

**AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE 2161 BY CHANGING THE PERMITTED LAND USES OF A "PC" PLANNED COMMERCIAL DISTRICT FOR A 6.494 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF CLARKSON ROAD AND SOUTH OF THE INTERSECTION OF CLARKSON ROAD AND CHESTERFIELD PARKWAY (P.Z. 14-2010 Chesterfield Oaks {Capitol Land})**

**WHEREAS**, Capitol Land has requested an Ordinance Amendment in a "PC" Planned Commercial District of 6.494 acre tract of land located on the east side of Clarkson Road and south of the Clarkson Road and Chesterfield Parkway intersection; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on January 10, 2011; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the Ordinance Amendment; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the Ordinance Amendment request.

**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**Section 1.** City of Chesterfield Ordinance 2161 is hereby repealed and replaced with a new ordinance the conditions of which are established in the Attachment A. The area for which this new ordinance applies is as follows:

A tract of land being all of Lot "A" of Swantner Acres, a subdivision according to the plat thereof recorded in Plat Book 143, page 50 of the St. Louis County Records, part of Parcel 1 and all of Parcel 2 of "A Boundary Adjustment Plat of a Tract of Land in U.S. Survey 2002, Township 45 North, Range 4 East" according to the plat thereof recorded in Plat Book 255, page 52 of the St. Louis County Records, part of a tract of land conveyed to Francis Macalady by deed recorded in Book 8811, page 1587, all of a tract of land conveyed by Francis Macalady by deed recorded in Book 6713, page 2348 and part of a tract of land conveyed to Emil Rauscher by deed recorded in Book 2401, page 634 all of the St. Louis County Records, all being situated in U.S. Survey 2002, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a point in the Western line of Baxter Road, 30 feet wide, being the Southeastern corner or tract of land conveyed to Raymond Felling by deed recorded in Book 2285, page 468 of the St. Louis County Records; thence along the Southern line of Felling, South 76 degrees 38 minutes 20 seconds West, 10.54 feet to the Northeastern corner of aforesaid Lot "A" of "Swantner Acres"; thence along the Eastern line of said Lot "A", South 4 degrees 59 minutes 46 seconds West, 106.50 feet to an angle point therein; thence South 5 degrees 04 minutes 14 seconds East, 96.47 feet to the Southeastern corner

of said Lot "A"; thence along the Southern line of said Lot "A" and the Southern line of a tract of land conveyed to Caparco Two, Inc. by deed book recorded in Book 10020, page 1926 of the St. Louis County Records, South 72 degrees 57 minutes 29 seconds West, 755.18 feet to a point in the Eastern Right-of-Way of Relocated Route 340 (aka Clarkson Road) as established by deed recorded in Book 8383, page 2153 of the St. Louis County Records; thence along said Eastern Right-of-Way, North 30 degrees 58 minutes 26 seconds East, 45.26 feet to an angle point therein; thence North 24 degrees 07 minutes 52 seconds East, 125.90 feet to an angle point therein; thence continuing along said Right-of-Way and along the Eastern Right-of-Way as established by deeds recorded in Book 8538, page 2270 and Book 8442, page 2359 of the St. Louis County Records, North 30 degrees 58 minutes 26 seconds East, 620.62 feet to a point on the Southern line of property conveyed to Elmer A. Weinrich by deed recorded in Book 2260, page 446 of the St. Louis County Records; thence along said Southern line of Weinrich, South 84 degrees 12 minutes 17 seconds East, 360.24 feet to a point on the Western line of Baxter Road, as aforementioned; thence along said Western line, South 4 degrees 59 minutes 46 seconds West, 224.36 feet to the point of beginning and containing 6.494 Acres (282,860 Square Feet) 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 Capitol Land, in P.Z. 14-2010, 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 10th day of January, 2011, 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 \_\_\_\_\_, 2011.

\_\_\_\_\_  
ACTING 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. PERMITTED USES**

1. The uses allowed in this "PC" Planned Commercial District shall be:
  - a. Associated work and storage areas required by a business, firm, or service to carry on business operations.
  - b. Barber shops and beauty parlors.
  - c. Bookstores.
  - d. Financial institutions.
  - e. Offices, dental.
  - f. Offices or office buildings.
  - g. Restaurants, sit down,
  - h. Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are 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. Restaurants, sit down shall be limited to Buildings A and C and shall be limited in size not to exceed a total of 7,000 square feet.
  - b. Indoor sale of motor vehicles shall be prohibited.
  - c. Stores, shops, markets, service facilities, in which goods or services of any kind are being offered for sale or hire to the general public on the premises shall be limited to "low intensity specialty retail establishments" where uses that are compatible with, and targeted to local residential consumers, and that reduce the hazards of local traffic by limiting the size of the building and restricting uses that need significantly fewer parking spaces than is required by the established retail performance standard. Such stores or services may include clothiers, pharmacies, bakeries, coffee shops, furniture and home décor stores, camera shops, beauty parlors,

beauty treatment centers, flower shops, book stores and similar or comparable uses. Drive-in establishments, such as gas stations, fast-food or drive through restaurants, and high traffic generators such as "outlet retailers," do not meet this definition.

- d. A coffee shop shall be allowed as an ancillary use in Building B.
3. Hours of Operation.
    - a. Hours of operation for all uses shall be between 7:00 a.m. and 9:30 p.m. with two exceptions: A.) that hours would be extended to 10:00 p.m. for the operation of a bookstore and B.) that hours would start at 6:00 a.m. for a bakery/coffee shop restaurant located at the west end of building A.

## **B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

The following requirements shall apply to the permitted land uses:

1. The uses permitted within this "PC" Planned Commercial District shall be contained in a maximum of three (3) buildings.
2. The height of all buildings shall be as follows:
  - a. Book store building height, including the architectural feature, shall not exceed two (2) stories or forty (40) feet, whichever is less, on the front of the building and twenty-four (24) feet in the rear of the building as measured from the average finished floor elevation of the building. The architectural feature on the front of the building shall not extend greater than 38 feet from the front of the building towards Old Baxter Road.
  - b. Building height of A Retail Shops shall not exceed twenty-four (24) feet with the exception that the architectural element elevations shall not exceed thirty-two (32) feet.
  - c. Building height of C Retail Shops shall not exceed twenty-four (24) feet with the exception that the architectural element elevations shall not exceed twenty-eight (28) feet.
3. Gross floor area constructed for the three (3) buildings shall not exceed 58,749 square feet. The square footage constructed shall be based on the development's ability to comply with the parking and stormwater regulations of the City of Chesterfield.

## **C. SETBACKS**

### 1. Structure Setbacks

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

- a. Fifty (50) feet from the current right-of-way of Old Baxter Road.
- b. Thirty (30) feet from the southern boundary of the total tract bearing S 72° 57' 29" W 755.18'.
- c. One-hundred and thirty-five (135) feet from the right-of-way of Clarkson Road (Missouri State Highway 340).
- d. Sixty (60) feet from the northern boundary of the total tract bearing S 84° 12' 17" E 360.24'.
- e. "C" Retail Shops building will be one-hundred and fourteen (114) feet from the current right-of-way of Old Baxter Road.

### 2. Parking Setbacks

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

- a. Fifty (50) feet from the current right-of-way of Old Baxter Road.
- b. Twenty-five (25) feet from the southern boundary of the total tract bearing S 72° 57' 29" W 755.18'.
- c. Forty (40) feet from the right-of-way of Clarkson Road (Missouri State Highway 340).
- d. Twenty (20) feet from the northern boundary of the total tract bearing S 84° 12' 17" E 360.24'.

## **D. PARKING AND LOADING REQUIREMENTS**

1. Parking requirements shall be a minimum of 4.5 spaces per 1,000 sf. of gross floor area, as directed by the City of Chesterfield.
2. Loading spaces for this development shall be as required in Section 1003.165 of the City of Chesterfield Zoning Ordinance.
3. Handicapped parking and access requirements should comply with Section 512.4 of the St. Louis County Building Code.

4. Parking lots shall not be used as streets.

#### **E. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. There shall be a densely screened landscape buffer along the eastern edge of the site that shields the proposed building from the existing neighborhoods adjacent to Old Baxter Road. The landscape buffer should include a 3' high berm and preservation of the existing trees with 85% of any additional trees in the landscape buffer area consisting of evergreen species, specifically to include Norway Spruce and White Pine varieties, and shrubbery.
3. Open Space in this development shall be 35.4%, unless Missouri Department of Transportation right-of-way is acquired, in which case it shall be 37.5% as directed by the City of Chesterfield.

#### **F. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. 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.
3. No advertising signs, temporary signs, portable signs, off-site signs, or attention getting devices shall be permitted in this development.
4. All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. This landscaping shall be as approved by the Planning Commission on the Site Development Plan.

#### **G. LIGHT REQUIREMENTS**

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

2. In order to be compatible with the adjacent property to the north, all light standards within this development shall not exceed a total vertical height of fourteen (14) feet, exclusive of the base.
3. All light standards located on the parking structure, other than those for security purposes, shall be turned off no later than thirty (30) minutes after the latest hour of operation per day within the development.

## **H. ARCHITECTURAL**

1. The architectural style of the permitted buildings and any fencing shall address the adjacent residential neighborhood and commercial development. The style should be comparable in quality, material, construction and scale to the character of adjacent properties.
2. The developer shall submit architectural elevations, building materials, and other items in accordance with the City of Chesterfield Design Guidelines. Architectural information is to be reviewed by the Architectural Review Board prior to submission to the Planning Commission for Site Development Plan approval.
3. The exterior building materials shall be brick, consistent with the adjacent property to the north. The exterior materials on each side may include EFIS materials as may be architecturally appropriate as reviewed by the Architectural Review Board and approved by the Planning Commission. Mechanical equipment will be adequately screened by roofing or other material as approved by the City of Chesterfield.
4. The architectural feature on the front of the B Book Store building shall not extend greater than 38-feet from the front of the building towards Old Baxter Road.
5. The rear of the B Book Store building will have a minimum of seven (7) faux windows.
6. Faux windows may be added to the rear of the C Retail Shops building if determined to be architecturally appropriate as reviewed by the Architectural Review Board and approved by the Planning Commission. The window locations are contingent upon the final placement of required exit doors and utilities.
7. Faux windows will be added to the south side elevation of Building B as reviewed by the Architectural Review Board and approved by the Planning Commission.



### Public Art

Reserve an area for the display of work of art so long as the art to be displayed is mutually agreed upon by the City of Chesterfield and the petitioner.

## **I. ACCESS/ACCESS MANAGEMENT**

1. Access to this site is currently provided by a drive owned by the State of Missouri. Said drive connects to the access drive for the Drew Station Shopping Center at the Clarkson Road/Lea Oaks Drive intersection. Cross access easements must be obtained so that the turning movement to the subject tract is located a minimum of 200' east of the Clarkson Road/Lea Oak intersection, at the current terminus of the three lane entrance road to Drew Station. The access drive serving the subject property and the property to the north shall be constructed to City standards for streets and in an alignment as approved by the City of Chesterfield Department of Planning & Public Works.
2. Provide additional right-of-way as needed to provide a minimum of 25' of right-of-way from the center line of Old Baxter Road.
3. No direct access will be allowed to Old Baxter Road except as required for emergency vehicles.
4. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreements guaranteeing permanent access between this site and adjacent properties, including the Voelpel Tract, as directed by the City of Chesterfield.
5. Access management principals to be applied to this development can be found in Chapter 26 of the City Code.

## **J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING SIDEWALKS**

1. Provide a 5' wide sidewalk along Old Baxter Road. Said sidewalk shall begin at the southern property line and connect to the existing sidewalk at the northern property line.
2. Provide a direct sidewalk access to the parcel to the south from the public sidewalk along the Clarkson Road frontage. A handicap ramp will be required in the northwest quadrant of the intersection of the "Common Access Drive" and the extension of Lea Oak Drive.

3. Provide a sidewalk that allows pedestrian circulation between the bookstore (Building B) and the development to the north.
4. Provide a sidewalk that allows pedestrian access with development to the south.
5. Provide bicycle/pedestrian accommodations as directed by the City of Chesterfield.

#### **K. TRAFFIC STUDY**

1. 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.

#### **L. POWER OF REVIEW**

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

#### **M. STORMWATER**

1. Detention/retention is to be provided for this site as directed by the City of Chesterfield Department of Planning & Public Works. Detention of storm water runoff is required by providing permanent detention/retention facilities such as dry reservoirs, ponds, underground vaults or another alternative acceptable to the Department of Planning & Public Works. The detention/retention basin shall be operational prior to paving of any driveways or parking areas. The location and types of detention facilities shall be identified on the Site Development Plan.
2. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point. No change in watersheds shall be permitted. The adequacy of any existing downstream storm water facilities shall be verified and upgraded if necessary as directed by the City of

- Chesterfield Department of Planning & Public Works. Emergency overflow drainage ways to accommodate the 100-year storm shall be provided. Off-site easements for areas inundated by headwater from on site improvements shall be provided as required by the Department of Planning & Public Works.
3. Detention area(s), lakes(s), pond(s), etc., are located downstream from the proposed development which may, in the opinion of the Department of Planning & Public Works, be impacted by development of subject site. The Detention area(s), lakes(s), pond(s), etc., shall be in the same condition at the completion of development of subject site as pre-development. This condition is dependent on the ability of the developer to acquire necessary easements/agreements for pre and post condition surveys and restorative activities. Condition of the(se) downstream area(s) shall be determined by a pre-construction survey conducted prior to any clearing, grading or construction on the subject site. A copy of the pre-construction survey of downstream detention areas shall be submitted to the City of Chesterfield, Department of Planning & Public Works prior to any clearing or grading on the site. Within twelve (12) months of the completion of the proposed development or two (2) years from the start of the development, whichever is greater, a post-construction survey shall be made of the same downstream detention area(s), lake(s), pond(s), etc., to determine condition of same. The developer shall be required to return surrounding downstream basins to pre-construction condition. A bond as approved by the Department of Planning & Public Works of the City of Chesterfield shall be posted to assure compliance with this condition.
  4. If significant siltation during the course of the project has a severe negative impact on Century Lake, as determined by the City of Chesterfield Department of Planning & Public Works, the developer will be required to take immediate corrective actions to restore the lake to pre-construction conditions.

## **N. GEOTECHNICAL REPORT**

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning and 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.

## **O. GRADING AND IMPROVEMENT PLANS**

1. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit.
2. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Planning & Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.
3. Temporary settlement basins, as required by the City of Chesterfield Department of Planning & Public Works, shall be constructed during construction to allow for settling of sediment, prior to the discharge of storm water from this site. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil.
4. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions shall be taken to retain soil materials on site. Protective measures, such as permanent seeding, periodic wetting or other means, may be required by the Director of Public Works/City Engineer.
5. Provide adequate temporary off-street parking for construction employees and a vehicle wash down/cleaning area shall be provided during construction. Parking on non-surfaced areas is 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. The contractor shall keep the road clear of mud and debris at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. No construction parking shall be allowed within/along Old Baxter Road, Baxter Lane, Century Lake Drive, or Highway 340 ROW.

6. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.
7. Prior to issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates defined in Appendix "A" of the City of Chesterfield's "Model Sediment & Erosion Control Guidelines" or sodded. A temporary occupancy permit may be issued by the Department of Planning & Public Works in cases of undue hardship because of unfavorable ground conditions
8. Prior to improvement plan approval, provide comments/approvals from the Metropolitan St. Louis Sewer District and the appropriate Fire District.
9. Prior to improvement plan approval, copies of recorded easements/right-of-way dedications for off-site work, including book and page information, shall be provided.

#### **P. MISCELLANEOUS**

1. Trash enclosures: The location and elevation of any trash enclosures shall be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas shall be enclosed with a six (6) foot high sight-proof enclosure of similar materials to the buildings and complemented by adequate landscaping approved by the Planning Commission on the Site Development Plan.
2. Mechanical equipment shall be adequately screened by roofing or other material as approved by the Planning Commission.
3. All newly installed utilities shall be installed underground. The existing feeder lines along Clarkson Road and Old Baxter Road will not be buried. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
4. Sleeves for future telecommunication services shall 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 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.
- 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 include, but not be limited to, the following:

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- 3. Density calculations.
- 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. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. 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, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. 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.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.

20. 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.
21. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, and Spirit of St. Louis Airport.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

#### **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 SPECIAL USE PERMIT ISSUANCE**

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan shall be recorded with the St. Louis County Recorder of Deeds. Failure to record the plan within sixty (60) days of approval shall deem the plan void.

#### **VII. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL**

Prior to Improvement Plan approval, provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, and the Missouri Department of Transportation.

#### **VIII. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS**

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

##### **A. Notification of Department of Planning & Public Works**

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



B. 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 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. Certification of Plans

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 soil requirements and conditions contained in the report.

**IX. OCCUPANCY PERMIT/FINAL OCCUPANCY**

A. Prior to the issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates as defined in the City of Chesterfield's "Model Sediment & Erosion Control Guidelines" or sodded. A temporary occupancy permit may be issued by the Department of Planning & Public Works in cases of undue hardship because of unfavorable ground conditions.

B. Prior to final occupancy of any building the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

**X. FINAL RELEASE OF ESCROW**

Prior to the release of final escrow, the developer shall 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.

**XI. VERIFICATION PRIOR TO BUILDING PERMITS**

Subsequent to approval of the appropriate development plan and prior to issuance of any building permit, the following requirements shall be met:

A. Sanitary Sewers

Provide verification to the St. Louis County Department of Public Works and the City of Chesterfield of provision of adequate sanitary services.

B. Notification of City of Chesterfield

Prior to issuance of zoning approvals for foundation or building permits, the City of Chesterfield must receive approvals from the Missouri Department of Transportation and the Metropolitan St. Louis Sewer District.

**XII. SUPPLEMENTARY DEVELOPMENT CONDITIONS**

Supplementary development conditions relating to the operation of this development are as follows:

- A. The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.
- B. Prior to final occupancy of any building, the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

**XIII. ENFORCEMENT**

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the 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.

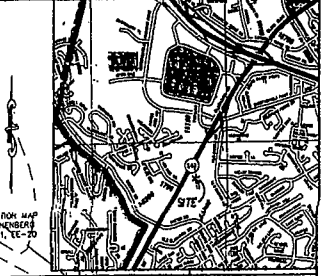
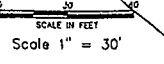
Call Before you DIG  
TOLL FREE  
1-800-344-7483  
MISSOURI ONE-CALL SYSTEM INC.

Underground facilities, structures and utilities have been plotted from available surveys, records and information, and therefore, do not necessarily reflect the actual existence, non-existence, size, type, number of, or location of these facilities, structures, and utilities. The Contractor shall be responsible for verifying the actual location of all underground facilities, structures, and utilities, either shown or not shown on these plans. The underground facilities, structures, and utilities shall be located in the field prior to any grading, excavation or construction of improvements. These provisions shall in no way absolve any party from complying with the Undergound Facility Safety and Damage Prevention Act, Chapter 319, RSMo.

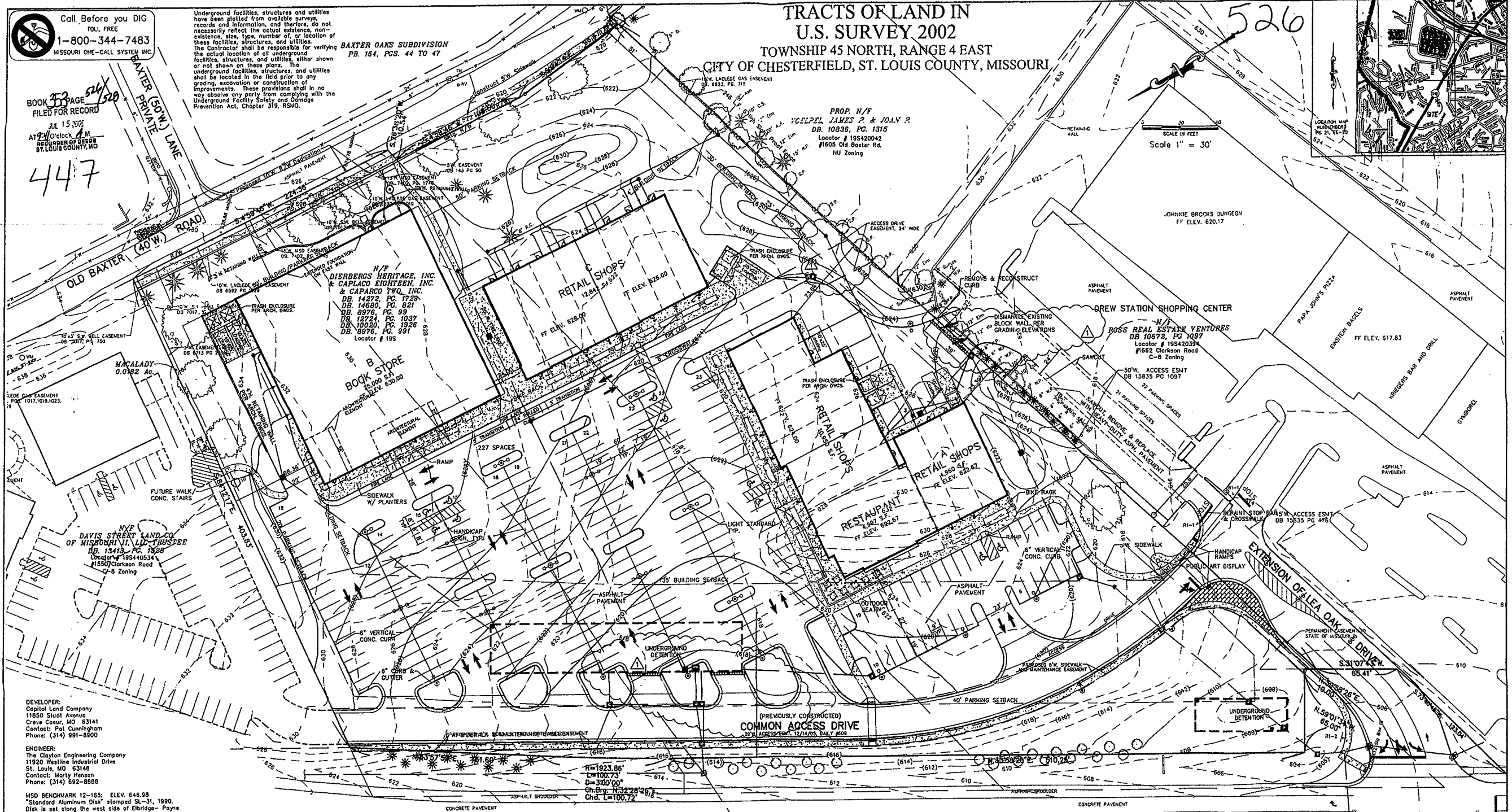
BAXTER OAKS SUBDIVISION  
PB. 154, PCS. 44 TO 47

# TRACTS OF LAND IN U.S. SURVEY 2002 TOWNSHIP 45 NORTH, RANGE 4 EAST CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

PROP. N/F  
YCELPEL, JAMES P. & JOAN R.  
DB. 10836, PG. 1316  
Locator # 195420042  
#1608 Old Baxter Rd.  
NU Zoning



BOOK 53 PAGE 526  
FILED FOR RECORD  
JUL 15 2006  
AT 12:00 o'clock A.M.  
RECORDED IN THE  
OFFICE OF THE CLERK OF RECORDS  
ST. LOUIS COUNTY, MO.  
447



DEVELOPER:  
Capitol Land Company  
11850 Studd Avenue  
Creve Coeur, MO 63141  
Contact: Pat Cunningham  
Phone: (314) 991-8500

ENGINEER:  
The Clayton Engineering Company  
11920 Westline Industrial Drive  
St. Louis, MO 63148  
Contact: Marty Henson  
Phone: (314) 692-8888

MSD BENCHMARK 12-165; ELEV. 646.98  
Standard Aluminum Disk stamped SL-31, 1990.  
Disk is set along the west side of Eldridge-Payne  
Drive, across from the north drive extended for the  
First National Bank. Approximately 180' south of the  
intersection of Hwy. I-64 South Outer Road and  
Eldridge-Payne Drive.

- LEGEND**
- ▲ - Wall Mounted Light
  - - Proposed Light Standard
  - - Connection (Proposed)
  - - Existing Contour
  - (---) - Proposed Contour
  - - Existing Elevation
  - (---) - Proposed Elevation
  - - Fire Hydrant
  - - Concrete
  - - Entrance
  - - Drainage Flow
  - - Swale
  - - Direction Of Traffic
  - - Water Meter Or Valve
  - - Gas Meter Or Valve
  - - Electric Service
  - - Gas Service
  - - East. Combination Sewer
  - - Telephone Service
  - - Water Service
  - - Ext. Sanitary Sewer
  - - Ext. Storm Sewer
  - - Proposed Sanitary Sewer
  - - Proposed Storm Sewer
  - - Utility Pole w/ Guy Wires
  - - Right Angle
  - - Proposed Gate Valve
  - - MSD Gate Inlet
  - - MSD Manhole
  - - MSD Curb Inlet
  - - Cleanout and Sampling Tee
  - - Double Curb Inlet
  - - Trench Drain
  - - Electric Transformer

- GENERAL DEVELOPMENT NOTES**
1. See address # 11996 Item # 1600 Clarkson Road, Chesterfield, Missouri 63017
  2. Change zoning or PC-zoned Commercial District per Ordinance #312
  3. Site as served by the following utility companies
    - a. Metropolitan St. Louis Sewer District
    - b. Ameren UE
    - c. Lincoln Gas Company
    - d. Southern Bell Telephone
    - e. Missouri American Water Company
  4. Fire Protection as provided by the Missouri Fire Protection District
  5. Site lighting will consist of "store-box" type fixtures on fourteen (14) foot high poles, exclusive of the concrete base. Type A fixtures are CIP HBC-1261A by Specialty Stone Lighting. Type B fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type C fixtures are CIP SDHP-T-100-AT by Cooper Lighting. Type D fixtures are CIP VES-100-8-AT-VT-BZ by Cooper Lighting. Type E fixtures are CIP 307-10-100-L1 by Cooper Lighting. Pole-line and Type F fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type G and Type H fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type I and Type J fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type K fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type L fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type M fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type N fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type O fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type P fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type Q fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type R fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type S fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type T fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type U fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type V fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type W fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type X fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type Y fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting. Type Z fixtures are CIP 03S-1012-1008-AT-R-PBZ by Cooper Lighting.
  6. All rooftop mechanical equipment on the building will be screened as approved by the Planning Commission.
  7. Building A shall be no higher than 40' feet on the east and 24' on the west. Buildings A and C will be no higher than 24', except that architectural elements may be up to 32'. Buildings A and C will be constructed of aluminum and glass with glass fronts. Buildings B and D will be constructed of masonry or masonry veneer.
  8. Retaining walls will be constructed of reinforced concrete or of masonry with a 3:1 slope.
  9. Retaining walls will be constructed of reinforced concrete or of masonry with a 3:1 slope.
  10. All curb radii are 3' unless otherwise noted.
  11. Exterior building walls within 15' of proposed grade enclosure shall be constructed with a 3:1 slope.
  12. Trash enclosures will be six foot high and constructed of materials compatible with building or retaining wall.
  13. All newly installed utilities shall be installed underground.

STATE OF MISSOURI  
County of St. Louis  
I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the foregoing and appended instrument of writing was filed for record in my office this 22nd day of July 2006 at 1:05 P.M. and is a true and correct copy as the same is naturally recorded in Plat Book 353 Page 526-528

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

*Janice M. Hammond*  
Recorder

**PARKING TABLE**

BUILDING	USE	EXTERIOR AREA	GROSS* AREA	REQUIRED PARKING	PARKING SPACES
A	RETAIL/REST.	20,807 S.F.	20,339 S.F.	4.5/1000	91
B	BOOKSTORE	25,000 S.F.	24,416 S.F.	4.5/1000	110
C	RETAIL	12,842 S.F.	12,374 S.F.	4.5/1000	56
TOTAL		58,749 S.F.	57,129 S.F.		258 SPACES

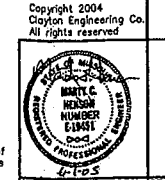
REGULAR SPACES 249 SPACES  
HANDICAP SPACES 12 SPACES  
TOTAL PARKING PROVIDED 261 SPACES

FLOOR AREA RATIO = 1.34 Ac./6.49 Ac. = 0.21  
GREENSPACE PERCENTAGE = 37.5%  
\* GROSS BUILDING AREA AS DEFINED BY CITY ZONING CODE

This is to certify that this Site Development Plan represents all existing and proposed land divisions.

The Clayton Engineering Company,  
By: Ashley M. Hoover  
Ms. LS 2188

The signed and sealed original of this drawing is on file at the offices of The Clayton Engineering Company, Inc. This signed and sealed original is the official document and shall take precedence over any digital version.



the clayton engineering company, inc.  
ENGINEERS • SURVEYORS • PLANNERS  
11850 WESTLINE INDUSTRIAL DRIVE  
ST. LOUIS, MISSOURI 63141  
(314) 692-8888 FAX: (314) 691-8888  
clayton-eng.com

Prepared for:  
**CAPITOL LAND**  
11850 Studd Avenue  
St. Louis, Missouri 63141  
(314) 991-8900

Project Number:  
**89193**

Sheet Number:  
**1 of 3**

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