

RESOLUTION NO. 119

IN THE MATTER OF THE APPLICATION FOR)
AMENDED CONDITIONAL USE PERMIT IN THE)
"NU" NON-URBAN DISTRICT AND THE "FPNU")
FLOOD PLAIN NON-URBAN DISTRICT TO PERMIT)
A MEDICAL OFFICE BUILDING AND PARKING)
GARAGE (ST. LOUIS COUNTY PC 29-92)
ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITAL))

RESOLUTION

WHEREAS, an application was made for an amended Conditional Use Permit ("CUP") on a 63.045 acre site in the "NU" Non-Urban District and the "FPNU" Flood Plain Non-Urban District to permit an additional medical office building and parking garage; and

WHEREAS, in due course this matter came before the St. Louis County Planning Commission as PC 28-92, on March 16, 1992; and

WHEREAS, the St. Louis County Planning Commission reported favorably to St. Louis County Council in a report dated April 21, 1992; and

WHEREAS, a valid protest was filed by adjacent property owners with the City Clerk in accordance with Section 1003.193 "Appeals and Procedures for Special Procedures of the Zoning Ordinance"; and

WHEREAS, prior to the time allowed for the St. Louis County Council to act, the City of Chesterfield through an annexation, annexed the St. Luke's Hospital campus; and

WHEREAS, under the Appeals and Procedures for Special Procedures contained in St. Louis County, the Planning Commission for the City of Chesterfield undertook to review the Petition to

determine whether the CUP meets or fails to meet the criteria for special procedures under Section 1003.181 Conditional Use Permits; and

WHEREAS, at the July 27, 1992, meeting of the Chesterfield Planning Commission the Planning Commission reviewed the protest submitted to St. Louis County concerning this matter and upon said review the Chesterfield Planning Commission affirmed the decision of the County Planning Commission that the request of the CUP met the requirements for a CUP as prescribed in the St. Louis County Zoning Ordinance, Section 1003.181; and

WHEREAS, in accordance with the requirements of 1003.193, the City Council Planning and Zoning Committee held a public hearing on September 2, 1992; and

WHEREAS, the Chesterfield Director of Planning presented the report of the Chesterfield Planning Commission to the Chesterfield Planning and Zoning Committee indicating that under Section 1003.181 a CUP required the following criteria in evaluating the Petition;

1. Consistency of the use with good planning practice;
2. The use can be operated in a manner not detrimental to permitted developments and uses in the District;
3. The use can be developed and operated in a manner visually compatible with permitted uses in the surrounding area; and
4. The use is essential or desirable to preserve and promote public health, safety, and general welfare;

The Council Committee was advised that the requested CUP sought to reinstate a CUP previously granted in 1990 which had been voided by action of the Missouri Court of Appeals. The medical office

building and parking garage approved under the provision of the 1990 CUP have in fact been constructed and are completed; and

WHEREAS, hospitals are institutions which provide medical and surgical services for humans only, both in and out patients, including medical services, training and research facilities and accessory uses are allowed as conditional uses, not only in the "NU" Non-Urban District but also in all "R" Residence Districts; and

WHEREAS, having specifically considered the protestors arguments that the medical office building and parking structure should not be considered as accessory uses which set out four criteria for accessory uses and structures in the particular District, namely: (1) customarily found in conjunction with the primary use; (2) reasonably necessary incident to the primary use; (3) clearly subordinate to the primary use; and (4) serves only to further the successful operation of the principle use; and

WHEREAS, the City Council has reviewed and considered all the information provided by the parties and submitted to the City Council for its consideration to include the files of the Planning Commission of St. Louis County, the St. Louis County Council, the materials provided to the Planning Commission of the City of Chesterfield, and the materials and packets made part of the record which was presented at the public hearing to the Planning and Zoning Committee of the City of Chesterfield; and

WHEREAS, the City Council is now fully advised in the premises.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chesterfield, Missouri as follows:

Section 1. The City Council finds it has jurisdiction of this proceeding because within 15 days after receipt by the County Council of the Planning Commission's report of St. Louis County a valid protest was filed.

Section 2. That because of the annexation by Chesterfield of the property which is the subject of the CUP protest, the City finds that the County Zoning continues to govern property after annexation and until properly amended by the legislative process of the City of Chesterfield. Dahman v. City of Ballwin, 483 S.W.2d 605 (Mo. App. 1972). Further that this requirement is embodied in the statutory language as found in Missouri state statute Section 89.191; and

Section 3. The obligation of the City Council is to review the decision of the Planning Commission of St. Louis County and the Planning Commission of the City of Chesterfield to determine whether the proposed uses and developments are consistent with good planning practices, can be operated in a manner that is not detrimental to the permitted developments and uses in the Districts, can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area, and is deemed essential or desirable to preserve and promote the public health safety and general welfare of St. Louis County. (Section 1003.181 SLCRO 1974, as amended.) Further the Council must find that the proposed project complies with the requirements

for "accessory uses". Accessory use is defined in §1003.020 "as use incidental and subordinate to the principal use of the premises." It is further defined in §1003.107.4 in the "NU" District regulations to include (1) that they are customarily found in conjunction with the primary use; (2) reasonably necessary incident to the primary use; (3) clearly subordinate to the primary use; and (4) serves only to further the successful operation of the principle use.

Section 4. The City Council takes official notice of the following:

1. St. Louis County Conditional Use Permit No. 335 (1978);
2. St. Louis County Resolution No. 3298 (1985);
3. St. Louis County Resolution No. 3535 (1990);
4. St. Louis County Ordinance 10889 and 13330;
5. St. Louis County Planning Commission reports dated April 21, 1992;
6. The protest as submitted to the City of Chesterfield on June 3, 1992;
7. The St. Louis County Planning Commission public hearing transcript of March 16, 1992;
8. The Chesterfield Planning Commission report of July 27, 1992;
9. The correspondence of Mary Domahidy, the Chairperson of the Chesterfield Planning Commission dated July 28, 1992;

10. All St. Louis County Zoning Ordinances;
11. All Chesterfield Zoning Ordinances;
12. Transcript of the Public Hearing before the Planning and Zoning Committee of Council held on September 2, 1992.

Section 5. This is a Non-Urban District, located partially within the flood plain, presently containing St. Luke's Episcopal Presbyterial Hospital, its diagnostic and radiation laboratories, educational facilities, a jogging trail, two medical office buildings, and parking garage. The proposed medical building will be connecting to the Hospital at the first and second floors with a walkway connecting higher floors. The first two floors will be devoted to Hospital services and the remaining six floors will be a combination of office space for hospital and private physicians and other hospital activities. In total, the building will be eight stories high with 160,000 square feet of area, while the adjoining garage would be seven stories with spaces for 705 cars which is consistent with good planning practices.

Section 6. It is logical from a planning perspective, that additional facilities and uses to be located at the same site, need to be subject to appropriate conditions. The Council further finds that following of the original restrictions placed on the CUP will insure that the proposed use will not be detrimental to the permitted uses and developments in this District and will be

visibly compatible with the permitted uses in the surrounding areas.

Section 7. The conditions which have been established to include set-backs, buffering, height limitations, etc., have been required since the initial CUP has been granted. Said conditions have remained in the amended CUP's granted since the date of the original CUP and these restrictions have consistently been required to assure that the hospital campus operates in a manner compatible with the permitted uses in the surrounding area.

Section 8. The Council, having considered the reports and testimony presented in this matter, finds that the addition of a medical office building and garage is reasonable and compatible with surrounding uses and is therefore consistent with good planning practices.

Section 9. The proposed building and parking structure will further the use and successful operation of the Hospital. The medical building as proposed and currently in use will be an integral part of the Hospital. Two floors of the building will be used to provide Hospital services directly to patients. The office medical building houses offices and other services that are available for the physicians on the Hospital staff or physicians under contract with the Hospital and their availability to the Hospital site enables the physicians to administer to Hospital patients and their own patients in a more timely fashion. The additional space available for doctors both on staff or under contract with the Hospital and those doctors in private practice

will enable St. Luke's to attract and keep needed physicians to its Hospital. Further, the on-campus physicians make greater use of the Hospital and participate in Hospital committees and activities in greater number than do off-campus physicians, whether these doctors are on the Hospital staff or are private physicians intricately involved with the Hospital. On-campus physicians are better able to respond to the needs of their patients whether they are hospitalized patients or patients which they are seeing on an out-patient basis. By having physicians located with ready access to the Hospital, this enables the Hospital to provide better patient care and to have greater use of its technical services and medical testing facilities. With the number of individuals that have used the Hospital's services and will continue to use the Hospital's services in the future clearly will promote St. Lukes' ability to provide for the healthcare needs of the community. Further since the Hospital is to provide medical and surgical care for both in and out-patients, any permitted expansion by the Hospital with its accessory uses will result in the improvement of the delivery and quality of such patient care services and promotes the general public health, safety, and general welfare of the citizens in the community.

Section 10. This building is not solely an office building. It contains a base for hospital services such as admitting, out-patient services, and therapy programs comprising over 30% of the floor space in the building. There are 30 doctor office suites, 20 of which are used by doctors who are associated with or employed

directly by the Hospital and/or who are under contract with the Hospital for their services. The trend in hospitals over the past several years has been to provide office space for physicians on the hospital property. This allows for efficient delivery of quality medical services by allowing physicians to stay in close proximity to the hospital. The original CUP granted in 1978 and subsequently amended has consistently allowed the hospital accessory uses and specifically medical office use on the property as established by the two existing medical offices and parking facilities that are currently on the campus and not part of this request. Other hospitals throughout the St. Louis area have made provisions for offices such as St. Anthony's Hospital, St. Joseph's Hospital, and St. John's Hospital. Although these may be found in different zoning categories they clearly establish that medical offices are customarily found in conjunction with hospitals in order to provide medical and surgical care. Although the size of this proposed medical doctor's building is a consideration, it is easily recognized that the additional doctors who refer patients to the Hospital for services provided by the Hospital, both in-patient and out-patient, benefit the Hospital and therefore availability for additional space for the Hospital for its own operations and additional space for doctor's offices and the attendant referrals to the Hospital, justify additional referral resources being made available to the Hospital through the use of the medical office building and garage.

Section 11. All hospitals must have staff physicians and these physicians need to have office space reasonably available to the hospital facility itself. The current state of the art for medical care requires that the doctors be more readily accessible to the hospital and to the hospitalized patient. Further, the state of medical care has resulted in a significant increase in out-patient care with the attendant medical technology being provided by the hospital on an out-patient basis. The high cost of the medical equipment for the testing and diagnostic processes has resulted in the concept of the patient coming to the hospital to use the hospital's vast technical and medical services as out-patient as well as for in-patient care. The technical and medical services provided at the hospital are necessary for patient care and the availability at the hospital of the technologically advanced services will cause doctors who are associated with the hospital (by being present on campus) to send their patients to the hospital adjacent to their offices for those services. This will better serve the hospital within a framework of financial responsibility as well for justifying the cost of the technological expense and to allow St. Luke's the ability to provide for the healthcare needs of the community.

On-campus physicians, whether employed directly by the hospital or in private practice are better able to respond to the needs of hospitalized patients at St. Luke's, thus enabling the Hospital to provide better care. Thus, medical office buildings have become a necessary adjunct to a hospital in order to maintain

the level of and quality of services found in other area hospitals as well as the efficient operation of the hospital. Thus, the proposed medical building is a reasonably necessary incident to the Hospital's primary use of the site.

Section 12. The medical building and parking structure provide space for Hospital uses and offices for the Hospital physicians as well as private physicians which are officing on the Hospital campus complex. With the addition of the proposed medical building, 70% of the total building space on site will still be devoted to hospital use. The ratio of floor area on the total 54 acre site is and will continue to be slightly more than two to one for Hospital use, versus office use although the Council believes that the ratio is not necessarily a controlling factor. The direct hospital use of the two lower floors of the building which are directly connected to the main Hospital building make this an integrally related use of the building to the Hospital itself. Further, simply because there may be revenues derived for the Hospital from the use of the office space by "private practice physicians" does not deter from the fact that the building in its overall concept is subordinate to the primary use. In fact, additional doctors officing in the on-campus facility would tend to be more likely to make referrals to St. Luke's for the use of the Hospital's services by the very nature of their location. Council believes that it is not the intent of the Zoning Ordinance that every conceivable use of the accessory building be directly related to the profitability or serviceability of the primary use. The

primary use being a hospital facility and to maximize the use of the services available at the Hospital facility is the primary concern. Doctors are the individuals which make the referrals to see that the services of the hospital are in fact used. Physicians in this proposed building will thus add to the patient occupancy of the hospital and to the patient use of its services and enable the Hospital to provide better and more cost-effective care. The proposed medical building and parking garage would not be built in the absence of the Hospital so the medical building is thus subordinate to the primary hospital use.

Section 13. The proposed medical office building and parking structure will further the successful operation of the Hospital. The availability of the physician's on the Hospital campus site enables the physician's to administer to Hospital patients in a more timely fashion. The availability of the physician's on site allows for consultation by one physician with another because they are readily accessible; the availability of the doctors on site allows for more efficient administration of Hospital services and participation on Hospital committees and for medical education of the physicians using the Hospital. The physicians being available improves the attention to hospitalized patients; greater availability and accessibility for patient care; greater flexibility in the use of operating room scheduling and operating room facilities and greater referral to the Hospital for the services which are provided by the Hospital for the patients. The Hospital has established that 80% of its revenues come from on-

campus physicians which therefore make additional on-campus Hospital physicians a significant contribution to its continued operation. The fact that certain of the medical office suites may be used by "private physicians" will enhance the opportunity for the services that are to be provided by the Hospital to be used by referral to those services by the doctors on-campus. The fact that the private physicians are on campus further allows those doctor's to provide the services readily necessary to their patients in a more cost effective measure and provides for the potential for additional referrals that help the Hospital to offset its costs of providing the services which it offered. The mixed use of this building, or the combination of those portions used solely by the Hospital to provide actual Hospital services; those portions of the building which are used to house out-patient clinics; those portions used to provide services and provide office space for doctors under contract with the Hospital or directly employed by the Hospital and use of that portion for private physicians in their own independent practices demonstrates that the building will provide many benefits, all of which have the ability to give support to the Hospital operations themselves. The Council has considered that there may be independent economic benefit to a few private practice physicians within the complex but that does not detract from the fact that only the hospital will benefit by the use of the facilities for its own services and only the Hospital will benefit by the full use of the medical office space within the medical office building and particularized by the use of that space

by doctors who both directly and indirectly will assist the Hospital in providing medical and surgical care for humans both in and out-patient to include and to provide medical services training and to provide the basis for the economic strength of its research facilities. The use, that of medical office space with associated parking serves the Hospital only and enables the Hospital to continue to provide the quality level of medical and surgical necessary to the citizens in this community.

Section 14. For all the above reasons, it the finding of the City Council that the proposed medical building and parking garage are customarily found in conjunction with the primary use of the site which is that of a Hospital; that they are a reasonably necessary incident to the Hospital use of this site; that they are clearly subordinate to the primary Hospital use, and that it will serve only to further the successful utilization of the Hospital services and Hospital facility. Thus the proposed development constitutes an accessory use pursuant to Section 1003.107.4, SLCRO 1974, as amended. The office medical building and parking structure is permitted as a conditional use in the "NU" Non-Urban District and the "FPNU" Flood Plain Non-Urban District.

Section 15. The City Council, having considered all the reports and the testimony presented in this matter, finds that the addition of a medical office building and garage is reasonable and compatible with the surrounding uses considering the location of this property or an arterial highway as well as the fact that it is surrounded on the north and on the east by residential areas and

that the proposed building after considering all the restrictions and requirements to be imposed thereon will be compatible with the surrounding uses and are therefore consistent with good planning practices.

Section 16. The City Council further finds that observance of the conditions imposed herein will insure that the proposed use will not be detrimental to the permitted uses and the developments in these Districts and will be physically compatible with the permitted uses in the surrounding areas.

Section 17. The City Council further finds that granting of this permit for the 54.8 acre tract land more specifically described on Exhibit "A" which is attached hereto and made a part hereof, will be in the best interest of the City of Chesterfield, St. Louis County, and the citizens that are served in this community by the Hospital complex and is desirable to preserve and promote the public health, safety, and general welfare of the citizens of the City of Chesterfield and of St. Louis County, and does therefore adopt the recommendation of the St. Louis County Planning Commission and the City of Chesterfield Planning Commission authorizing the issuance and continuation of the proposed Amended CUP so long as the conditions hereinafter set forth are complied with. This Amended CUP for development and operation of a medical office building and parking garage is granted subject to the following conditions:

1. PERMITTED USES

The uses allowed by this permit shall be that of a 500 bed (maximum) general acute hospital, including

any accessory facilities customarily associated with said hospital, such as medical offices, research and education centers, specialized treatment centers (i.e., a radiation-oncology center), etc. Associated parking and service areas shall also be permitted. No overnight accommodation rooms shall be permitted in the medical office buildings.

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

- a. Existing and proposed medical office buildings shall not exceed 386,000 square feet in gross floor area.
- b. The existing medical office buildings shall not exceed seven stories in height and the new medical office building shall not exceed eight stories in height.
- c. No parking garage shall exceed seven stories in height.

3. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within 18 months from the date of approval of the Conditional Use Permit by the Planning Commission and prior to issuance of any building or occupancy permit, the developer shall submit to the Planning Commission for its review and approval a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended through appeal to and approval by the Planning Commission. Said Site Development Plan shall include, but not be limited to, the following:

- a. The location and size of all proposed structures, including freestanding business signs.
- b. Existing and proposed contours at two foot intervals.
- c. Location and size of all parking areas and parking calculations.
- d. Roadways and driveways on and adjacent to the property in question including required roadway right-of-way dedication and pavement widening.

- e. The design, location, and size of all proposed lighting, fences, and trash areas.
- f. A landscape plan including, but not limited to, the location, size, and general type of all plant and other material to be used.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

Building and Parking Setbacks

- a. No portion of any new building shall be located within the following setbacks:
 - (1) Three Hundred Fifty (350) feet of right-of-way of Conway Road and new State Highway 141 (Woods Mill Road).
 - (2) Six Hundred (600) feet of the east property line.
 - (3) Two Hundred (200) feet of the north property line.
- b. No off-street parking stalls, or loading spaces shall be located within the following setbacks:
 - (1) Two Hundred (200) feet of the right-of-way of Conway Road. However, a maximum of 75 parking spaces shall be permitted between 200 and 250 feet from the right-of-way of Conway Road.
 - (2) Two Hundred Fifty (250) feet of the right-of-way of Highway 141 (Woods Mill Road).
 - (3) Two Hundred (200) feet of all other property lines.
- c. The total height of any building, or building addition shall not exceed a mean sea level elevation of 670.

Access

- d. Access to this development from Woods Mill Road (Route 141) shall be as directed by the Missouri Highway and Transportation Department.
- e. Access to this development from Conway Road shall be limited to the existing entrance and the construction entrance contained in paragraph 4 as directed by the Department of Highways and Traffic.

Road Improvements

- f. Widen the main entrance of the St. Luke's Hospital east of State Route 141 as follows:
- (1) Add an additional westbound lane between State Route 141 and the driveway serving the existing parking structure identified as Building 11 on the Concept Plan.
 - (2) Add an additional eastbound lane between State Route 141 and the present service drive which will serve the future parking structure identified as Building 8.
 - (3) Add a westbound channelized right turn lane in the northeast quadrant.
 - (4) Modify the existing traffic signal at the intersection of State Route 141 and the St. Luke's main entrance to accommodate the pavement widening described above and as directed by the Missouri Highway and Transportation Department.
- g. Widen Conway Road at St. Luke's secondary entrance to provide for an eastbound left turn lane a distance of approximately 200 feet in length with 35:1 tapers.
- h. The existing box culvert at the entrance to Woods Mill Road (Route 141) shall be replaced or added to based on eliminating the flooding on Conway Road.
- i. Temporary construction access shall be limited to one entrance located 1,110 feet west of the existing Conway Road entrance into the subject tract. All construction traffic shall enter this access from the west (Route 141). No construction traffic shall be allowed to the east of this entrance. This entrance shall be monitored during the construction phase, and if it is determined by this Department that construction traffic is utilizing Conway Road to the east, the construction entrance will be barricaded.
- j. If at some future date traffic signals are determined to be warranted by the St. Louis County Department of Highways and Traffic, or are requested by St. Luke's Hospital, at the intersection of the entrance onto Conway Road, the Petitioner will be responsible for all costs associated with this signalization.

k. Either as part of the development plan or on a separate drawing to be reviewed as part of said plan, the developer shall submit a landscape plan to comply with the following:

- (1) All new deciduous trees shall be a minimum of 1-1/2 inches in caliper. All new evergreen trees shall be a minimum of four feet in height. All new shrubs shall be a minimum of 18 inches in diameter.
- (2) Additional landscaping shall be placed along the west side of the new parking garage as approved by the Planning Commission on the Site Development Plan.

Lighting Requirements

l. The location of all lighting standards and flagpoles shall be as approved by the Planning Commission on the Site Development Plan. No on-site illumination source shall exceed 24 feet in height or be so situated that light is cast directly on adjoining properties or public roadways.

Signs

m. Sign regulations shall be as follows:

- (1) One freestanding sign, other than directional sign(s), shall be permitted for each separate roadway frontage. Said signs shall not have a larger outline area than 40 square feet per facing and shall not extend more than five feet above the elevation of the ground.
- (2) Directional signs shall not exceed 10 square feet in outline area per facing.
- (3) No freestanding sign shall be located closer than five feet of any roadway right-of-way line.

Miscellaneous

n. All exterior trash areas shall be enclosed with a six foot high sight proof fence.

5. VERIFICATION PRIOR TO SITE DEVELOPMENT PLAN APPROVAL

Prior to the approval of the Site Development Plan the Petitioner shall:

Stormwater

- a. Submit to the Planning Commission a preliminary engineering plan approved by the Department of Highways and Traffic and Metropolitan St. Louis Sewer District and City of Chesterfield Department of Public Works showing that adequate handling of the stormwater drainage of the site is provided.
 - (1) The developer is required to provide adequate stormwater systems in accordance with St. Louis County, City, and M.S.D. standards.
 - (2) All stormwater shall be discharged at an adequate natural discharge point.
 - (3) Detention of differential runoff of stormwater is at the discretion of M.S.D. If required by M.S.D. it shall be provided in permanent detention facilities, such as: dry reservoirs, ponds, or another acceptable alternative. The detention basin shall be completed and in operation prior to paving of any driveways or parking areas.

Flood Plain Study

- b. An approved flood plain study will be required prior to approval of the Site Development Plan and must be addressed with the construction entrance mentioned in Condition 4.(j).

Road Improvements and Curb Cuts

- c. Provide verification of approval of the St. Louis County Department of Highways and Traffic of the location of proposed curb cuts, areas of new dedication, and roadway improvements.

Geotechnical Report

- d. Provide a Geotechnical Report covering development and grading required by improvements involved with this site. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions. A statement of compliance

with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development plan and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

6. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the Site Development Plan, and prior to the issuance of any building permit, the developer shall provide the following:

Landscape Bonds or Escrows

- a. If the estimated cost of new landscaping indicated on the Site Development Plan as required by the Planning Commission exceeds an estimated cost of \$1,000, as determined by a plant nursery, the Petitioner shall furnish a two year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

Notification to the Department of Planning

- b. Prior to the issuance of foundation or building permits, all approvals from the department of Planning, the Department of Highways and Traffic, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

Certification of Plans

- c. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

7. VERIFICATION PRIOR TO OCCUPANCY PERMIT

Road improvements and right-of-way dedication should be completed prior to the issuance of occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication and access requirements for each phase of development as directed by the Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

8. GENERAL DEVELOPMENT CONDITIONS

- a. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited 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. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices, and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.
- c. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted.
- d. Interim stormwater drainage control in the form of siltation control measures is required.
- e. Failure to comply with any or all of the conditions of this Conditional Use Permit shall be adequate cause for revocation of permits by issuing Departments or Commissions.
- f. The Zoning Enforcement Officer of the City of Chesterfield, Missouri, shall enforce the conditions of this ordinance in accord with the Site Development Plans approved by the St. Louis County Planning Commission and Department of Planning.

ADOPTED: OCTOBER 5, 1992

Mayor *Jack Leonard*

ATTEST:

Musta L. DeMay

Petitioner's Name St. Luke's Episcopal-

Petition No. 28-92

Presbyterian Hospitals

Sheet 1 of 2

Supplement to Item I _____

DESCRIPTION OF PROPERTY

The Metes and Bounds description is to be typed SINGLE SPACE WITHIN THE GUIDE LINES BELOW. CLOSE LEGAL DESCRIPTION WITH ACREAGE TO THE NEAREST TENTH OF AN ACRE. If more space is needed use additional sheets.

A tract of land in U.S. Survey 365, Township 45 North - Range 5 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at the intersection of the West line of property conveyed to William McCurdy, Jr. by deed recorded in Book 7086, Page 1660 of the St. Louis County Records with a South line of "Ladue Farm Estates Plat Three", a subdivision according to the plat thereof recorded as Daily No. 483 on July 14, 1978 in the St. Louis County Records; thence Southwardly along the said West line of the McCurdy property South 31 degrees 01 minute 51 seconds West 236.13 feet to the Southwest corner thereof; thence Eastwardly along the South line of said McCurdy property and the South line of property conveyed to Paul B. Akin and wife by deed recorded in Book 6264, Page 288 of the St. Louis County Records, South 63 degrees 38 minutes 59 seconds East 742.99 feet to a point in the West line of property conveyed to Paul B. Akin and wife by deed recorded in Book 3966, Page 563 of the St. Louis County Records; thence Southwardly along the said West line of the Akin property, South 09 degrees 25 minutes 36 seconds West 1128.12 feet to a point in the relocated North line of Conway Road as dedicated by "Right-of-way Dedication Survey" recorded in Book 6746, Page 1419 of the St. Louis County Records; thence Westwardly along said relocated North line of Conway Road, the following courses and distances: North 76 degrees 34 minutes 00 seconds West 23.90 feet, North 62 degrees 31 minutes 50 seconds West 41.23 feet, North 76 degrees 34 minutes 00 seconds West 320.00 feet, North 87 degrees 52 minutes 36 seconds West 50.99 feet, North 76 degrees 34 minutes 00 seconds West 258.22 feet, along a curve to the right whose radius point bears North 13 degrees 26 minutes 00 seconds East 924.93 feet from the last mentioned point, a distance of 282.86 feet, North 59 degrees 02 minutes 40 seconds West 236.22 feet, along a curve to the left whose radius point bears South 30 degrees 57 minutes 20 seconds West 439.26 feet from the last mentioned point, a distance of 125.76 feet, North 60 degrees 20 minutes 00 seconds West 5.70 feet, South 86 degrees 31 minutes 00 seconds West 5.20 feet, along a curve to the left whose radius point bears South 13 degrees 11 minutes 17 seconds West 439.26 feet from the last mentioned point, a distance of 109.56 feet, along a curve to the left whose radius point bears South 01 degree 06 minutes 09 seconds East 597.23 feet from the last mentioned point, a distance of 153.82 feet, and South 74 degrees 06 minutes 30 seconds West 248.99 feet to a point being 102.00 feet perpendicularly distant Northwest of said relocated Conway Road centerline Station 16+21.12 feet, said point being also in the East line of property conveyed to the Missouri Highway and Transportation Commission by deed recorded in Book 7736, Page 1197 of the St. Louis County Records, said property conveyed to the Missouri Highway and Transportation Commission for

Petitioner's Name St. Luke's Episcopal-
Presbyterian Hospitals

Petition No. 28-92
Sheet 2 of 2

Supplement to Item I _____

DESCRIPTION OF PROPERTY

The Metes and Bounds description is to be typed SINGLE SPACE WITHIN THE GUIDE LINES BELOW. CLOSE LEGAL DESCRIPTION WITH ACREAGE TO THE NEAREST TENTH OF AN ACRE. If more space is needed use additional sheets.

.....
State Route 141 relocation; thence along said East line of State Route 141 (relocated) the following courses and distances: North 43 degrees 36 minutes 10 seconds West 87.41 feet to a point being 122 feet radially distant East of Missouri State Route 141 (relocated) centerline Station 112+00; thence along a curve to the left whose radius point bears North 74 degrees 27 minutes 45 seconds West 3941.72 feet from the last mentioned point 878.98 feet to a point being 122.00 feet radially distant East of Missouri Route 141 (relocated) centerline Station 103+48.21; thence along a line being 122.00 feet perpendicularly distant East of and parallel to the said centerline of Missouri State Route 141 (relocated) North 02 degrees 45 minutes 39 seconds East 139.21 feet to a point being opposite centerline Station 102+09; thence North 67 degrees 51 minutes 22 seconds East 61.74 feet to a point being 178.00 feet East of Missouri State Route 141 (relocated) centerline Station 101+83; thence North 12 degrees 46 minutes 08 seconds East 51.79 feet to a point being 187.00 feet East of Missouri State Route 141 (relocated) centerline Station 101+32; thence North 04 degrees 12 minutes 18 seconds East 119.04 feet to a point being 190.00 feet East of Missouri Route 141 (relocated) centerline Station 100+13; thence North 07 degrees 03 minutes 00 seconds East 39.46 feet to a point, in the South line of "Ladue Farm Estates Plat One", a subdivision according to the plat thereof recorded as Daily Number 268 on August 28, 1979 in the St. Louis County Records; thence leaving the aforesaid East line of Missouri State Route 141 (relocated) as described by deed recorded in Book 7736, Page 1197 of the St. Louis County Records; Eastwardly along the said South line of "Ladue Farm Estates Plat One" and a South line of aforesaid "Ladue Farm Estates Plat Three" South 81 degrees 47 minutes 43 seconds East 520.16 feet to a point; thence continuing along the boundary line of said "Ladue Farm Estates Plat Three" North 08 degrees 07 minutes 33 seconds East 160.94 feet and South 81 degrees 47 minutes 43 seconds East 704.43 feet to the point of beginning and containing 54.779 acres.
.....