the Chesterfield Fire Protection District.

3. No direct access will be granted to Route 64/40.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right of way.

2. If a gate is installed on a street in this development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.

6. The developer shall make right of way dedications as required by the City of Chesterfield and also provide a ten (10) foot "Permanent Roadway Improvement, Maintenance, Utility, Sewer and Sidewalk Easement" adjacent to Swingley Ridge Road.

7. Construct a five (5) foot wide sidewalk and associated handicap ramps, within the sidewalk easement, adjacent to Swingley Ridge Road. The five (5) foot wide sidewalk shall connect the existing four (4) foot wide sidewalk located west of the site to the existing five (5) foot wide sidewalk to the east of the site.

M POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

N. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.

2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan.

O. SANITARY SEWER

A Caulks Creek surcharge fee of $2,750 per acre will be required by the Metropolitan Sewer District prior to formal approval.

N. GEOTECHNICAL REPORT.

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

S. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.

B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.

C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.

D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

A. Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.

B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall adhere to the above criteria and to the following:

1. All information required on a sketch plan as required in the City of Chesterfield City Code.

2. Include a landscape plan in accordance with the City of Chesterfield City Code.

3. Include a lighting plan in accordance with the City of Chesterfield City Code.

4. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

V. TRUST FUND CONTRIBUTION

A. The developer will contribute to the Chesterfield Village Trust Fund. This contribution will not exceed an amount established by multiplying the ordinance required parking spaces for the difference between the existing and proposed uses by the following rate schedule:

Type of Development	Required Contribution
Medical Office	$1,611.66/Parking Space
Loading Space	$2,637.29/Loading Space

(Parking spaces as required by the City of Chesterfield Code.)

If types of development proposed differ from those listed, the Department of Highways and Traffic will provide rates.

Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

As this development is located within a trust fund area, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development will be retained in the appropriate trust fund.

The amount of the required contribution, if not approved for construction by January 1, 2007 shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

Traffic generation assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

VI. SWINGLEY RIDGE ROAD TRUST FUND

The developer should make contributions to the Swingley Ridge Road Trust Fund in accordance with City of Chesterfield Ordinance #361.

VII. RECORDING

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VIII. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to any Special Use Permit being issued by St. Louis County Department of Highways and Traffic, a special cash escrow must be established with this Department to guarantee completion of the required roadway improvements.

IX. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. Prior to the issuance of foundation or building permits, all approvals from all applicable agencies and the Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

B. Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, St. Louis County Department of Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

C. If the estimated cost of new landscaping indicated on the Site Development Plan or individual Site Development Section Plans, as required, exceeds one thousand ($1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping. Prior to release of the landscape escrow or bond, a two (2) year Landscape Maintenance Bond or Escrow, sufficient in amount to guarantee the replacement of landscaping, shall be furnished. Said bond shall be based on costs determined by a plan nursery and approved by the Department of Planning.

X. ENFORCEMENT

A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.

B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.

C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.

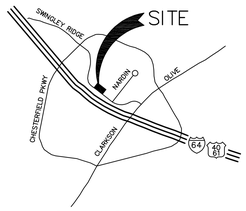
D. Waiver of Notice of Violation per the City of Chesterfield Code.

E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

AMENDED SITE DEVELOPMENT PLAN FOR

SWINGLEY RIDGE OFFICE BUILDING

A TRACT OF LAND BEING SWINGLEY RIDGE RESUBDIVSION,AS RECORDED IN BK 346 PG 732, 733,
A RESUBDIVISION OF PART OF LOTS 4, 5, AND 6 OF PICKWICK SHOPPING CENTER,
PART OF LOT 33 OF WEST COUNTY ACRES PLAT 1, AND PART OF JOHN LONG
ESTATE PARTITION IN U.S. SURVEY 369 AND SECTION 13, TOWNSHIP 45 NORTH, RANGE 4 EAST,
AND BEING IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



LOCATION MAP
NTS

SITE ZONING REQUIREMENTS

LOT REQUIREMENTS PER ORDINANCE NO. 1557
AND PC PLANNED COMMERCIAL DISTRICT

CAR PARKING REQUIREMENT

4 SPACES PER 1000 S.F. OF FLOOR AREA

OFFICE SQUARE FOOTAGE	73,010 S.F.	
TOTAL REQUIRED PARKING	293	
PROP. SURFACE PARKING	97	
PROP. GARAGE PARKING	204	
TOTAL PROPOSED PARKING	301	

LOADING REQUIREMENTS EACH BUILDING

PER TABLE B

2 10'x25' STALLS REQUIRED	2	PROPOSED 2
1 10'x40' STALLS REQUIRED	1	PROPOSED 1

ACCESSIBLE STALLS (SEE DETAILS SHEET 2)

TOTAL PROPOSED PARKING	301
PER TABLE 1105.1 :	
TOTAL REQUIRED STALLS	7
TOTAL PROPOSED STALLS	7

VAN ACCESSIBLE STALLS (SEE DETAILS SHEET 2)
TOTAL FOR ALL PHASES

REQUIRED STALLS	1
PROPOSED STALLS	2

PERTINENT DATA

EXISTING ZONING	PC
SITE AREA	185,479 S.F. 4.26±AC
BUILDING AREA	19,965 S.F. 0.46±AC
WATER SHED	MISSOURI RIVER
WATER DISTRICT	ST. LOUIS COUNTY WATER
FIRE DISTRICT	CHESTERFIELD
SCHOOL DISTRICT	PARKWAY
SEWER DISTRICT	MSD
FEMA MAP NUMBER	29189C0145 H DATE: AUG. 2, 1995
FLOOR AREA RATIO	0.40 (VS. LOT SIZE)
IMPERVIOUS AREA	2.40 AC. (56.4%)

EXISTING SETBACKS

BUILDING SETBACKS PER ORD. 1495
245' FROM EAST PROPERTY LIMIT
185' FROM NORTH PROPERTY LIMIT
260' FROM WEST PROPERTY LIMIT
35' FROM SWINGLEY RIDGE R.O.W.

PAVEMENT SETBACKS PER ORD. 1495
10' FROM EAST, NORTH, WEST PROPERTY LIMIT
25' FROM ADJACENT RESIDENTIAL
15' FROM SWINGLEY RIDGE R.O.W.

LAND DESCRIPTION

A TRACT OF LAND BEING PART OF LOTS 4, 5, AND 6 OF PICKWICK SHOPPING CENTER, ACCORDING TO PLAT RECORDED IN PLAT BOOK 64, PAGE 30, AND PART OF LOT 33 OF WEST COUNTY ACRES PLAT 1, ACCORDING TO PLAT RECORDED IN PLAT BOOK 64, PAGE 64 OF THE ST. LOUIS COUNTY RECORDS, IN U.S. SURVEY 415, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF LOT 29 OF THE ABOVE SAID WEST COUNTY ACRES PLAT 1; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID LOT 29 AND THE SOUTHWESTERLY LINE OF LOTS 30, 31, AND 32 OF SAID WEST COUNTY ACRES PLAT 1, AND THE SOUTHWESTERLY LINE OF LOT 7 OF THE ABOVE SAID PICKWICK SHOPPING CENTER THE FOLLOWING COURSES AND DISTANCES: SOUTH 73°03'44" EAST 311.12 FEET; THENCE SOUTH 35°31'07" EAST 279.05 FEET TO A SET 1/2" IRON ROD; THENCE SOUTH 13°45'30" EAST 301.77 FEET TO A SET 1/2" IRON ROD SET ON THE NORTHEASTERLY LINE OF U.S. HIGHWAY 40, AS ESTABLISHED BY AN UNRECORDED DEED FROM GLORIA NORMA ESCOBEDO derojas AND ALFREDO ROJAS LEON TO THE STATE OF MISSOURI, SIGNED OCTOBER 11, 1988, AND BY DEED RECORDED IN BOOK 11360, PAGES 992 SAID POINT BEING ON A CURVE FOR WHICH THE RADIUS BEARS NORTH 25°54'05" EAST 389.26 FEET; THENCE ALONG THE NORTHEASTERLY LINE OF SAID U.S. HIGHWAY 40 THE FOLLOWING COURSES AND DISTANCES: IN A NORTHWESTERLY DIRECTION ALONG LAST SAID CURVE AN ARC DISTANCE OF 3.13 FEET TO A SET 1/2" IRON ROD SET FOR A POINT OF COMPOUND CURVATURE, SAID CURVE HAVING A RADIUS OF 2,221.83 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 310.92 FEET TO A SET 1/2" IRON ROD; THENCE NORTH 55°37'14" WEST 103.37 FEET TO A SET 1/2" IRON ROD SET FOR A POINT OF CURVATURE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 2794.79 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 487.74 FEET TO A SET 1/2" IRON ROD SET FOR A POINT ON THE CURVE AND THE SOUTHEAST CORNER OF A TRACT OF LAND NOW OR FORMERLY OWNED BY THE ATRIUM AT CHESTERFIELD, L.P. BY DEED RECORDED IN BOOK 8352, PAGE 2457 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID ATRIUM AT CHESTERFIELD TRACT THE FOLLOWING COURSES AND DISTANCES: NORTH 57°33'34" EAST 107.66 FEET TO A CUT CROSS ON A CONCRETE FLUME; THENCE SOUTH 74°18'51" EAST 103.85 FEET TO A SET 1/2" IRON ROD SET ON THE SOUTHEASTERLY LINE OF AFOREMENTIONED LOT 10 OF JOHN LONG ESTATE PARTITION; THENCE NORTH 10°34'34" EAST CONTINUING ALONG THE SOUTHEASTERLY LINE OF SAID ATRIUM AT CHESTERFIELD TRACT AND THE SOUTHEASTERLY LINE OF SAID LOT 10 OF THE JOHN LONG ESTATE PARTITION A DISTANCE OF 56.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.258 ACRES MORE OR LESS.

LEGEND

EXISTING CONTOURS	580
PROPOSED CONTOURS	600
EXISTING SANITARY SEWERS	
PROPOSED SANITARY SEWERS	
EXISTING STORM SEWERS	
PROPOSED STORM SEWERS	
LIGHT POLE (35'high w/2.5' base)	
TO BE REMOVED	T.B.R.
TO BE REMOVED & RELOCATED	T.B.R. & R.
TO BE USED IN PLACE	U.I.P.

SITE BENCHMARK

MSD BENCHMARK #12-162, SQUARE CUT ON ISLAND NOSE, 30' NORTH OF CENTER OF SWINGLEY RIDGE DRIVE & 5' EAST OF CENTERLINE OF CHESTERFIELD VILLAGE PARKWAY.

GENERAL NOTES:

1.) *THE UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, OR LOCATION OF THESE OR OTHER UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFYING THE ACTUAL LOCATION OF ALL UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319 RSMo.*

2.) *ALL ELEVATIONS ARE BASED ON U.S.G.S. DATUM.*

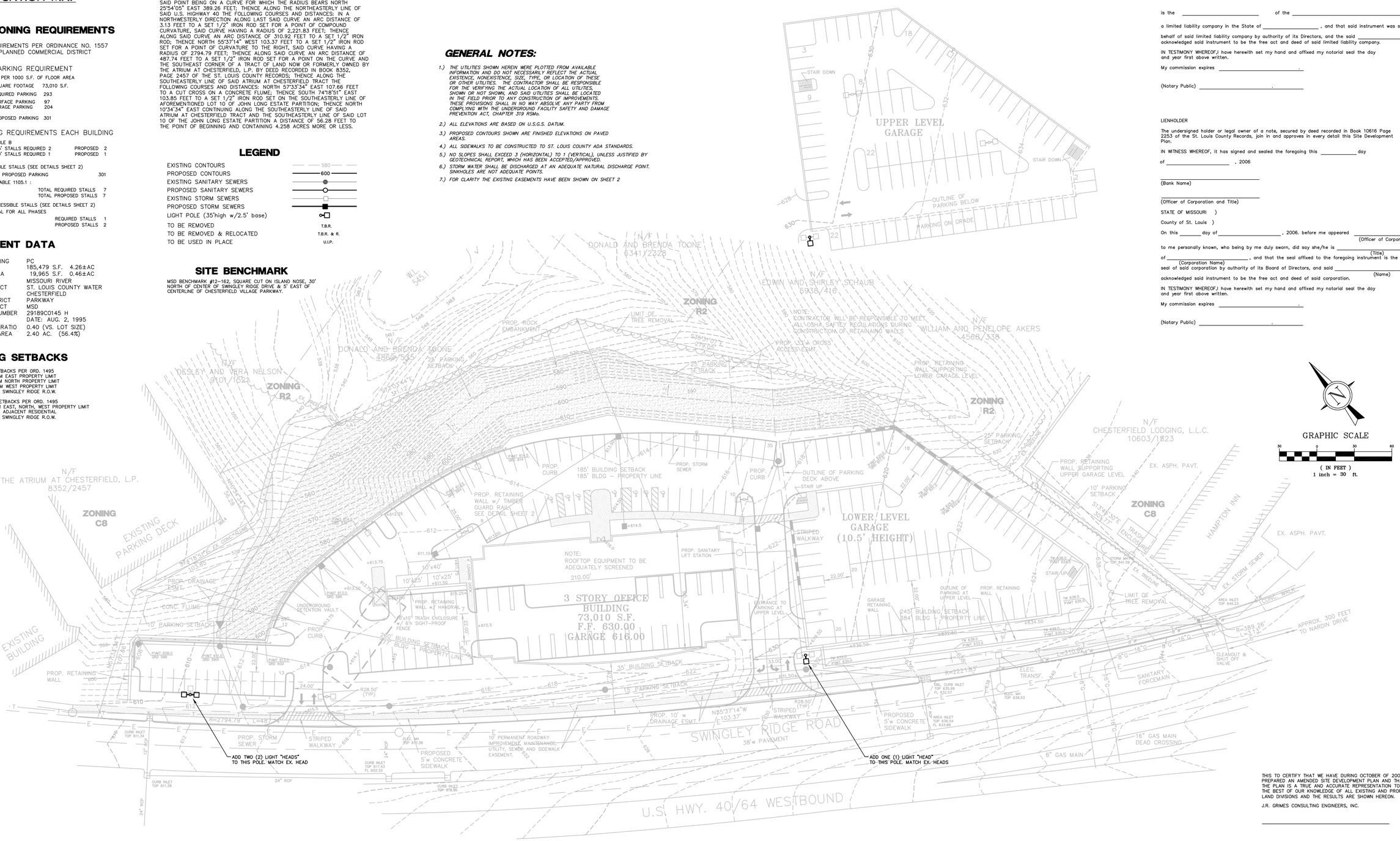
3.) *PROPOSED CONTOURS SHOWN ARE FINISHED ELEVATIONS ON PAVED AREAS.*

4.) *ALL SIDEWALKS TO BE CONSTRUCTED TO ST. LOUIS COUNTY ADA STANDARDS.*

5.) *NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT, WHICH HAS BEEN ACCEPTED/APPROVED.*

6.) *STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE POINTS.*

7.) *FOR CLARITY THE EXISTING EASEMENTS HAVE BEEN SHOWN ON SHEET 2*



GRAPHIC SCALE
30 0 30 60
(IN FEET)
1 inch = 30 ft.

Swingley Ridge Developement, L.L.C., the owner(s) of the property shown on this plan for and in consideration of being granted a permit to develop property under the provisions of of City of Chesterfield Ordinance # 1557, do hereby agree and declare that said property from the date of recording this plan shall be developed only as shown thereon, unless said plan is amended by the Planning Commission, or voided or vacated by order of ordinance of the City of Chesterfield Council.

(Signature): _____

(Printed Name): _____

State of _____)
County of _____)

On this _____ day of _____, A.D., 2006, before me personally appeared _____, to be known, who, being by me sworn in, did say that he/she is the _____ of the _____ a limited liability company in the State of _____, and that said instrument was signed on behalf of said limited liability company by authority of its Directors, and the said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF,I have herewith set my hand and affixed my notorial seal the day and year first above written.

My commission expires _____.

(Notary Public) _____.

LIENHOLDER

The undersigned holder or legal owner of a note, secured by deed recorded in Book 10616 Page 2253 of the St. Louis County Records, join in and approves in every detail this Site Development Plan.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this _____ day of _____, 2006

_____
(Bank Name)

_____
(Officer of Corporation and Title)

STATE OF MISSOURI)
County of St. Louis)

On this _____ day of _____, 2006. before me appeared _____ (Officer of Corporation) to me personally known, who being by me duly sworn, did say she/he is _____ (Title) of _____ (Corporation Name), and that the seal affixed to the foregoing instrument is the corporate seal of said corporation by authority of its Board of Directors, and said _____ (Name) acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF,I have herewith set my hand and affixed my notorial seal the day and year first above written.

My commission expires _____.

(Notary Public) _____.

THIS TO CERTIFY THAT WE HAVE DURING OCTOBER OF 2006, PREPARED AN AMENDED SITE DEVELOPMENT PLAN AND THAT THE PLAN IS A TRUE AND ACCURATE REPRESENTATION TO THE BEST OF OUR KNOWLEDGE OF ALL EXISTING AND PROPOSED LAND DIVISIONS AND THE RESULTS ARE SHOWN HEREON.

J.R. GRIMES CONSULTING ENGINEERS, INC.

_____

PREPARED FOR PROPERTY OWNER
SWINGLEY RIDGE DEVELOPEMENT
C/O BRINKMANN CONSTRUCTORS, INC.
16650 CHESTERFIELD GROVE RD.
SUITE 100
CHESTERFIELD, MO.
(314) 537-9700
CONTACT: BOB BRINKMANN

This Amended Site Plan was approved by the City of Chesterfield Planning Commission and duly verified on the _____ day of _____, 2006, by the Chairperson of said Commission, authorizing the recording of this Site Plan pursuant to Chesterfield Ordinance Number 200, as attested to by the Director of Planning and the City Clerk.

_____
Director of Planning

_____
City Clerk

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the foregoing and annexed instrument of writing was filed foe record in my office the _____day of _____ _____A.D., 2006, at _____ o'clock m., and is truly recorded in Plat Book _____ Page _____.

Witness my hand and official seal on the day and year aforesaid.

_____
Daniel T. O'Leary, Recorder of Deeds

By _____
Deputy Recorder

M.S.D. BASE MAP 18-S
LOC. NO. 18S230257
18S420063
ZIP CODE 63017

SWINGLEY RIDGE OFFICE BUILDING

AMENDED SITE DEVELOPEMENT PLAN

GRIMES CONSULTING
CIVIL ENGINEERING & SURVEYING

12300 TESSON ROAD
SUITE 3000
ST. LOUIS, MO. 63128
PH. (314) 849-6100
FAX (314) 849-6010

DRAWN BY:	DATE:	CHECKED BY:	DATE:	JOB NUMBER:	SHEET:
L.J.M.	11/01/06	J.R.G.	11/01/06	203	1 of 1

III. C.

City of Chesterfield

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

January 31, 2007

Planning and Zoning Committee
City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO 63017

RE: **P.Z. 17-2006 13506 Olive (Spirit Energy, LLC.):** A request for a change of zoning from "C2" Commercial District to a "PC" Planned Commercial District for an approximately 0.31 acre tract of land located at 13506 Olive Blvd. at the southwest corner of Olive Blvd. and Woods Mill Road.

Dear Planning and Zoning Committee:

At the January 22, 2007 City of Chesterfield Planning Commission meeting, a motion for approval failed by a vote of 2-5.

Attached please find a copy of Staff's report and the Attachment A as presented to the Planning Commission.

Respectfully submitted,

Jennifer L. Yackley
Project Planner

Respectfully submitted,

Aimee E. Nassif
Senior Planner of
Zoning Administration

Cc: Rob Heggie, City Attorney
Michael G. Herring, City Administrator
Michael Geisel, Acting Director of Planning

Attachments

BILL NO. _____ **ORDINANCE NO. _____**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "C-2" SHOPPING DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 0.31 ACRE TRACT OF LAND LOCATED ON OLIVE BOULEVARD, WEST OF WOODS MILL ROAD. (P.Z. 17-2006 13506 Olive {Spirit Energy, LLC})

WHEREAS, the petitioner, Spirit Energy, LLC, has requested a change in zoning from a "C-2" Shopping District to a "PC" Planned Commercial District for a 0.31 acre tract of land located on Olive Boulevard, west of Woods Mill Road; and,

WHEREAS, the Planning Commission, having considered said request, failed to approve a motion for approval of the request for a change of zoning from a "C-2" Shopping District to a "PC" Planned Commercial District by a vote of 2-5; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a "PC" Planned Commercial District for a 0.31 acre tract of land located on Olive Boulevard, west of Woods Mill Road and described as follows:

A tract of land in part of Lot 2 in Share No. 1 of the Partition of Missouri Stevens Estate in U.S. Survey 207. Township 46 North, range 5 East, St. Louis County, Missouri, and said tract being more particularly described as follows: Beginning at the intersection of the Southerly line of Olive Street Road, as widened by Deed recorded in Book 6853, Page 1200 of the St. Louis County Records, with the Westerly line of a parcel described in Deed to Equilon Enterprises LLC recorded in Book 11717, Page 1152 of said County Records: thence along the Southerly and Southwesterly line of said Olive Street Road the following bearings and distances: North 83 degrees 01 minute 21 seconds East 117.69 ft. South 65 degrees 13 minutes 43 seconds East. 38.07 feet and South 09 degrees 30 minutes 26 seconds East. 42.35 feet to a point on the curved Westerly line of Woods Mill Road, with variable width, and the center of said curve bears from said point South 79 degrees 36 minutes 12 seconds East, 985.72 feet: thence along said curved Westerly line of Woods Mill Road, Southerly 30.44 feet to the Southerly line of said Equilon Enterprises LLC parcel: thence along said Southerly line, South 81 degrees 31 minutes 30 seconds West, 140.85 feet to the Westerly line of said Equilon Enterprises LLC parcel: thence along said Westerly line, North 08 degrees 28 minutes 30 seconds West, 95.24 feet to the point of beginning according to Survey #181067 executed by James Engineering & Survey Co. in October, 2003. Bearings adopted from Plat Book 341, Page 58 of the St. Louis County Records.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment "A", which is attached hereto and, made a part of.

Section 3. The City Council, pursuant to the petition filed by Spirit Energy, LLC., in P.Z. 17-2006, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be denied and after public hearing, held by the Planning Commission on the 14th day of August, 2006, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this _____day of _____, 2007.

_____
MAYOR

ATTEST:

_____
CITY CLERK

FIRST READING HELD: _____

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall adhere to conditions specified under General Criteria-Site Development Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. PERMITTED USES

1. The uses allowed in this "PC" Planned Commercial District shall be:

   a. Restaurant, fast food, with drive-through service.

   b. Restaurant, sit down.

   c. Stores, shops, markets, service facilities and automatic vending facilities in which goods or services of any kind are offered for sale or hire to the general public on the premises.

C. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. FLOOR AREA

   Total building floor area shall not exceed 1,630 square feet.

2. HEIGHT

   a. The maximum height of the building, exclusive of roof screening, shall not exceed twenty-one (21) feet.

3. BUILDING REQUIREMENTS

   a. A minimum of seventeen percent (17%) openspace is required for this development.

   b. Floor Area Ratio: F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two (2) calculations: one (1) calculation for those areas above grade and another that includes building area below grade.

This development shall have a maximum Floor Area Ratio (F.A.R.) of (0.1205).

E. SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

a. Forty-seven (47) feet from the right-of-way of Woods Mill Road on the eastern boundary of the "PC" Planned Commercial District.

b. Forty-three (43) feet from the right-of-way of Olive Boulevard on the northern boundary of this "PC" Planned Commercial District.

c. Fifteen (15) feet from the southern property line bearing S 81° 31' 30" W.

d. Thirty-three (33) feet from the western property line bearing N 08° 28' 30" W.

2. PARKING SETBACKS

No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

a. Zero (0) feet from the eastern property line bearing S 09° 30' 26" E.

b. Zero (0) feet from the northern property line bearing N 83° 01' 21" E.

c. Zero (0) feet from the southern property line bearing S 81° 31' 30" W.

d. Zero (0) feet from the western property line bearing N 08° 28' 30" W.

F. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.

2. Construction Parking

a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.

b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

c. No construction related parking shall be permitted within the Olive Boulevard or State Route 141 (Woodsmill Road) right of way.

3. Parking lots shall not be used as streets.

4. The parking space located nearest to the Woods Mill Road driveway shall be designated as an "employee parking space".

G. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.

2. Landscaping in the right of way, if proposed, shall be reviewed by the City of Chesterfield, and/or the Missouri Department of Transportation.

H. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the Missouri Department of Transportation, for sight distance considerations prior to installation or construction.

2. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

I. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

J. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials.

Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.

2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.

3. Trash enclosures: The location and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. The material will be as approved by the Planning Commission in conjunction with the Site Development Plan.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

K. ACCESS/ACCESS MANAGEMENT

1. Access to Olive Boulevard shall be limited to one (1) entrance close to the west property line. The location and geometry of the access shall be as directed by the City of Chesterfield and the Missouri Department of Transportation. The west edge of the entrance shall be at least ten (10) feet east of the west terminus of the median on Olive Boulevard. It shall be the developer's responsibility to extend the median if necessary and if approved by the Missouri Department of Transportation.

2. Access to State Route 141 (Woodsmill Road) shall be limited to one (1) entrance close to the south property line. Should alternate access and adequate circulation be made available to the site prior to approval of the Site Development Plan, no direct access to State Route 141 (Woodsmill Road) shall be permitted. Should alternate access be made available after initial development of the site, the access to State Route 141 (Woodsmill Road) shall be removed at such time as a significant change is made to the building or the site layout as directed by the City of Chesterfield and/or the Missouri Department of Transportation. The location and geometry of the access, if permitted, shall be as directed by the Department of Public Works and the Missouri Department of Transportation.

3. Ingress and egress must conform to MoDOT's Access Management Guidelines and must be reviewed and approved by MoDOT. Any improvements within MoDOT's right of way will

require permit. The entrance geometrics and drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Obtain approvals from the City of Chesterfield and the Missouri Department of Transportation for areas of new dedication, and roadway improvements.

2. Provide any additional right-of-way and construct any improvements to Olive Boulevard and State Route 141 (Woodsmill Road), as required by the Missouri Department of Transportation.

3. All roadway and related improvements shall be completed prior to final paving of the parking lot for the development.

4. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Olive Boulevard and the State Route 141 (Woodsmill Road) frontage of the site. The sidewalk may be located within State right-of-way, if permitted by the Missouri Department of Transportation, or within a six (6) foot wide sidewalk, maintenance and utility easement.

M. TRAFFIC STUDY

Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

N. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

O. STORMWATER AND SANITARY SEWER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.

2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty (60%) percent of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan.

P. GEOTECHNICAL REPORT.

Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Chesterfield. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

Q. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.

B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.

C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.

D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The

submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

A. Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.

B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall adhere to the above criteria and to the following:

1. All information required on a sketch plan as required in the City of Chesterfield City Code.

2. Include a landscape plan in accordance with the City of Chesterfield City Code.

3. Include a lighting plan in accordance with the City of Chesterfield City Code.

4. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

V. RECORDING

Within 60 days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VI. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. Prior to the issuance of foundation or building permits, all approvals from all applicable agencies must be received by the City of Chesterfield.

B. Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Missouri Department of Transportation and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

VII. ENFORCEMENT

A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.

B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.

C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.

D. Waiver of Notice of Violation per the City of Chesterfield Code.

E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.

VIII. B.

City of Chesterfield

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

Planning Commission Staff Report

Subject: **Rezoning Vote Report**

From: Jennifer Yackley, Project Planner

Meeting Date: January 22, 2007

Location: 13506 Olive Boulevard

Petition: P.Z. 17-2006 13506 Olive (Spirit Energy)

Speakers: In favor: 0
In opposition: 0
Neutral: 1

Proposal Summary

Spirit Energy, L.L.C. has submitted an application for a change of zoning from "C-2" Commercial District to a "PC" Planned Commercial District per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140. The location of this site is the southwest corner of Olive Boulevard and Woodsmill Road.

The petitioner is also requesting consideration of a reduction in the open space requirement for this site. The required open space for this site is 40%. The petitioner is requesting a reduction to 17.85%.

Staff Recommendation

The Attachment A for this request meets all of the development requirements of the City of Chesterfield and therefore, Staff recommends approval of the change of zoning from "C-2" Commercial District to a "PC" Planned Commercial District.

Section 1003.140 allows for the open space requirement to be amended if the Petitioner has demonstrated that said amendment would encourage, promote, and reward good architecture and urban planning. A separate two-thirds vote (6) of the Planning Commission would be required.

Staff recommends that Planning Commission approve a reduction in the open space requirement from forty percent (40%) to seventeen (17%) based on the size of the site. The site is .31 acres or 13,526 square feet. Requiring forty percent (40%) open space or 5,410 square feet of open space would leave only 8,115 square feet for development. Currently the site has no open space.

Zoning Analysis

A preliminary plan accompanies all rezoning requests when the change of zoning is to a Planned District. When a vote is taken on a rezoning request, the vote is to approve the change of zoning with an Attachment A. The vote is not to approve the accompanying preliminary plan which is provided for informational purposes only.

The preliminary plan submitted with this rezoning request currently is deficient regarding the City's Access Management Ordinance. The length of the driveway throat for the entrance onto Woodsmill Road is too short. The Access Management Ordinance requires a minimum of eighty (80) feet along arterial roadways. The Department of Public Works is willing to compromise and reduce the requirement to forty-five (45) feet, the minimum distance allowable for collector streets, as measured from the edge of the street to the nearest edge of the first drive. The preliminary plan depicts a distance of twenty-two (22) feet.

During site plan review, if a Site Development Plan is submitted which still does not meet the Access Management requirements, the site development plan will not be considered for approval before the Planning Commission.

In addition, during site plan review, the Site Development Plan will have to adhere to the parking requirements of the City of Chesterfield Zoning Ordinance. Currently, the preliminary plan depicts a 1,630 square foot restaurant which requires a minimum 19 parking spaces and the preliminary plan only provides 9 parking spaces. However, if a similarly sized shop building is constructed on this site, the parking requirement would only be 8 parking spaces.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel are as follows:

Surrounding Land Use and Zoning

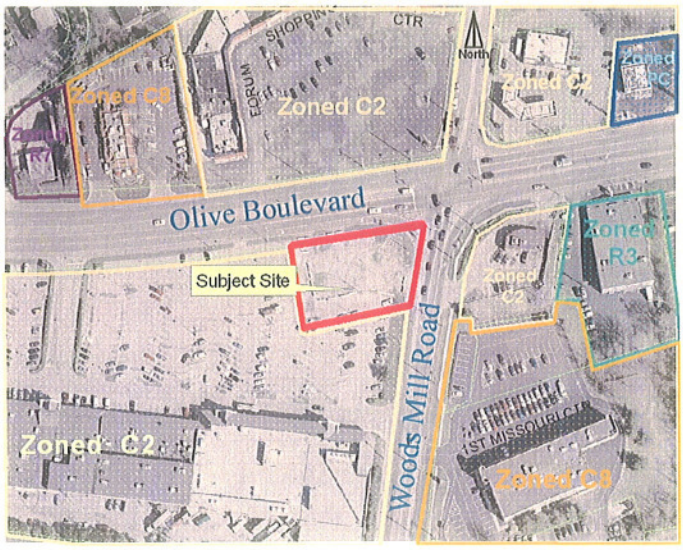
The land use and zoning for the properties surrounding this parcel are as follows:

North: The property to the north is Forum Shopping Center and is zoned "C-2" Commercial District.

South: The property to the south is Four Seasons Shopping Center is zoned "C-2" Commercial District.

East: Jiffy Lube is located across Woodsmill Road to the east and is zoned "C-2" Commercial District.

West: The property to the west is Four Seasons Shopping Center is zoned "C-2" Commercial District.


Zoned C2
Zoned C2
Zoned C2

Looking east, along Olive Blvd.

Comprehensive Plan Analysis
The Comprehensive Plan identifies this area as commercial. This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.

Site Area History
In January 1966, St. Louis County issued Conditional Use Permit #17 for a filing station with service bays. In March 1984, St. Louis County amended Conditional Use Permit #17 to allow twenty-four (24) hour a day operations on this site.

Issues
A public hearing was held on this request on August 14, 2006. At that time there was 1 speaker who held a neutral opinion on this matter. The following is a list of issues that arose from previous meetings before the Planning Commission and those raised by Staff:

1. The City of Chesterfield Ordinance Number 1747 requires 40% openspace.

   Petitioner's response: "We know that the site does not meet the 40% open space requirement from the City of Chesterfield Ordinance Number 1747 and are asking for the City to make a concession for this issue."

   Staff Response: Issue is open. This will require a separate two-thirds vote (six) of the Planning Commission.

2. Per the parking requirements in the City of Chesterfield Zoning Ordinance fast food restaurant must have 1 parking space for every 2 seats and 2 spaces for every 3 employees on the maximum shift. The site does not meet this requirement.

   Petitioner's response: "We know that the site does not meet the parking requirements in the City of Chesterfield Zoning Ordinance for a fast food restaurant which must have 1 parking space for every 2 seats

and 2 spaces for every 3 employees on the maximum shift, therefore a variance will be requested."

Staff response: Issue remains open. Section F. "Parking and Loading Requirements" on page 3 of the Attachment A requires the development to adhere to the City of Chesterfield Code.

3. The length of the driveway throat for the entrance on Woodsmill Rd. is too short. The Access Management Ordinance requires a minimum of 45 feet as measured from the edge of the street to the nearest edge of the first drive. The distance measured on the plan is 22 feet.

   Petitioner's response: "The length of the driveway throat for the entrance on Woods Mill Road cannot be 45 feet measured from the edge of the existing street pavement to the nearest edge of the first drive due to the small nature of the overall site."

   Staff response: The plan as shown currently, does not meet the requirements of the City's Access Management Ordinance. The Attachment A requires the site to meet the City's Access Management Ordinance as well as MoDOT's Access Management Guidelines. See Section K "Access/Access Management" page 5 and Section VII. "Enforcement" page 10 of the Attachment A.

4. Provide a traffic study for the intersection of Olive and Woodsmill Road.

   Petitioner's response: A copy of the traffic study that's been done by Crawford, Bunte, Brammeier is enclosed.

   Staff response: Issue has been addressed. A copy of the traffic study has been attached to this report.

2. Provide a queuing study as it relates to the internal traffic and drive-thru for the site.

   Petitioner's response: "For a queuing study as it relates to the internal traffic and drive thru for the site, see the traffic study done by Crawford, Bunet, Brammeier."

   Staff response: Issue has been addressed. A copy of the traffic study has been attached to this report.

3. Explain vehicle egress and ingress for the site based on the plan dated 11/14/06.

   Petitioner's response: "An explanation for vehicle ingress and egress for the site can be found in the traffic study that's been done by Crawford, Bunte, Brammeier."

   Staff response: Issue has been addressed. A copy of the traffic study has been attached to this report.

4. Why are both curb cuts needed for this site?

   Petitioner's response: "Both curb cuts are needed for smoother ingress and egress to and from the site."

   Staff response: Issue has been addressed.

5. Is the turning radius at the corner of Olive and Woodsmill Road sufficient for large trucks to successfully navigate the turn without coming up onto the curb?

   Petitioner's response: "The turning radius at the corner of Olive and Woodsmill Road has been modified to make it easier for large trucks to get around, but in order to keep the new sidewalk in the right-of-way between the new parking lot and the new modified curb, a large truck's trailer wheels may still come up onto the curb. This curb is labeled as a "mountable" curb."

   Staff response: Issue has been addressed.

6. Why is a vertical S curb being installed?

   Petitioner's response: "The "mountable" curb is being installed between the entrance on Olive Blvd. and the entrance on Woods Mill Road at the request of MODOT."

   Staff response: Issue has been addressed. Note that the attached plan indicates that a Type N Mountable Curb has replaced the Vertical S Curb indicated on previous plans.

7. In addition, a vehicle exiting the first parking space located nearest to the Woodsmill driveway would have to back out into the driveway and the drive-thru lane to exit the parking space. As a result, potential traffic conflicts could affect safety at that location and potentially cause traffic to back up on Woodsmill Rd. near Olive Blvd. As indicated at the meeting we had with the petitioner last week, (November 1, 2006) this parking space should be removed or the entrance should be designed as an exit only.

   Petitioner's response: "The first parking space located to the Woodsmill driveway will be designated as an "employee parking space."

   Staff response: Issue has been addressed. Language has been added to Section F. "Parking and Loading Requirement" on page 4 of the Attachment A.

Request

Staff recommends approval of the change of zoning from "C-2" Commercial District to a "PC" Planned Commercial District with the Attachment A as written.

Staff recommends approval of the Petitioner's request for a reduction in the openspace requirement from 40% to 17%. A separate two-thirds vote (6) of the Planning Commission would be required for approval.

Respectfully submitted,

Jennifer L. Yackley

Jennifer Yackley
Project Planner

Respectfully submitted,

Aimee Nassif
Senior Planner of Zoning Administration

Attachments

1. Attachment A
2. Agency Comments
3. Issues Report
4. Preliminary Plan

CBB Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

Since 1973

December 6, 2006

RECEIVED
PLANNING DEPARTMENT

Mr. J.W. (Jay) Chambers
Real Estate and Construction Coordinator
Spirit Energy, L.L.C.
50 S. Bemiston Road
St. Louis, Missouri 63105

RE: Traffic Impact Study
Proposed Commercial Site – Olive Boulevard at Woods Mill Road
Chesterfield, Missouri
CBB Job No. 197-06

Dear Mr. Chambers:

As requested, Crawford, Bunte, Brammeier has prepared the following traffic impact study pertaining to the development of a commercial property in Chesterfield, Missouri. The site is located in the southwest corner of the intersection of Olive Boulevard (Missouri Route 340) with Woods Mill Road (Missouri Route 141). The general location of the site is shown in Figure 1.

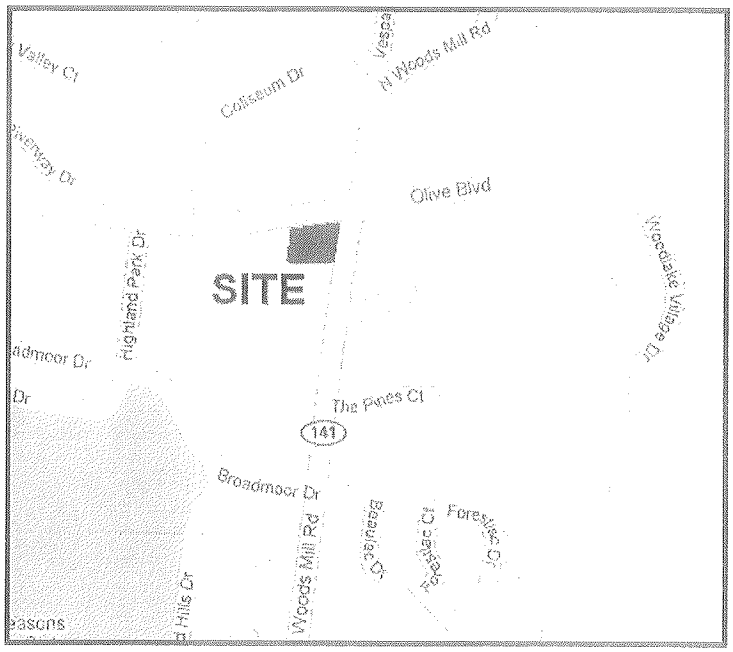


Figure 1: Site Location

450 Cottonwood Road - Suite B
Glen Carbon, IL 62034
(T) 618-656-2612 (F) 618-659-0650

1830 Craig Park Court - Suite 209
St. Louis, MO 63146
(T) 314-878-6644 (F) 314-878-5876
www.cbbtraffic.com

3261 S. Meadowbrook Road – Suite 300
Springfield, IL 62711
(T) 217-546-6433 (F) 217-546-6467

It is our understanding that a 1,630 square foot retail beverage shop is proposed with nine parking spaces and a drive-through window. The site (which is currently vacant) has two existing curb cuts, both of which are restricted to right-in/right-out access due to the presence of medians on both Olive Boulevard and Woods Mill Road.

The purpose of this study was to determine the amount of traffic that would be generated by the proposed development, evaluate its impact upon the adjoining road system and identify the need for roadway and/or traffic control improvements to mitigate those impacts. Specifically, the intersection of Olive Boulevard with Woods Mill Road and the site access intersections were evaluated in order to assess the ability of motorists to safely and efficiently access the site. The focus of our analysis was the a.m. peak period (7:00 – 9:00 a.m.), since that represents the typical peak operations for the proposed use. In addition, the stacking needs for the drive-thru lane were addressed.

Existing Roadway and Traffic Conditions

Olive Boulevard is a five-lane, east-west arterial with auxiliary turn lanes that is owned and maintained by the Missouri Department of Transportation (MODOT). The eastbound and westbound approaches provide at the signalized intersection with Woods Mill Road one left-turn lane, two through lanes and one right-turn lane. Additionally, a raised median is provided on Olive Boulevard immediately adjacent to the site. According to MODOT, Olive Boulevard carries approximately 24,100 vehicles per day (vpd) west of the site and 34,900 vpd east of the site.

Woods Mill Road is a three-lane, north-south arterial roadway with auxiliary turn lanes, also owned and maintained by MoDOT. The northbound approach provides one left-turn lane, one through lane, and one right-turn lane at the signalized intersection with Olive Boulevard, while the southbound approach provides a left-turn lane and a shared through/right-turn lane. Additionally, a raised median is provided on Woods Mill Road immediately adjacent to the site. According to MoDOT, who owns and maintains the roadway, Woods Mill Road carries approximately 20,800 vpd south of the site.

In order to quantify existing traffic conditions near the site, turning movement counts were performed at the intersection of Olive Boulevard with Woods Mill Road during the morning (7:00-9:00 a.m.) peak period of a typical weekday. Based on the count data, the morning peak hour (7:15-8:15 a.m.) was chosen for analysis. The existing traffic volumes are summarized in Exhibit 1.

The a.m. peak commuter period of the adjacent roadway traffic would coincide with the peak trip generation time for the proposed development. Therefore, if traffic from the proposed development can be accommodated at the a.m. peak time, it can be reasoned that adequate capacity would be available throughout the remainder of the day.

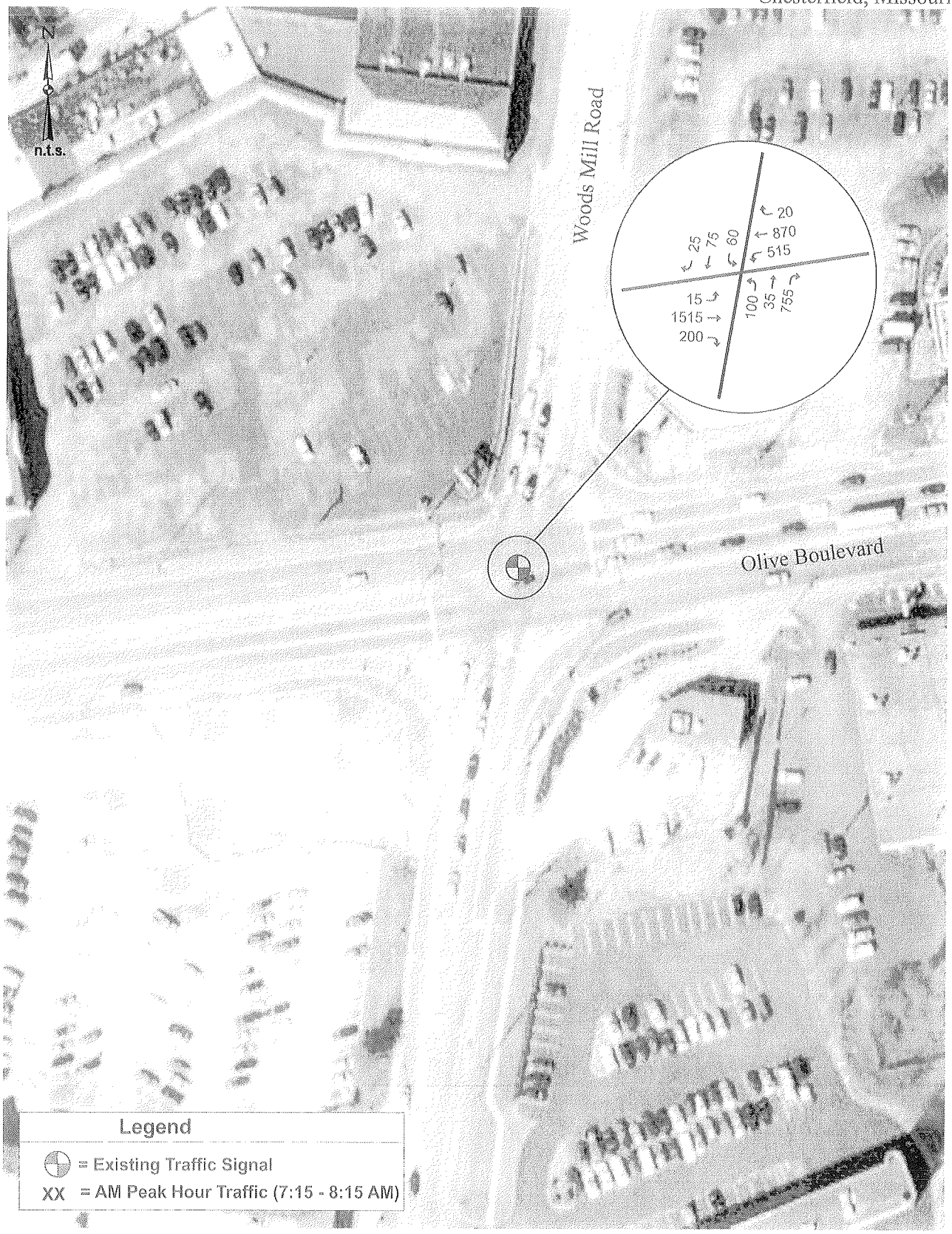


Exhibit 1 : Existing Traffic Volumes

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12/6/06

CBB Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

As can be seen, Olive Boulevard carries heavy volumes entering the intersection with Woods Mill Road both eastbound and westbound. The conflicting eastbound through, westbound left-turn and northbound right-turn movements are all heavy. Olive Boulevard carries 1,730 vehicles per hour (vph) eastbound and 995 vph westbound immediately adjacent to the site, between 7:15 and 8:15 a.m. Woods Mill Road carries approximately 890 vph northbound and 790 vph southbound adjacent to the site during the a.m. peak hour.

Existing Operating Conditions

The existing operating conditions at the intersection of Olive Boulevard with Woods Mill Road were evaluated using study procedures outlined in the "Highway Capacity Manual," published in 2000 by the Transportation Research Board. This manual, which is used universally by highway and traffic engineers to measure roadway capacity, established six levels of traffic service: Level A ("Free Flow") to Level F ("Fully Saturated"). Levels of service are measures of traffic flow, that consider such factors as speed and delay time, traffic interruptions, safety, driving comfort, and convenience. Level C, which is normally used for highway design, represents a roadway with volumes ranging from 70% to 80% of its capacity. However, Level D is considered acceptable for peak period conditions in urban areas.

It must be acknowledged that the perception of acceptable traffic service varies widely by area. Specifically, less delay is usually tolerated in rural regions. Based on the character of this area, we believe that LOS D would be an appropriate target for peak period traffic operations overall.

The thresholds that define LOS are based upon the type of traffic control used at an intersection; i.e., whether it is signalized or unsignalized. For signalized and all-way stop intersections, the average control delay per vehicle is estimated for each movement and aggregated for each approach and the intersection as a whole. At intersections with partial (side-street) stop control, the delay for each minor movement is determined instead of for the intersection as a whole since motorists on the main road are not required to stop.

LOS is directly related to control delay. At signalized intersections, the LOS criteria differ from that at unsignalized intersections primarily because different transportation facilities create different driver expectations. The expectation is that a signalized intersection is designed to carry higher traffic volumes and, consequently, may experience greater delay than an unsignalized intersection. Furthermore, motorists are guaranteed service at regular intervals as the signal cycles. Table 1 summarizes the LOS thresholds used in the analysis.

The intersection of Olive Boulevard with Woods Mill Road currently experiences severe delays in the a.m. peak hour due to the heavy conflicting volumes, operating at an overall LOS F. The average vehicular delay for the intersection is 111.6 seconds per vehicle.

Table 1
Level of Service Thresholds

Level of Service (LOS)	Control Delay per Vehicle (sec/veh)	
	Signalized Intersections	*Unsignalized Intersections*
A	≤ 10	0-10
B	> 10-20	> 10-15
C	> 20-35	> 15-25
D	> 35-55	> 25-35
E	> 55-80	> 35-50
F	> 80	> 50

Analyses of the queues on the eastbound approach of Olive Boulevard were performed in order to determine how often access to the site would be hindered. A queue of approximately eight vehicles on the eastbound approach (in the near traffic lane) is long enough to block the proposed site access to Olive Boulevard.

Observations during the a.m. peak period indicated that queues reached or exceeded eight vehicles consistently during this period, which would result in regular blockage of the north driveway. These queues generally occurred in the eastbound through lanes or right-turn lane on Olive Boulevard. However, given that all of the entering and exiting movements at this location would be right turns, such blockages would not be expected to result in any hazards or undue delays to the motoring public. Specifically, any blockage would result in inbound patrons waiting in the eastbound queue from the signal and outbound patrons would wait on-site for the queue to clear.

Forecasted Traffic Conditions

As an initial step in this analysis, the amount of traffic that the proposed development would generate during the peak hour was estimated. Trip generation was evaluated based on data obtained from studying similar retail locations. The trip generation results for these sites were then compared to the traffic volumes of the adjacent roadways in order to determine the effect of background traffic on trip generation. Traffic volumes on Olive Boulevard and Woods Mill Road were then referenced to calibrate the estimates of the site trip generation.

It is important to recognize that not all of the trips generated by the proposed development would represent *new* traffic on the adjacent roadways. Specifically, a substantial portion of the traffic attracted to this site would already be traveling on Olive Boulevard or Woods Mill Road as part of another trip; i.e., "pass-by" and "diverted-link" trips. Therefore, estimates of pass-by trips were developed. A peak hour pass-by trip rate of 75% was utilized for this study since this is a convenience-oriented business.

Table 2 summarizes the projected trips into and out of the development for a typical morning commuter peak hour. In summary, it is estimated that the retail beverage shop would generate approximately 250 total trips during the morning peak hour. While all of the site's trips would create new turning movements at the driveways, only the 60 new trips would represent new traffic traveling on the adjacent state highways.

Table 2
Trip Generation Estimate
Proposed Retail Beverage Shop With Drive-Through
Chesterfield, Missouri

Land Use	*AM Peak Hour*		
	In	*Out*	*Total*
Total Trips	**125**	**125**	**250**
Pass-By Trips	*95*	*95*	*190*
New Trips	30	30	60

The site-generated trips were assigned into and out of the site based upon existing traffic patterns, regional demographic information, and the development's location. As noted above, the development would utilize two right-in/right-out access driveways, one each onto Olive Boulevard and Woods Mill Road. Both driveways have been located as far away from the signalized intersection as physically possible given the size of the site. It was estimated that approximately 30% of new traffic would travel to and from the east and west, each, on Olive Boulevard while 10% and 30% would travel to and from the north and south, respectively, on Woods Mill Road.

Based on these trip generation and directional distribution estimates, the site-generated traffic was assigned to the adjoining road system as shown in Exhibit 2. It should be noted that the site has no direct access for traffic entering from northbound Woods Mill Road or exiting to westbound Olive Boulevard. As such, it was assumed that vehicles that wish to make these movements would utilize alternate paths through other properties to enter and exit the site. As can be seen, the proposed development is expected to create relatively minor traffic increases during the a.m. peak hour.

Forecasted Operating Conditions

The site-generated traffic forecast was aggregated with the existing traffic volumes to produce the total traffic forecast shown in Exhibit 3. Due to the relatively short distance between the intersections of Olive Boulevard with Woods Mill Road and the site's north driveway, the maximum queue that can be accommodated without blockage of the signalized intersection is approximately eight vehicles. It should be reiterated that the proposed driveway locations are located as far away from the signalized intersection as physically possible.

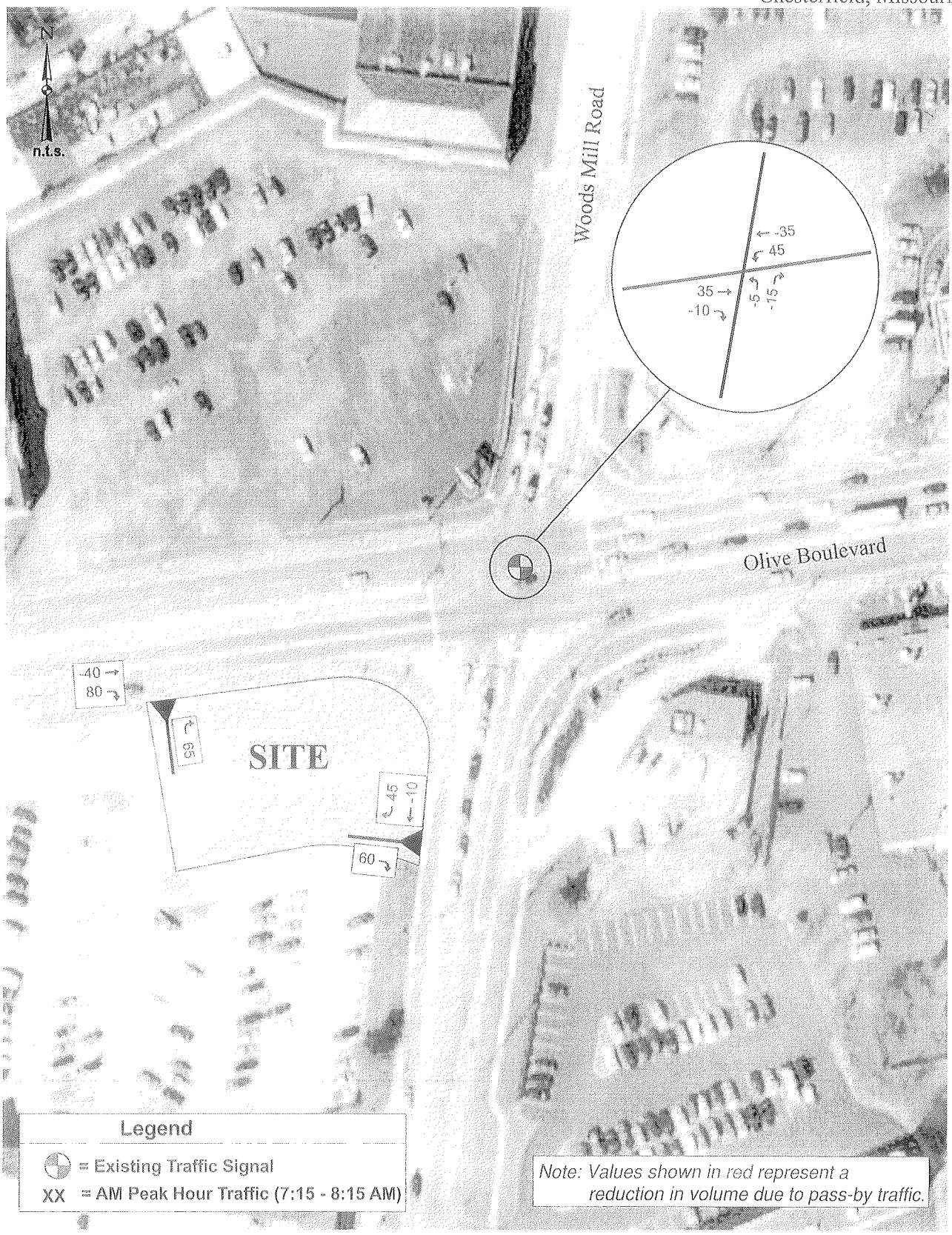

Exhibit 2 : Site-Generated Traffic

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CBB Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

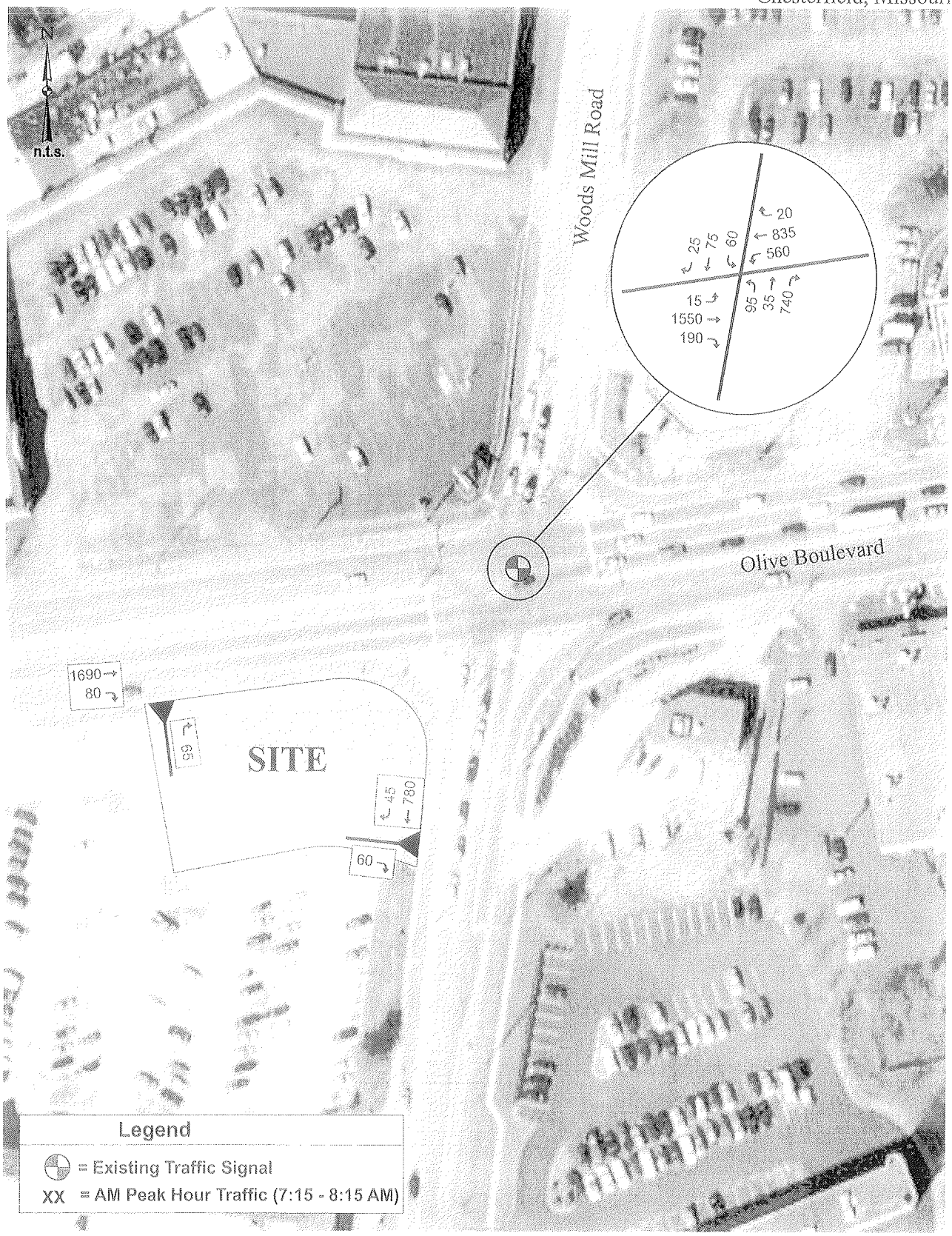


Exhibit 3 : Total Forecasted Traffic

Job # 197-06
12/6/06

CBB Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

Nevertheless, the queues on eastbound Olive Boulevard will continue to extend beyond the site during the a.m. peak hour, delaying ingress/egress for the site. However, these queues would also exist without development of the site and the delays should not create any hazards, since both movements are limited to right-turns only. It should be noted that right-in/right-out access represents the most efficient form of access as it minimizes conflicts and delays. Thus, it is anticipated that both driveways will operate effectively despite the potential for queuing adjacent to the site.

The capacity analyses were repeated using the forecasted traffic volumes to evaluate the impact of the proposed development on the signalized intersection of Olive Boulevard with Woods Mill Road. It was found that the intersection of Olive Boulevard with Woods Mill Road would continue to experience severe delays. The average vehicular delay for the intersection would increase by 5.6 seconds as a result of this development, from 111.6 seconds per vehicle to 117.2 seconds per vehicle with signal optimization.

Drive-Through Window Operations

In order to assess the queue length likely to be created by vehicles waiting to use the drive-through, queue lengths were measured simultaneous to the trip generation studies at other retail beverage shop locations. Based on these observations, it was determined that the average queue length during the a.m. peak period would be eight vehicles, or approximately 150 to 200 feet (assuming 19 to 25 foot headways). The maximum queue length during the a.m. peak period is expected to be about twelve vehicles, or approximately 230 to 300 feet.

Findings and Conclusions

Based upon the preceding discussion, the following may be concluded regarding the traffic generation and impact of the proposed retail beverage shop:

1. The proposed development would generate approximately 250 trips during the a.m. peak. However, a substantial portion of the traffic generated by the proposed development would be drawn from existing flows on Olive Boulevard and Woods Mill Road, so only approximately 25% of these trips were assumed to be new to the surrounding road system for this study.

2. Both proposed driveway locations are located as far away from the signalized intersection as physically possible. Even so, the queues on eastbound Olive Boulevard frequently extend beyond the site during the a.m. peak hour, hindering access to and from the site. However, any additional delays created by those blockages shall not create any hazards since both movements are limited to right-turns only.

3. Right-in/right-out access represents the most efficient form of access as it minimizes conflicts and delays. Thus, it is anticipated that both driveways will operate effectively despite the potential for queuing adjacent to the site.

4. It was found that the intersection of Olive Boulevard with Woods Mill Road would continue to operate at an overall poor level of service. However, the average vehicular delay for the intersection would increase by only 5.6 seconds as a result of this development, from 111.6 seconds per vehicle to 117.2 seconds per vehicle.

5. It is estimated that the average queue length from the drive through window during the a.m. peak period would be eight vehicles, or approximately 150 to 200 feet of storage required. The maximum queue length during the a.m. peak periods is expected to be about twelve vehicles, or approximately 230 to 300 feet.

We trust that you will find this report useful in evaluating the traffic issues related to the proposed retail beverage shop in Chesterfield, Missouri. Please contact this office with any questions or comments that you may have.

Sincerely,

Lee Cannon

Lee Cannon, P.E.
Associate

RLC:SPD

SPIRIT ENERGY, LLC 13506 OLIVE BLVD.

A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207 TOWNSHIP 46 NORTH, RANGE 5 EAST CITY OF CHESTERFIELD ST. LOUIS COUNTY, MISSOURI

SPIRIT ENERGY, LLC

IN CONNECTION WITH A CHANGE OF ZONING FOR THE FOLLOWING DESCRIBED PROPERTY FROM "C-2" SHOPPING DISTRICT TO "PC" PLANNED COMMERCIAL P.Z. 04-2005.

A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207, TOWNSHIP 46 NORTH, RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI, AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SURVEYED PROPERTY DESCRIPTION OF #13506 OLIVE BOULEVARD:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF OLIVE STREET ROAD, AS WIDENED BY DEED RECORDED IN BOOK 6853, PAGE 1200 OF THE ST. LOUIS COUNTY RECORDS, WITH THE WESTERLY LINE OF A PARCEL DESCRIBED IN DEED TO EQUILON ENTERPRISES LLC RECORDED IN BOOK 11717, PAGE 1152 OF SAID COUNTY RECORDS; THENCE ALONG THE SOUTHERLY AND SOUTHWESTERLY LINE OF SAID OLIVE STREET ROAD THE FOLLOWING BEARINGS AND DISTANCES: NORTH 83 DEGREES 01 MINUTE 21 SECONDS EAST, 117.69 FEET; SOUTH 65 DEGREES 13 MINUTES 43 SECONDS EAST, 38.07 FEET AND SOUTH 09 DEGREES 30 MINUTES 26 SECONDS EAST, 42.35 FEET TO A POINT ON THE CURVED WESTERLY LINE OF WOODS MILL ROAD, WITH VARIABLE WIDTH, AND THE CENTER OF SAID CURVE BEARS FROM SAID POINT SOUTH 79 DEGREES 36 MINUTES 12 SECONDS EAST, 985.72 FEET; THENCE ALONG SAID CURVED WESTERLY LINE OF WOODS MILL ROAD, SOUTHERLY, 30.44 FEET TO THE SOUTHERLY LINE OF SAID EQUILON ENTERPRISES LLC PARCEL; THENCE ALONG SAID SOUTHERLY LINE, SOUTH 81 DEGREES 31 MINUTES 30 SECONDS WEST, 140.85 FEET TO THE WESTERLY LINE OF SAID EQUILON ENTERPRISES LLC PARCEL; THENCE ALONG SAID WESTERLY LINE, NORTH 08 DEGREES 28 MINUTES 30 SECONDS WEST, 95.24 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY NUMBER 181067 EXECUTED BY JAMES ENGINEERING & SURVEYING COMPANY, INC., IN OCTOBER, 2003. BEARINGS ADOPTED FROM PLAT BOOK 341, PAGE 58 OF THE ST. LOUIS COUNTY RECORDS.

SPIRIT ENERGY, LLC, THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN FOR AND IN CONSIDERATION OF BEING GRANTED A PERMIT TO DEVELOP PROPERTY UNDER THE PROVISIONS OF CHAPTER 1003._____ "PC" PLANNED COMMERCIAL P.Z. 04-2005 OF THE CITY OF CHESTERFIELD ORDINANCE #624, DO HEREBY AGREE AND DECLARE THAT SAID PROPERTY FROM THE DATE OF RECORDING THIS PLAN SHALL BE DEVELOPED ONLY AS SHOWN THEREON, UNLESS SAID PLAN IS AMENDED BY THE PLANNING COMMISSION, OR VOIDED OR VACATED BY ORDER OF ORDINANCE OF THE CITY OF CHESTERFIELD.

_____
CHRIS KEMPH, PRESIDENT

STATE OF MISSOURI)
) SS.
COUNTY OF ST. LOUIS)

ON THIS _____ DAY OF _____ A.D., 2007, BEFORE ME PERSONALLY APPEARED CHRIS KEMPH, TO ME KNOWN, WHO, BEING BY ME SWORN IN, DID SAY THAT HE IS THE PRESIDENT OF SPIRIT ENERGY, LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF MISSOURI, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENTS IS THE CORPORATE SEAL OF SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND THE SAID CHRIS KEMPH ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE IN ST. LOUIS COUNTY, MISSOURI, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY TERM EXPIRES: _____ _____
NOTARY PUBLIC

THIS SITE DEVELOPMENT PLAN WAS APPROVED BY THE CITY OF CHESTERFIELD PLANNING COMMISSION AND DULY VERIFIED ON THE _____ DAY OF _____, 2007, BY THE CHAIRPERSON OF SAID COMMISSION, AUTHORIZING THE RECORDING OF THIS SITE PLAN PURSUANT TO CHESTERFIELD ORDINANCE NUMBER 200, AS ATTESTED TO BY THE DIRECTOR OF PLANNING AND THE CITY CLERK.

_____
DIRECTOR OF PLANNING

_____
CITY CLERK

LOCATION MAP
(NOT TO SCALE)

NOTES:

1) GROSS SITE AREA: 13,526 SQUARE FEET MORE OR LESS, OR 0.31 ACRES, MORE OR LESS.

2) PROPOSED USE OF BUILDING: COFFEE SHOP WITH DRIVE THROUGH WINDOW.

3) PROPOSED CONSTRUCTION TYPE:

4) PROPOSED FLOOR AREA = 1,630 SQ. FT.

5) PROPOSED BUILDING HEIGHT: 21 FEET, 25 FEET AT ENTRY LEVEL

6) BUILDING SET BACKS: NONE FOUND

7) NEAREST ELEMENTARY SCHOOL: RIVER BEND

8) NEAREST HIGH SCHOOL: PARKWAY CENTRAL HIGH SCHOOL

9) CURRENT ZONING: "C-2" SHOPPING DISTRICT

10) FIRE DISTRICT: MONARCH FIRE PROTECTION DISTRICT

11) WATER DISTRICT: MISSOURI AMERICAN WATER COMPANY

12) SEWER DISTRICT: METROPOLITAN ST. LOUIS SEWER DISTRICT

13) ELECTRIC DISTRICT: AMERENUE

14) SCHOOL DISTRICT: PARKWAY

15) BENCHMARK: ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS & TRAFFIC BENCHMARK #8-179 – ELEVATION = 560.62 FEET: "L" ON THE SOUTHEAST CORNER OF THE SIGNAL CONTROL BOX IN THE ISLAND AT THE NORTHEAST CORNER OF RIVER VALLEY DRIVE AND OLIVE STREET ROAD.

16) SOURCE OF TITLE: FIRST AMERICAN TITLE INSURANCE COMPANY – FILE NO.: 62-43051, DATED: JUNE 25, 2003. ITEM 9: EASEMENT TO YARHOLA PIPE LINE COMPANY IN BOOK 425, PAGE 52 (AFFECTS LOT 3, SHARE 2) AND ASSIGNMENT TO OZARK PIPE LINE CORPORATION IN BOOK 472, PAGE 14 (INCORRECT BOOK & PAGE) AND MODIFICATION THEREOF IN BOOK 5176, PAGE 54 (AFFECTS LOT 5, SHARE 3 AND LOT 3, SHARE 2). ITEM 10: EASEMENT TO LACLEDE GAS COMPANY IN BOOK 4420, PAGE 601 AND 603 (WITHIN THE EXCEPTION AREA NOW PART OF OLIVE BOULEVARD)

17) SOURCE OF BEARINGS: ADOPTED FROM PLAT BOOK 341, PAGE 58 OF THE ST. LOUIS COUNTY RECORDS.

18) SOURCE OF DEED: CONVEYED TO EQUILON ENTERPRISES, L.L.C. IN DEED BOOK 11717, PAGE 1152 OF THE ST. LOUIS COUNTY RECORDS.

19) LOCATOR NO.: 16Q33-0902 ST. LOUIS COUNTY, MISSOURI

20) THE LOCATION OF EXISTING UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION, THEREFORE THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY PROJECT CONSTRUCTION.

21) PRESENT OWNERS: SPIRIT ENERGY, L.L.C.
50 S. BEMISTON
CLAYTON, MISSOURI 63105
(314) 898-9239 FAX: (314) 726-9575

22) DEVELOPER: SPIRIT ENERGY, L.L.C.
50 S. BEMISTON
CLAYTON, MISSOURI 63105
(314) 898-9239 FAX: (314) 726-9575

23) SUBDIVISION DESIGNER: JAMES ENGINEERING & SURVEYING COMPANY, INC.
10811 BIG BEND BLVD.
KIRKWOOD, MO. 63122
(314) 822-1006 FAX: (314) 822-0006

THIS IS TO CERTIFY THAT AT THE REQUEST OF SPIRIT ENERGY, LLC., WE HAVE IN THE MONTH OF JANUARY, 2007, PREPARED A PRELIMINARY SITE DEVELOPMENT PLAN OF A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207, TOWNSHIP 46 NORTH, RANGE 5 EAST, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

IN WITNESS WHEREOF, I HAVE SIGNED AND SEALED THE FOREGOING PLAT THIS ____ DAY OF JANUARY, 2007.

JAMES ENGINEERING AND SURVEYING COMPANY, INC.

_____
PHILLIP J. WURM, MO REG. LS-2278

PARKING CALCULATIONS

1 SPACE FOR EVERY 2 SEATS (20 SEATS INSIDE & 12 SEATS OUTSIDE)..... 32 SEATS TOTAL = 16 PARKING SPACES

2 SPACES FOR EVERY 3 EMPLOYEES ON THE MAXIMUM SHIFT..... + 4 EMPLOYEES = 3 PARKING SPACES

19 PARKING SPACES TOTAL
9 PARKING SPACES TOTAL PROVIDED
10 PARKING SPACES TOTAL DEFICIENT

FLOOR AREA RATIO (F.A.R.) CALCULATIONS

(PER CITY OF CHESTERFIELD ORD. NO. 1747)

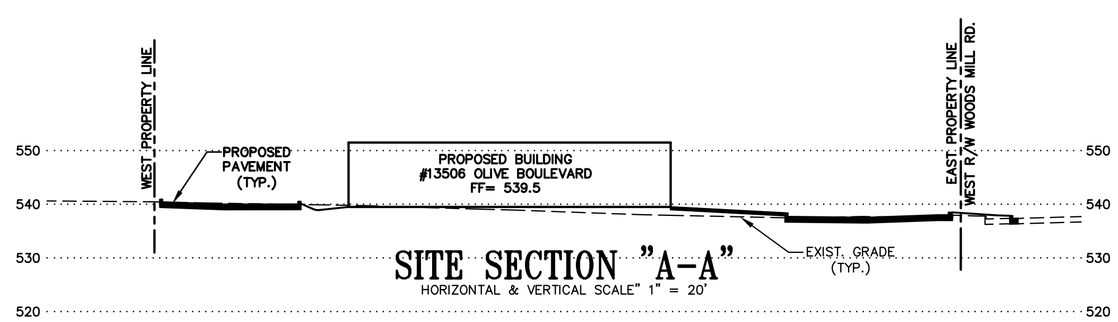
$$\frac{\text{BUILDING SQ. FT.} = 1{,}630 \text{ SQ. FT.}}{\text{TOTAL AREA OF SITE} = 13{,}526 \text{ SQ. FT.}} = 0.1205 \text{ F.A.R.}$$

OPEN SPACE CALCULATIONS

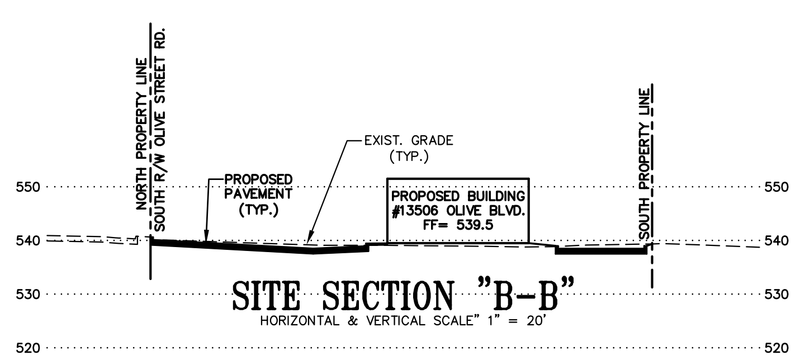
(PER CITY OF CHESTERFIELD ORD. NO. 1747)

$$\frac{\text{ALL GREEN \& LANDSCAPED AREAS + PEDESTRIAN ACCESS WAYS}}{\text{TOTAL AREA OF SITE}}$$

$$\frac{1{,}732 \text{ SQ. FT.} + 678 \text{ SQ. FT.}}{13{,}526 \text{ SQ. FT.}} = 0.1782 \text{ OR } 17.82\% \text{ OPEN SPACE}$$



SITE SECTION "A-A"
HORIZONTAL & VERTICAL SCALE" 1" = 20'



SITE SECTION "B-B"
HORIZONTAL & VERTICAL SCALE" 1" = 20'

1-800-DIGRITE: 1-800-344-7483
MODOT U.G. LOCATE PHONE NUMBER: 314-340-4100

LEGEND

- EX. TRAFFIC SIGNAL
- EX. TRAFFIC CONTROL BOX
- EX. UTILITY POLE
- EX. UTILITY POLE
- EX. GUY ANCHOR
- EX. WATER METER
- EX. MONITORING WELL
- EX. GAS DRIP
- EX. WATER MAIN
- EX. GAS MAIN

NO.	DATE	BY	DESCRIPTION:
1	7/26/06	JNW	REMOVED PROPERTY DESCRIPTION PER TITLE COMMITMENT
2	8/9/06	JNW	REVISED ACREAGE IN NOTE NO. 1.
3	11/1/06	JNW	NEW SITE LAYOUT/ADDED IMPRVMNTS. WITHIN 150 FT. OF SITE
4	11/6/06	JNW	REVISIONS PER CITY OF CHESTERFIELD
5	11/14/06	JNW	REVISIONS PER CITY OF CHESTERFIELD
6	12/22/06	JNW	REVISIONS PER CITY OF CHESTERFIELD & MODOT

REVISIONS

SPIRIT ENERGY, LLC
13506 OLIVE BLVD.
CHESTERFIELD, MO
63017

PRELIMINARY DEVELOPMENT PLAN

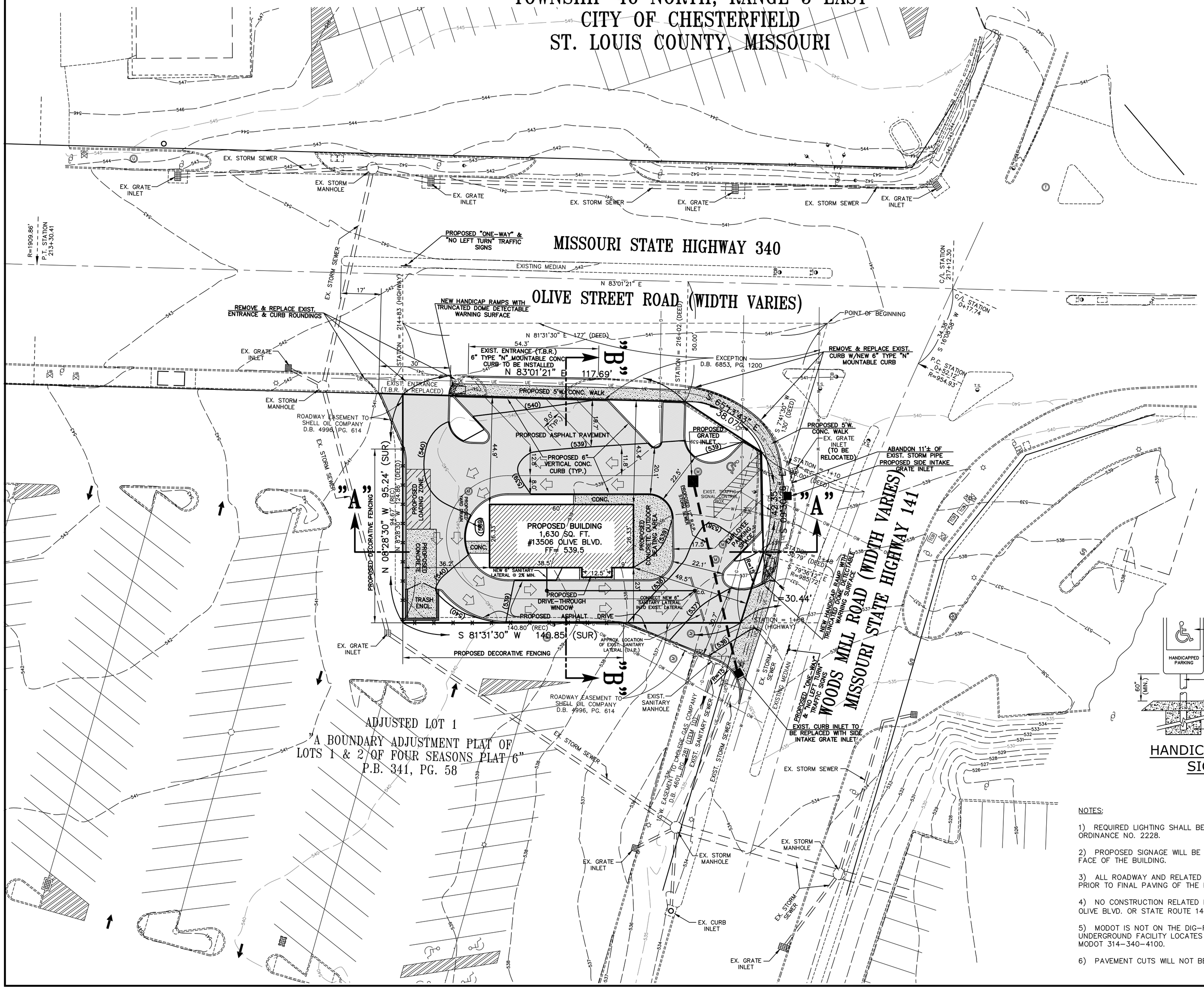
PREPARED FOR: SPIRIT ENERGY, LLC
50 S. BEMISTON AVE.
ST. LOUIS, MO 63105
ATTN.: JAY CHAMBERS
314-898-9239 314-726-9575 (FAX)

JAMES ENGINEERING & SURVEYING CO., INC.
Engineers Planners Surveyors
10811 Big Bend Boulevard Kirkwood, MO 63122
Phone: (314) 822-1006 Fax: (314) 822-0006

Sur. RS Scale: Survey No. 181067
Dw. JNW Vertical: 1" = 20'
Chk. CLS Horizontal: 1" = 20' Date: 5/2/06
C:\Engineering Projects\181067-PP.dwg 1/23/2007 12:29:50 AM CST

SPIRIT ENERGY, LLC 13506 OLIVE BLVD.

A TRACT OF LAND IN PART OF LOT 2 IN SHARE NO. 1 OF THE PARTITION OF MISSOURI STEVENS ESTATE IN U.S. SURVEY 207
TOWNSHIP 46 NORTH, RANGE 5 EAST
CITY OF CHESTERFIELD
ST. LOUIS COUNTY, MISSOURI



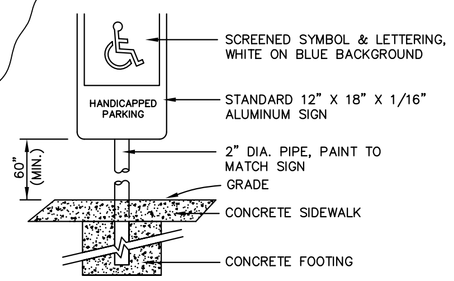
LOCATION MAP

N

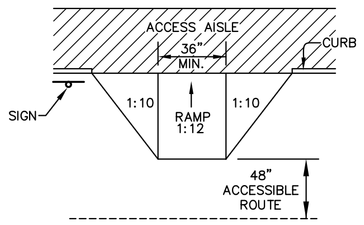
GRAPHIC SCALE

20' 0 10' 20' 40' 80'

(IN FEET)
1 inch = 20' ft.



HANDICAPPED PARKING SIGN DETAIL



HANDICAPPED CURB RAMP DETAIL

MINIMUM WIDTH: 36", MAXIMUM RAMP SLOPE: 1:12, MAXIMUM SLOPE OF FLARES: 1:10

NOTES:

1) REQUIRED LIGHTING SHALL BE PER THE CITY OF CHESTERFIELD ORDINANCE NO. 2228.

2) PROPOSED SIGNAGE WILL BE WALL MOUNTED ON THE EXTERIOR FACE OF THE BUILDING.

3) ALL ROADWAY AND RELATED IMPROVEMENTS SHALL BE COMPLETED PRIOR TO FINAL PAVING OF THE PARKING LOT FOR THE DEVELOPMENT.

4) NO CONSTRUCTION RELATED PARKING SHALL BE PERMITTED WITHIN OLIVE BLVD. OR STATE ROUTE 141 (WOODSMILL ROAD) RIGHT-OF-WAY.

5) MODOT IS NOT ON THE DIG-RITE ONE-CALL SYSTEM. FOR UNDERGROUND FACILITY LOCATES WITHIN THE RIGHT-OF-WAY, CALL MODOT 314-340-4100.

6) PAVEMENT CUTS WILL NOT BE ALLOWED FOR NEW WATER SERVICE.

LEGEND

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Sur. RS Scale: Survey No. 181067
Drw. JNW Vertical: 1" = 20'
Chk. CLS Horizontal: 1" = 20' Date: 5/2/06
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