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Planning Commission Staff Report

Meeting Date: January 28, 2008

From: Annissa McCaskill-Clay, Assistant Director of Planning

Subject: Rezoning Vote Report

Location: North side of Olive Street Road, west of its intersection with Chesterfield Airport Road. (17W540078, 16W230053 part of, 17W520025, 17W530123, 16W210022 part of, 16W210033 part of, 16W230042 part of)

Petition: P.Z. 49-2007 Chesterfield Blue Valley

Proposal Summary

Wolfe Properties have submitted an application to the City of Chesterfield for a consolidation of two (2) "PC" Planned Commercial Districts under one governing ordinance per the regulations of City of Chesterfield Zoning Ordinance Section 1003.140. The location of the site(s) is on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road. It should be noted that second reading on the request for zoning for Parcel II of the subject parcel will be held on January 23, 2008.

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 requested consolidation.

Zoning Analysis

Although the petition is not for a rezoning, a preliminary plan accompanies the request due to its request. When a vote is taken on ordinance amendments or rezoning

requests in Planned Districts, the vote is to approve with an Attachment A written by Staff. The vote is not to approve the accompanying preliminary plan which is provided for informational purposes only.

While preparing the Attachment A for this development, Staff reviewed the conditions established in the Comprehensive Plan and Zoning Ordinance. The Attachment A requires that this development will adhere to the requirements of both.

The subject site is being petitioned for a consolidation of the governing conditions for two parcels. Parcel I, which was zoned via City of Chesterfield ordinance 2236 and Parcel II which (as this report is being written) is currently under consideration for second reading at City Council are approximately 130.9 acres.



The rezoning request, along with the uses requested is compatible with this area and the surrounding developments.

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 zoned “NU” Non-Urban District.

South: The property to the south is zoned “M3” Planned Industrial District.

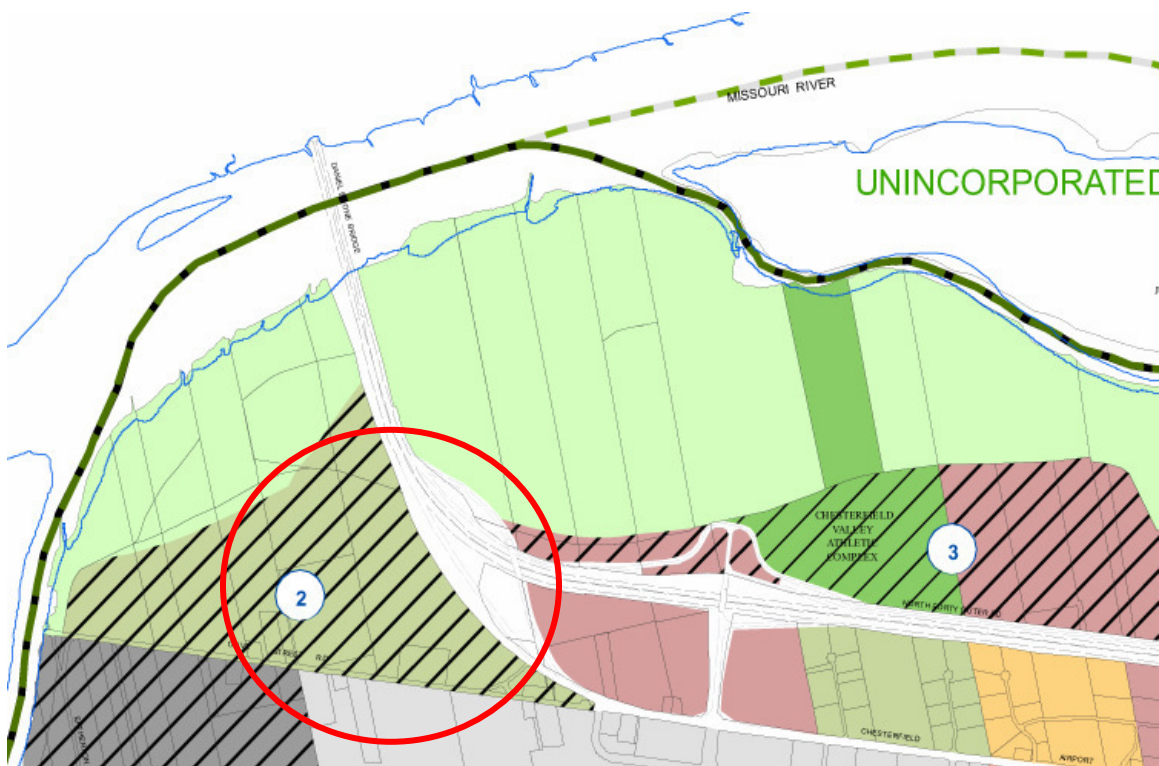
East: The property to the east is zoned “C8” Planned Commercial District.

West: The property to the west is zoned “NU” Planned Commercial District.

Comprehensive Plan Analysis

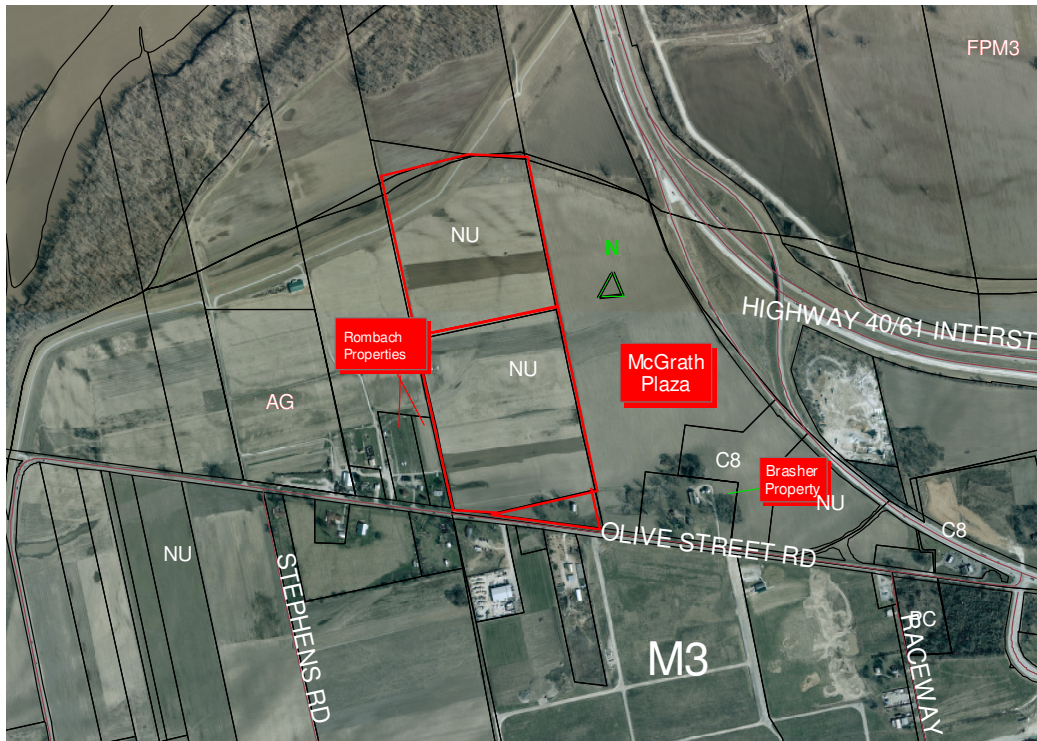
The subject site is located within Ward 4 of the City of Chesterfield. The Comprehensive Plan calls for this area to be Mixed Use. Retail, low/mid-density office and office warehouse facilities are shown as being appropriate uses for this site. This subject site is located in *Comprehensive Plan Sub-Area 2*, with the following *development guidelines*:

- Retention of open space, as defined above, for 50% of developed sites;
- Maximum building height shall be 40 feet, exclusive of mechanical equipment;
- Parking ratio will be 4.0 spaces/1,000 square feet of development;
- All utilities should be placed underground;
- Long-range plans shall be re-reviewed upon completion of infrastructure development.

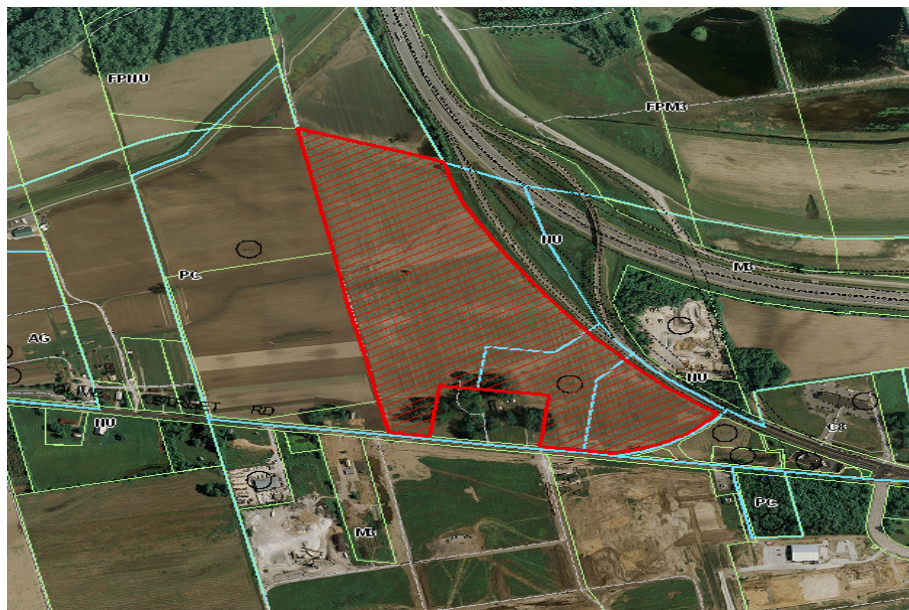


Site Area History

Parcel I is a 55.8 acre parcel that was zoned to “PC” Planned Commercial District via City of Chesterfield Ordinance 2236.



Parcel II, which is currently pending at City Council is 75.063 acres.



Issues

A public hearing was held on this request on January 14, 2007. At that time there were no speakers on this matter other than the petitioners. At the hearing, several issues were identified. Those issues along with the Petitioner's responses are attached.

1. Traffic

Staff response: *This issue is actively being reviewed by the City of Chesterfield, Missouri Department of Transportation, and St. Louis County Highways and Traffic.*

2. Infrastructure improvements necessary for development of the subject site(s).

Staff Response: *Infrastructure improvements are outlined in the Traffic Study, which the Attachment A references for adoption. In addition, phasing for the improvements is also provided for in "Exhibit X" to the Attachment A.*

3. Distances of the 3 tallest buildings from Highway 40.

Staff Response: *See Petitioner's Response. Please note that the Attachment A does not contain minimum distances for the location of these structures.*

4. Sites of the 3 tallest buildings—the possibility of providing an exact location.

Staff Response: *See Petitioner's Response. Please note that other than providing structure setbacks, the Attachment A currently does not contain locational requirements.*

5. Provide the Traffic Study that was done for the development.

Staff Response: *A copy of the traffic study was provided to the Commission on January 17, 2008.*

Request

Staff has reviewed the request for consolidation of the two "PC" Planned Commercial Districts per the requirements of the Attachment A, which adheres to all applicable requirements of the City of Chesterfield. Staff request action on P.Z. 49-2007 Chesterfield Blue Valley, LLC.

Respectfully submitted,

Annissa McCaskill-Clay

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

Attachments

1. Attachment A
2. Preliminary Plan



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January 22, 2008

Ms. Annissa G. McCaskill-Clay
Assistant Director of Planning
City of Chesterfield
690 Chesterfield Parkway W
Chesterfield, Missouri 63017-0760

Re: P.Z. 49-2007 Chesterfield Blue Valley, LLC

Dear Annissa:

I am in receipt of your letter dated January 17, 2008 setting forth the issues raised by the Planning Commission at the January 14, 2008 public hearing concerning the above-captioned matter. The answers to those issues are as follows:

1. A detailed traffic impact study was completed for the proposed project on November 12, 2007 and has been reviewed and accepted by the City of Chesterfield and St. Louis County. The study identified a series of road improvements for Olive Street Road and Chesterfield Airport Road that not only mitigate the traffic associated with the proposed development but improve conditions during the morning and afternoon peak periods as compared to the existing condition. Furthermore, the study identified possible long-term infrastructure solutions for the west end of Chesterfield Valley that would ultimately create a road network that accommodates future growth within and around Chesterfield.
2. All infrastructure improvements including storm and sanitary sewers, water lines and all utilities are available to the site or will be made available to the site prior to occupancy of any building on the site plan. As you will note in the Ordinance on Blue Valley II the road improvements are to be done in accordance with Section J Paragraph 9.
3. The three (3) tallest buildings will be a minimum of one hundred fifty (150) feet from the paved portion of I-64 and a minimum of three hundred (300) feet from the right-of-way of Olive Street Road on the southern boundary of the "PC" Planned Commercial District.

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4. It is impossible to show the location of the six (6) story buildings. The location of these buildings will be determined by the user and in no way will the location be any closer than the minimum setbacks set forth in the Ordinance.

5. The Mixed Use Village concept contemplates that sidewalks and/or walking paths will be built to provide pedestrian access to all the hotels, restaurants, offices and retail shops located throughout the site.

6. Copies of the traffic study have been provided to the members of the Planning Commission.

The engineer has reviewed the changes the Staff is making to Attachment A and approves those changes.

Letters from various agencies requesting their comments have been and will be provided to the Planning Staff.

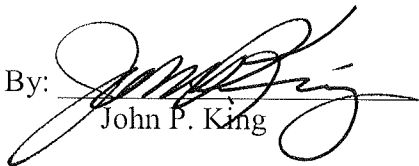
Finally, I am also requesting that the Planning Commission make a decision on Petition P.Z. 49-2007 at their meeting scheduled on January 28, 2008.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

LATHROP & GAGE L.C.

By:


John P. King

JPK:njn

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. Animal hospitals, veterinary clinics, and kennels.
 - b. Arenas and stadiums.
 - c. Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
 - d. Barber shops and beauty parlors.
 - e. Bookstores.
 - f. Broadcasting studios for radio and television.
 - g. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
 - h. Child care centers, nursery schools, and day nurseries.
 - i. Colleges and universities.
 - j. Dry cleaning drop-off and pick-up stations.
 - k. Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
 - l. Financial institutions.
 - m. Hospitals.
 - n. Hotels and motels.
 - o. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground: or

- (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- s. Medical and dental offices.
- t. Mortuaries.
- u. Offices or office buildings.
- v. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- w. Police, fire, and postal stations.
- x. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, tennis courts, and gymnasiums, and indoor theaters.
- y. Research facilities, professional and scientific laboratories (excluding facilities that generate hazardous, environmental waste, liquid, solid or gaseous waste.)
- z. Restaurants, fast food.
 - aa. Restaurants, sit down.
 - bb. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, boats, as well as associated repairs and necessary outdoor storage of said vehicles. No outdoor storage of inventory vehicles shall be permitted. Outdoor display of up to a maximum of ten vehicles shall be permitted
 - cc. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
 - dd. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
 - ee. Permitted signs (See Section 1003.168 "Sign Regulations").
 - ff. Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.

January 28, 2008

- gg. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
 - hh. Vehicle service centers for automobiles.
 - ii. Vehicle washing facilities for automobiles.
 - jj. zoological gardens.
2. Ancillary uses for the above-referenced uses shall be as follows:
- a. Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - b. Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
 - c. Cafeterias for employees and guests only.
 - d. Fishing tackle and bait shops. Open storage and display are prohibited.
3. The above uses in the "PC" Planned Commercial District shall be restricted as follows:
- a. Outdoor sales shall be limited to an area not to exceed 20% to be shown on all Site Plans and must not be visible from roadways exterior to the development.
 - b. A maximum of seven (7) lots in the proposed development may have drive-ups/drive-thru facilities with a maximum of two said uses per building.
 - c. Review of the impact on traffic and site circulation by assembly-type uses, i.e. "arenas and stadiums," "indoor theaters," "colleges and universities," ect. will be conducted prior to approval of any Site Development or Site Development Section Plan for the site.
 - d. Uses which combine uses "k" and "gg" shall be limited to two(2) lots on the subject site

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

1. FLOOR AREA

Total building floor area shall not exceed 1,267,550 square feet.

2. HEIGHT

- a. The maximum height of buildings in this development shall be four (4) stories or sixty-five (65) feet as measured from existing grade, whichever is less; with the exception that three parcels shall be permitted to maintain a maximum height of six (6) stories or seventy-five (75) feet as measured from existing grade, whichever is less.

3. BUILDING REQUIREMENTS

- a. A minimum of thirty percent (30%) openspace is required for this development.

C. 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. Fifty (50) feet from the right-of-way Olive Street Road on the southern boundary of the "PC" Planned Commercial District.
- b. Structures which are six-stories in height shall be no closer than 300 feet from the right-of-way of Olive Street Road.
- c. One hundred (100) feet from northern outboundary N34°00'30"E.
- d. Thirty (30) feet from the eastern boundary of the "PC" Planned Commercial District.
- e. Twenty (20) feet from any interior road.
- f. Structures exceeding thirty (30) feet in height which adjoin "NU" Non-Urban, "PS" Park and Scenic or any "R" Residence District shall be set back an additional one (1) foot for every two (2) feet in height above thirty (30) feet.

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. Twenty (20) feet from the right-of-way of Olive Street Road on the southern boundary of the "PC" Planned Commercial District.
- b. Twenty (20) feet from the western boundary of the "PC" Planned Commercial District.
- c. Twenty (20) feet from the eastern boundary of the "PC" Planned Commercial District.
- d. Twenty (20) feet from northern feet northern outboundary N34°00'30"E.
- e. Ten (10) from the internal lot lines with the exception of shared driveways, which shall maintain a zero (0) foot setback.
- f. Ten (10) from the principal internal street.

D. 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.
3. Parking lots shall not be used as streets.
4. No construction related parking shall be permitted within the Olive Street Road right of way.

E. LANDSCAPE AND TREE REQUIREMENTS

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

F. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be 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 St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.
3. A landmark designating entrance into the City of Chesterfield will be required and included in the required sign package for approval.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

1. The developer shall submit an overall design package for the development, including, but not limited to 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. The proposed package should give consideration to creating a visually-appealing development pattern, particularly from I-64/US 4), achieved by retaining open spaces and creating consistency in the location and massing of structures on the site.
3. 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.

4. Trash enclosures: The location, material, 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. An opportunity for recycling will be provided.
5. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Olive Street Road shall be as determined in the approved TIS. Any entrances approved as part of this proposal shall be located to provide required sight distance and constructed to St. Louis County standards as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.
2. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by City of Chesterfield and the St. Louis County Departments of Highways and Traffic.
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.
4. If required sight distance can not be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the City of Chesterfield and St. Louis County Department of Highways and Traffic.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. MoDOT will need right of way dedication for future highway construction project.

2. Provide street connections to the adjoining property to the west from the internal roadway system serving this development, as directed by the Department of Planning and Public Works. Stub street signage, in conformance with Section 1005.180 of the Subdivision Ordinance, shall be posted within 30 days of the street pavement being placed.
3. Completion of the required road improvements is required as soon as it is reasonably possible in the opinion of the City of Chesterfield considering the conditions of this tie and the impact of the development in the Zoning District.
4. Timing of the roadway improvements, as specified in Exhibit X, shall be as directed by St. Louis County Department of Highways and Traffic and the Department of Planning and Public Works. The City reserves the right to withhold building or occupancy permits at any time, as necessary to insure timely completion of the required road improvements and to prevent degradation of the traffic conditions as they may be associated with the proposed development.
5. Provide a sidewalk conforming to St. Louis County ADA standards adjacent to Olive Road within a sidewalk easement to the City of Chesterfield as directed by the City of Chesterfield.
6. As portions of these roadway improvements may require the acquisition of additional right-of-way and easements from private property, the normal sequence of design, right-of-way acquisition and construction shall commence immediately upon approval of the requested rezoning. If the developer is unable to acquire the necessary right-of-way and easements through negotiation with the particular property owners involved, St. Louis County will acquire it through eminent domain proceedings. The cost of appraisals, negotiations, administrations, court proceedings and all associated costs incurred by County proceedings shall be paid by the developer.
7. If any public roads are proposed within this development, they must be built above the 100-year flood elevation with proper freeboard or protected from flood damage by an approved levee. Any roads and/or drives proposed below this elevation, not protected by an approved levee, are to be private and remain private forever.
8. Based on the preliminary plan, improvements to Olive Road must be completed prior to issuance of the building permits in excess of sixty percent (60%) of the total. 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.

9. Road Improvements to the subject area shall be as outlined in the Traffic Study provided by Crawford, Bunte, Brammeier dated November 12, 2007

K. TRAFFIC STUDY

Provide a traffic study as directed by the Department of Planning and Public Works and/or the St. Louis County Department of Highways and Traffic. 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 Department of Planning and Public Works.

Prior to the preparation of this study, the developer's traffic engineer shall meet with representatives of the City of Chesterfield and St. Louis County Department of Highways and Traffic. Road improvements additional to those as listed above shall be determined after review and approval of said study as directed by the Department of Planning and Public Works and the St. Louis County Department of Highways and Traffic. The developer's additional road improvement obligation shall be determined by the approved study.

L. MONARCH-CHESTERFIELD LEVEE DISTRICT

1. The developer shall dedicate an underseepage berm easement adjacent to the existing levee, as directed by the Monarch Chesterfield Levee District and the City of Chesterfield.
2. Prior to approval of any grading permit or improvement plans for the development, an underseepage study may be required for review/approval as directed by the Monarch Chesterfield Levee District, the U.S. Army Corps of Engineers and the City of Chesterfield.

M. RECREATIONAL EASEMENT

Provide all necessary temporary and permanent easements granting access to and along the crest of the Monarch-Chesterfield Levee on this

property for recreational and trail purposes, as directed by the Department of Planning and Public Works.

N. POWER OF REVIEW

The City of Chesterfield City Council will have automatic power of review of the Site Development Plans for this proposed development.

O. 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 connected to 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%) 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.
3. The Chesterfield Valley Master Storm Water Plan indicates a 10 foot wide flat bottom ditch with 4:1 side slopes shall be constructed along the east property line of this site and a 15 foot wide flat bottom ditch with 4:1 side slopes be constructed in such a manner as to bisect the site from east to west. The drainage from this site shall be directed to the west to a future reservoir/pump station. The developer shall be responsible for construction of the required storm water improvements and coordination with the owners of the properties affected by construction of the required improvements. In the event that the ultimate required improvements cannot be constructed concurrently with this development, the developer shall provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed.

The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements. Functional equivalence is said to be achieved when, as determined by the Director of Planning and Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Director of Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

4. Provide a Chesterfield Valley Storm Water Easement covering all master plan drainage improvements to be constructed as part of this project and depict the features on the Site Development Plan and improvement plans. Maintenance of the required improvements shall be the responsibility of the property owner.
5. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to the paving of any driveways or parking areas.
6. Certification will be required from the City of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.
7. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MODOT right of way.
8. We request that all drainage detention storage facilities be placed outside of the standard governmental agency planning and zoning setbacks, or 15 feet from the new or existing right of way line,

whichever is greater.

9. A portion of this tract is located in Zone "AE" of FEMA's Flood Insurance Rate Map. An approved flood plain study will be required prior to approval of the Final Development Plan

P. SANITARY SEWER

1. Treatment for water quality, in accordance with MSD regulations dated February 2006, shall be required.
2. Construction of offsite pumping stations and extension of offsite sanitary sewers will be required to serve this site.

Q. 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 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.

R. MISCELLANEOUS

1. All utilities will be installed underground. The developer is advised that utility companies will require compensation for relocation of their facilities with public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.
3. Prior to record plat approval, 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 United States Public Land Survey Corners.

4. Prior to final release of subdivision construction deposits, 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.

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 Concept Plan.

1. Any site development concept plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
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.

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, and significant natural features, such as wooded areas and rock formations, 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, Spirit of St. Louis Airport and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plan shall adhere to the above criteria and 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. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.

12. 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.
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19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

- A. The developer shall be required to contribute to a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund established by ordinance Number 556. 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.

Roads

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Highways and Traffic. The amount of the developer's contribution to this fund shall be computed based on the following:

<u>Type of Development</u>	<u>Required Contribution</u>
Commercial	\$2.07/sq.ft. of building space
Office	\$1.44/sq.ft. of building space
Industrial	\$4,986.59/acre

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

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

Credits for roadway improvements required will be awarded as directed by St. Louis County Highways and Traffic. Any portion of the roadway improvement contribution that remains, following completion of road improvements required by the development, shall be retained in the appropriate Trust Fund.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance any a Special Use Permit (SUP) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, St. Louis County."

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 these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2008 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 Saint Louis County Department of Highways and Traffic.

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$654.66 per acre for

the total area as approved on the Site Development Plan to be used solely to help defray the cost of construction the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before approval of the Site Development Plan by the St. Louis Department of Highways and Traffic. Funds shall be payable to the "Treasure, St. Louis County".

The stormwater contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of stormwater from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan Saint Louis Sewer District. The amount of the stormwater contribution will be computed based on \$2,077.15 per acre for the total area as approved on the Site Development Plan. The stormwater contributions to the Trust Fund shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by St. Louis County Highways and Traffic. Funds shall be payable to the "Treasure, St. Louis County".

Stormwater

This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.

Sanitary Sewer

The sanitary sewer contribution is collected as the Caulks Creek Impact Fee.

The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan St. Louis Sewer District as required by the District.

The amount of these required contributions for the roadway, stormwater and primary water line improvements, if not submitted by January 1, 2008 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.

Trust Fund contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits.

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.

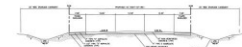
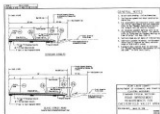
VIII. ENFORCEMENT

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

EXHIBIT X

IMPROVEMENT	% DEVELOPMENT ALLOWABLE FOR ACCEPTABLE INTERSECTION CAPACITY WITHOUT THE GIVEN IMPROVEMENT	TOTAL SQUARE FOOTAGE ALLOWED PRIOR TO IMPLEMENTING THE GIVEN IMPROVEMENT	ROW NEEDED	PRELIMINARY COST ESTIMATE (based upon a concept plan and not construction plan)
Install a new traffic signal at the intersection of Olive Street Road and the development's primary entrance	10%	43,755		\$175,000
Dual SB left-turn lanes exiting the development onto Olive Street Road. The provision of the dual southbound left-turn lanes would necessitate an additional eastbound lane on Olive Street Road	40%	175,020	X	\$325,000
Dual WB left-turn lanes on Chesterfield Airport Road at Olive Street Road. The provision of a second westbound left-turn lane would necessitate an additional westbound lane on Olive Street Road	60%	262,530	X	\$195,000
Modify the existing traffic signal at Chesterfield Airport Road and Olive Street Road to accommodate the recommended roadway improvements	60%	262,530		\$175,000
Right-turn lane at the development's primary entrance on Olive Street Road	60%	262,530	X	\$110,000
Dual NB left-turn lanes on Olive Street Road at Chesterfield Airport Road. This improvement would require some widening (and/or restriping) of Chesterfield Airport Road to provide two westbound lanes for at least 500 feet west of the intersection	80%	350,040		\$185,000
An exclusive EB right-turn lane on Chesterfield Airport Road at Olive Street Road	100%	437,550	X	\$155,000
Relocation of the intersection of Chesterfield Airport Road and Olive Street Road further to the west	100%	437,550	X	\$240,000 ^{1/}
Widening of Olive Street Road to 4 lanes beyond that needed to accommodate the dual left turns from Chesterfield Airport Road & the site	100%	437,550	X	\$530,000

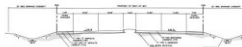
^{1/} Incremental costs associated with relocation being completed in conjunction with the other improvements at the intersection



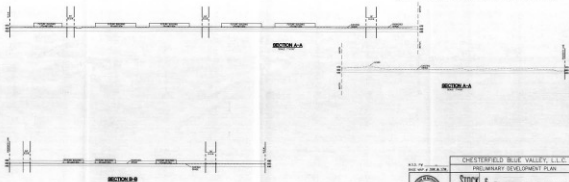
TYPICAL INTERNAL PRIVATE ROAD SECTION



TYPICAL INTERNAL PUBLIC ROAD SECTION



TYPICAL INTERNAL PUBLIC ROAD SECTION



11.0.74
11.0.75

11.0.76



CHESTERFIELD BLUE VALLEY, L.L.C.
PRELIMINARY DEVELOPMENT PLAN

STOCK & ASSOCIATES
Consulting Engineers, Inc.

11.0.77
11.0.78
11.0.79

DATE: 11/11/11
PROJECT: CHESTERFIELD BLUE VALLEY, L.L.C.
DRAWING NO.: 11.0.74-11.0.79
2 of 2