

III. D.

**Memorandum
Department of Planning & Public Works**



To: Planning and Public Works Committee

From: Jennifer Yackley, Project Planner

Date: 2/12/2008

RE: P.Z. 38-2007 Edison Crossing (162 Long Road): A request for a change of zoning from a “NU” Non-Urban District to a “PC” Planned Commercial district for an approximately 11.4 acre parcel of land located at 162 Long Road, at the intersection of Long Road and Edison Avenue.

Summary

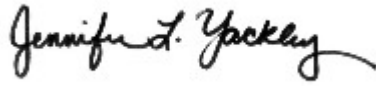
Michael Doster, on behalf of Edison Crossing L.L.C., has submitted an application for a change of zoning from “NU” Non Urban District to a “PC” Planned Commercial District for an 11.4 acre parcel located at the intersection of Long Road and Edison Avenue. The public hearing for this project was held before the Planning Commission on August 27, 2007. At the February 11, 2008 City of Chesterfield Planning Commission meeting, one (1) change to the Attachment A was made:

- r. Sales, rental, and leasing of new and used vehicles, including automobile, ~~trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.~~

Planning Commission recommended approval of the above-referenced matter as amended by a vote of 8-0. Additionally, Mr. Doster requested that Planning Commission consider removing the condition on page 5, Section J, item 3 of the Attachment A provided by St. Louis County Department of Highways and Traffic. Planning Commission’s motion included a note to City Council that they did not have adequate time to consider Mr. Doster’s request.

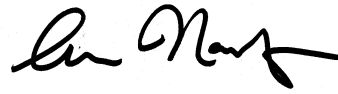
Attached please find a copy of Staff’s report, the Attachment A and the Preliminary Plan.

Respectfully submitted,

Handwritten signature of Jennifer L. Yackley in black ink.

Jennifer Yackley
Project Planner

Respectfully submitted,

Handwritten signature of Aimee E. Nassif in black ink.

Aimee E. Nassif
Senior Planner of Zoning
Administration

Cc: Michael G. Herring, City Administrator
Rob Heggie, City Attorney
Michael O. Geisel, Director of Planning and Public Works



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

Planning Commission Staff Report

Meeting Date: February 11, 2008

From: Jennifer Yackley, Project Planner

Subject: Rezoning Vote Report

Location: 162 Long Road

Petition: P.Z. 38-2007 Edison Crossing (162 Long Road)

Proposal Summary

Michael Doster of Doster, Mickes, James, Ullom, Benson & Guest, LLC on behalf of Edison Crossing, LLC has submitted an application for a change of zoning from "NU" Non Urban District to a "PC" Planned Commercial District for an 11.4 acre parcel per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140. The site is located at the intersection of Long Road and Edison Avenue.

Staff Recommendation

The Attachment A for this request meets all of the development requirements of the City of Chesterfield and therefore, Staff requests action on the change of zoning from a "NU" Non-Urban District to a "PC" Planned Commercial District.

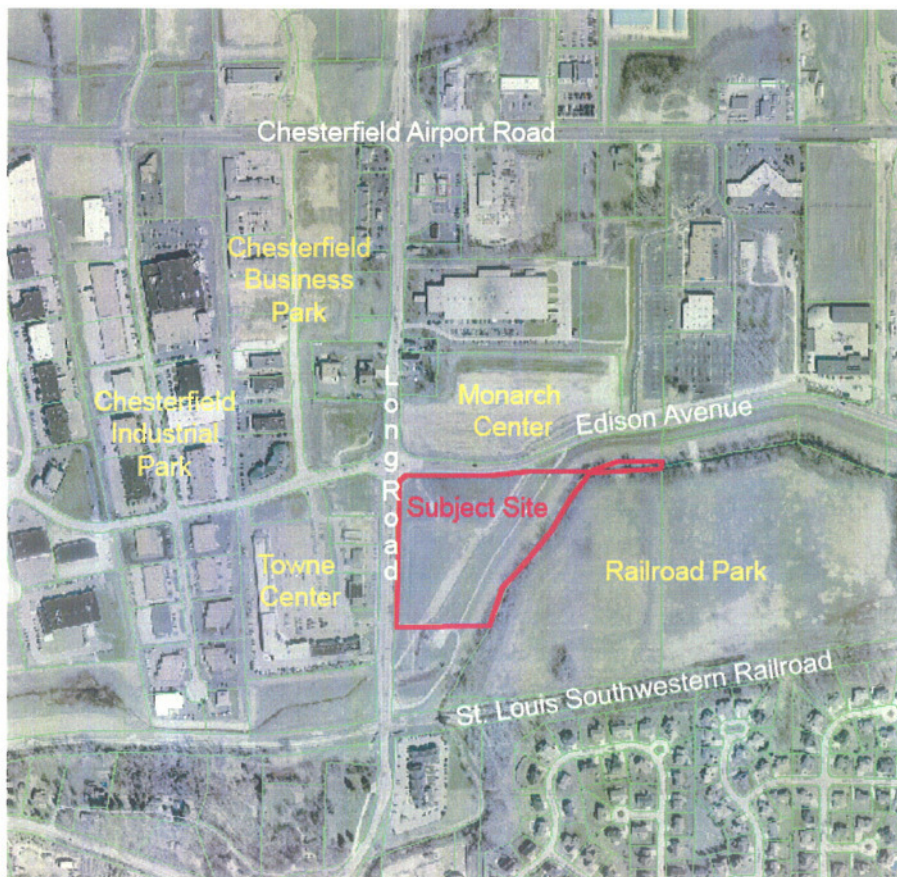
Zoning Analysis

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

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 Monarch Center and is zoned "PC" Commercial District.
- South: The property to the south is zoned "NU" Non-Urban District and owned by the Monarch Chesterfield Levee District.
- East: The property to the east is the Chesterfield Railroad Park and is zoned "FPNU" Floodplain Non-Urban District.
- West: The property to the west is Towne Center is zoned "PC" Planned Commercial District.





Buildable area looking south-levee in background



Easement area with drainage ditch in background



Long Road at Edison Avenue



Area north of site-will be Monarch Center

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/office/warehouse). This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.

Site Area History

The site was zoned "NU" Non-Urban District by St. Louis County prior to the City's incorporation.

Issues

A public hearing was held on this request on August 27, 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.

The Petitioner requested two variances for this development. The first, a variance to the Access Management Ordinance, would reduce the drive throat length from 60 feet to 42 feet for the entrance off Edison Avenue. The second would reduce the required landscape buffer requirement along Long Road and Edison Avenue from 30 feet to 15 feet for the developable portion of the site. Only the northern portion, approximately 2.5

acres, of the site is developable because the southern portion of the parcel, approximately 9 acres, is included in a Stormwater and Utility Easement granted to the City of Chesterfield. Due to the unique circumstances of the site, the Department granted the requested variances and incorporated them into the Attachment A.

Request

Staff has reviewed the change of zoning request from "NU" Non-Urban District to "PC" Planned Commercial District and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on P.Z. 38-2007 Edison Crossing (162 Long Road).

Respectfully submitted,



Jennifer Yackley
Project Planner

Respectfully submitted,



Aimee Nassif
Senior Planner of Zoning
Administration

Attachments

1. Attachment A
2. Preliminary Plan



DOSTERGUIN
JAMES ULLOM BENSON & MUNDORF, L.L.C.
ATTORNEYS AT LAW

St. Louis
17107 Chesterfield Airport Rd.
Suite 300
Chesterfield, MO 63005
(636) 532-0042
(636) 532.1082 Fax

Michael J. Doster
mdoster@dosterguin.com

February 11, 2008

VIA COURIER

Mr. Maurice L. Hirsch, Jr., Chairperson
Planning Commission
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Re: P.Z. 38-2007 Edison Crossing (162 Long Road)

Dear Chairman and Commissioners:

The Petition is before you tonight for a vote, and we respectfully request a vote recommending approval. All issues have been addressed in cooperation with Staff, but there is one language issue in Attachment "A" that was discovered late last week. The issue does not originate with the Commission or with Staff. It originates with St. Louis County.

In Section [J] of Attachment "A" (page [5 of 14]), the following sentences appear:

"The developer shall be responsible for providing all necessary right-of-way, easements, Temporary Slope Construction License, etc., as required for Saint Louis County Project Number AR-863A. All on site improvements shall be compatible with this project."

That language is from St. Louis County comments, a copy of which is enclosed. The referenced road project existed before the Petition was filed and is the "Kehrs Mill Road widening and improvement project" ("Kehrs Mill Road Project"). By letter dated April 4, 2007 from St. Louis County to the owner of the property that is the subject of the Petition, St. Louis County made an offer in condemnation to acquire the right of way mentioned in the above-quoted sentence. A copy of that letter is enclosed.

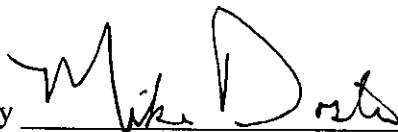
The Kehrs Mill Road Project improvements are not required as a result of or related to the development contemplated by the Petition. The above-quoted language would allow St. Louis County to acquire for free what it has already commenced to acquire in condemnation. We respectfully request that the language be deleted.

Pursuant to other provisions of Attachment "A", Petitioner will construct development related improvements and pay assessment to the Chesterfield Valley Trust Fund.

Thank you for your consideration.

Respectfully submitted,

**Doster Guin James Ullom
Benson & Mundorf, LLC**

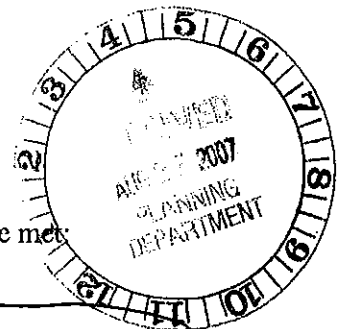
By 
Michael J. Doster

MJD/jb
Enclosures

cc: Rob Heggie, City Attorney, via email transmission
Jennifer Yackley, via email transmission
Bob Holthaus, via email transmission

Department of Highways and Traffic

Public Hearing
August 27, 2007



P.Z. 38-207 Edison Crossing (162 Long Road)

Relative to this rezoning, we request that the following special conditions be met:

The developer shall be responsible for providing all necessary right-of-way, easements, Temporary Slope Construction License, etc., as required for Saint Louis County Project Number AR-863A. All on-site improvements shall be compatible with this project.

Access to this development from Long Road shall not be permitted.

Access to this development from Edison Avenue shall be as directed by the City of Chesterfield but should be limited to locations 300 feet or greater from Long Road.

The developer is advised that utility companies will require compensation for relocation of their facilities within 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.

The developer shall be required to contribute to the Chesterfield Valley Trust Fund.

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 Saint 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

If types of development proposed differ from those listed, rates shall be provided by the Saint Louis County Department of Highways and Traffic.

Credits for roadway improvements required will be awarded as directed by Saint 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 Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, Saint Louis County".

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 of the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before approval of the Site Development Plan by the Saint Louis Department of Highways and Traffic. Funds shall be payable to "Treasurer, Saint 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 Saint 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 Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Highways and Traffic or a Building Permit by Saint Louis County Public Works Department. Funds shall be payable to "Treasurer, Saint Louis County".

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 Saint 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 Saint Louis County Department of Highways and Traffic.

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

In addition, we request the following general conditions be met:

Traffic generation assessment contributions shall be deposited with Saint 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.

Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

cc: Clayton Engineering Company, Inc., 11920 Westline Industrial Drive, St. Louis,
Missouri 63146

Charlie A. Dooley
County Executive

Saint Louis
COUNTY
HIGHWAYS & TRAFFIC
PUBLIC WORKS

Garry W. Earls, P.E.
Director

4/4/07

Granville, A Limited Partnership
7701 Forsyth Boulevard, Unit 340
St. Louis, Missouri 63105

RIGHT-OF-WAY: Kehrs Mill Road at Long Road
Saint Louis County Project No. AR-863(B)
Parcel No. 24
Address Of Property Affected:
162 Long Road

Dear Sir:

Saint Louis County has approved a program for construction of the Kehrs Mill Road widening and improvement project. It will be necessary to acquire certain property rights to accomplish the roadway improvement as indicated on the engineering plans and described in a form presented to you for consideration.

The County offers all parties who may have an interest in the real estate to be acquired the sum of [REDACTED] which has been estimated to be just compensation based upon the fair market value of the property. An explanation of the above offer with supporting financial data is attached.

This offer is based on sales of other similar properties in your area. These procedures as well as your other rights are explained in the attached brochure "When A St. Louis County Road Project Comes Your Way".

You may be entitled to reimbursement for a prorata portion of current realty taxes paid. Please submit the attached Form 7-2.21(b) properly executed with copies of paid tax receipts to this office to claim reimbursement.

If an agreement cannot be met, then pursuant to RSMo §523.250 the County intends to initiate condemnation proceedings to acquire certain rights from this property and associated with the above project, sixty (60) days after the receipt of this letter.

Please be advised that you have the right to:

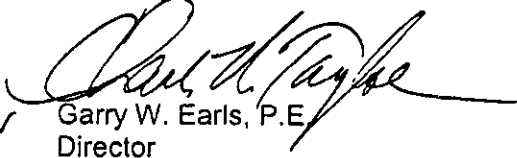
- a. Seek legal counsel at your own expense;
- b. Make a counteroffer and engage in further negotiations;
- c. Obtain your own appraisal of just compensation;
- d. Have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, by a jury;

Granville, A Limited Partnership:
Page Two


- e. Seek assistance from the office of the ombudsman for property rights created under RSMo §523.277; for further assistance please contact the Missouri Office of Public Counsel, Office of Ombudsman, Governor Office Building, Suite 650, P.O. Box 2230, Jefferson City, Missouri 65102, Telephone No. (573) 751-4857, Fax No. (573) 751-5562;
- f. Contest the right to condemn in the condemnation proceeding; and
- g. Exercise the rights to request vacation of an easement under the procedures and circumstances provided for in section 3 of the Act relating to eminent domain. For further assistance, please access the internet @ "www.stlouisco.com/hwyweb, click on publications and manuals, then click on Vacation Procedure Packet-Street & Easement Vacations. You may also telephone at (314) 615-8568.

If you have any questions, please contact Mr. James Herries, Right-of-Way Representative, St. Louis County Department of Highways and Traffic at (314) 615-8580.

Sincerely,


for Garry W. Earls, P.E.
Director

GWE:JSH:mtb
Attachment: Property Value Explanation and Supporting Data


314-615-2160

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 Planned Commercial "PC" District shall be:
 - a. Animal hospitals, veterinary clinics.
 - b. Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - 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, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
 - g. Colleges and universities.
 - h. Dry cleaning drop-off and pick-up stations.
 - i. Filling stations, 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.
 - j. Film drop-off and pick-up stations.
 - k. Financial institutions.
 - l. Medical and dental offices.
 - m. Offices and office buildings.
 - n. Postal stations.
 - o. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
 - p. Restaurant, fast food.
 - q. Restaurant, sit down.
 - r. Sales, rental, and leasing of new and used vehicles, including automobiles.
 - s. Schools for business, professional, or technical training, but not including outdoor area for driving or heavy equipment training.

- t. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
 - u. Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
 - v. Vehicle service centers for automobiles.
2. The following Ancillary Uses shall be permitted:
- a. Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.
 - b. Cafeterias for employees and guests only.

B. 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 of Edison Avenue.
- b. Eighty (80) feet from the right-of-way of Long Road.
- c. Fifty (50) feet from the property line bearing N 44°45' 15"E.
- d. Twenty-five (25) feet from any property line adjoining property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District. In addition to the minimum twenty-five (25) feet, any structure exceeding thirty (30) feet in height which adjoins property in the "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.
- e. Ten (10) feet from all internal lot lines.

2. PARKING SETBACKS

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

- a. Fifteen (15) feet from the right-of-way of Edison Avenue.
- b. Fifteen (15) feet from the right-of-way of Long Road.
- c. Fifteen (15) feet from the property line bearing N 44°45' 15"E.
- d. Twenty-five (25) feet from any property line adjoining property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District. In addition to the minimum twenty-five (25) feet, any structure exceeding thirty (30) feet in height which adjoins property in the "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.

C. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
 - c. No construction related parking shall be permitted within the Edison Avenue or Long Road right of way.
 - d. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. The landscape buffers for the development shall be as follows:
 - a. A fifteen (15) foot landscape buffer shall be required along Edison Avenue.
 - b. A fifteen (15) foot landscape buffer shall be required along the property line bearing N 44°45' 15"E.
 - c. A thirty (30) foot landscape buffer shall be required along Long Road from the southern property line northward a distance of 485 feet; north of this point a distance of one hundred twenty-five (125) feet a fifteen (15) foot landscape buffer shall be required along Long Road.
3. Landscaping shall be provided to screen the southern portion of the development. Any landscaping planted in the Stormwater and Utility Easement area shall be maintained by the developer.

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.

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 architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The

planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.

3. Trash enclosures: The location, 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.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to Edison Avenue shall be limited to one drive entrance. The entrance shall be located a minimum of 300 feet from the center line of Long Road, as directed by the Department of Planning and Public Works.
2. No direct access to Long Road will be permitted from any lot located within the boundary of the property governed by this ordinance.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Construct additional lanes and pavement widening, including all improvements necessary to accommodate the additional lanes and pavement, and provide necessary right of way to provide for a right hand deceleration lane and left turn lane into the site in the vicinity of the permitted drive entrance location, as directed by the Department of Planning and Public Works. These improvements are required in order to ensure the continued free flow of traffic along Edison Avenue.
2. Provide a five (5) foot sidewalk, conforming to ADA standards, along the entire Long Road frontage of the site, as directed by the Department of Planning and Public Works and St. Louis County Department of Highways and Traffic.
3. The developer shall be responsible for providing all necessary right-of-way, easements, Temporary Slope Construction License, etc., as required for Saint Louis County Project Number AR-863A. All on-site improvements shall be compatible with this project.

4. The developer is advised that utility companies will require compensation for relocation of their facilities within 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.

K. TRAFFIC STUDY

Provide a traffic study as directed by the City of Chesterfield 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 City of Chesterfield.

L. 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.

M. 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 twenty-four (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.

N. STORMWATER

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

O. SANITARY SEWER

1. Certification will be required from the Cit of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.
2. Treatment for water quality, in accordance with MSD regulations dated February 2006, shall be required.
3. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.
4. Connection to the existing 16" sanitary force main to the north should be avoided. Sanitary service by gravity to the west of the development is available, and sanitary sewers should be routed to this outfall. Extension of offsite sanitary sewers may be required to serve this site.
5. Downstream sanitary sewers and pump stations need to be evaluated to ensure adequate capacity. Downstream sanitary sewers and pump stations may need to be replaced or upgraded. Modifications to the receiving pump station will need to be made by the Developer including, but not limited to, additional 24 hours storage and pump replacement.
6. Formal plan submittal and approval is required by MSD prior to the issuance of permits.

P. 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.

Q. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. 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.

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 SUBMITTAL REQUIREMENTS

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 Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

B. 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.

C. 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.
13. 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.

14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. 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.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. 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.
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

The developer shall be required to contribute to the Chesterfield Valley Trust Fund. 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. Credits for roadway improvements will be as approved by the City of Chesterfield and/or St. Louis County Department of Highways and Traffic.

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."

Water Main

The primary water line contribution is based on gross acreage for the development land area. The contribution shall be a sum on \$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 of the primary water line serving the Chesterfield Valley area.

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

The stormwater contribution is based on gross acreage of the development land area. Theses 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 Saint 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 Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Highways and Traffic or a Building Permit by Saint Louis County Public Works Department. Funds shall be payable to "Treasurer, Saint Louis County".

Sanitary Sewer

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

The sanitary sewer 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 Saint Louis County Department of Highways and Traffic.

Trust Fund contributions shall be deposited with Saint 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.

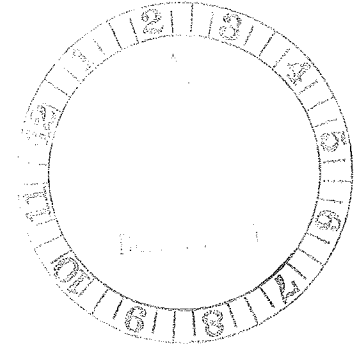
VIII. ENFORCEMENT

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

November 6, 2007

Email Transmission and First Class Mail

Ms. Jennifer Yackley
Project Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017-0760



Re: P.Z. 38-2007 Edison Crossing (162 Long Road)

Dear Jennifer:

The following are Petitioner's responses to your issues letter of August 31, 2007:

1. Please be advised that direct access to Long Road will not be permitted.

Petitioner's Response: Petitioner requests a right-in only off Long Road as shown on the revised Preliminary Plan. This will not adversely impact traffic flow on Long Road and will allow Northbound traffic desiring to enter the site to do so without entering the Long Road/Edison Avenue intersection. It will also aid internal circulation.

2. Please consider removing the loading zone and four parking spaces behind the retail center due to site circulation concerns.

Petitioner's Response: This will be considered during Site Plan process.

3. Please clarify the rectangular area behind the retail building toward the eastern end of the building.

Petitioner's Response: This has been clarified on the revised Preliminary Plan.

4. The City of Chesterfield Tree Manual requires a thirty (30) foot buffer along collector and arterial roadways. This buffer cannot be within the parking areas as currently shown on the plan.

Petitioner's Response: A separate request for reduction of this buffer will be submitted.

5. Please provide the open space calculation for the section of the parcel to be developed.

Petitioner's Response: This information has been provided on the revised Preliminary Plan.

6. The parking calculations are not consistent with the building square footage shown on the plan. Please revise.

Petitioner's Response: This has been corrected on the revised Preliminary Plan.

7. Per City of Chesterfield Ordinance 1747 parking is calculated at 5 spaces per 1,000 square feet of building space.

Petitioner's Response: Petitioner acknowledges this requirement and it is reflected on the revised Preliminary Plan.

8. Please provide the building footprint calculation based on the development area of the parcel.

Petitioner's Response: This has been provided on the revised Preliminary Plan.

9. Will the proposed bank's drive thru area include a canopy.

Petitioner's Response: Yes.

10. The current plan does not provide adequate driveway throat length for the entrance on Edison Avenue. The City's access management principals, found in Chapter 26 article III of the City Code, require a minimum of 60 feet from the edge of the pavement on Edison Avenue to the first point of conflict within the site. The distance as measured on the plan is 47 feet.

Petitioner's Response: A separate request for a variance of this requirement has been submitted.

11. Provide comments from the Spirit of St. Louis Airport and the Valley Master Plan Committee.

Petitioner's Response: These comments have been provided or are pending.

12. St. Louis County has provided comments regarding this petition. Please see attached. Agency comments will be included in the Attachment A for this development.

Petitioner's Response: See Petitioner's response to No. 1 above with respect to the right-in only from Long Road. Petitioner acknowledges the other comments.

13. MSD and the Monarch-Chesterfield Levee District have provided comments regarding this petition. Agency comments will be included in the Attachment A for this development.

Petitioner's Response: Petitioner acknowledges these comments.

14. The Monarch Fire Department has provided comments regarding this petition. Please see attached.

Petitioner's Response: Petitioner acknowledges these comments.

In addition to the above issues, Petitioner requests a Sign Package provision be added to Attachment "A".

Openspace

1. A minimum of 40% openspace will be required for this development.

Petitioner's Response: Petitioner acknowledges this requirement.

Building Height

1. Maximum building height shall be two stories from floor elevations at grade exclusive of mechanical equipment.

Petitioner's Response: Petitioner acknowledges this requirement.

Building Footprint

1. Maximum building footprint shall comprise a maximum of 25% of the development site.

Petitioner's Response: Petitioner acknowledges this requirement.

Setbacks

1. 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:

Thirty (30) feet from the right-of-way of Edison Avenue.

Thirty (30) feet from the right-of-way of Long Road.

Thirty (30) feet from the property line bearing N 44°45' 15"E.

Thirty (30) feet from the property line bearing S 88°35' 03"E.

Thirty (30) feet from the property line bearing N 36°36' 55"E.

Petitioner's Response: Building and structure setbacks have been addressed on the

revised Preliminary Plan.

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

Thirty (30) feet from the right-of-way of Edison Avenue.

Thirty (30) feet from the right-of-way of Long Road

Twenty (20) feet from the property bearing S 88°35' 03"E.

Thirty (30) feet from the property line bearing N 44°45' 15"E.

Petitioner's Response: These setbacks have been addressed on the revised Preliminary Plan.

Access

1. Access to Edison Avenue shall be limited to one drive entrance. The entrance shall be located a minimum of 300 feet from the center line of Long Road, as directed by the Department of Planning and Public Works.

Petitioner's Response: The access from Edison Avenue as shown on the revised Preliminary Plan complies.

2. No direct access to Long Road will be permitted from any lot located within the boundary of the property governed by this ordinance.

Petitioner's Response: Petitioner requests a right-in only off Long Road as shown on the revised Preliminary Plan. This will not adversely impact traffic flow on Long Road and will allow Northbound traffic desiring to enter the site to do so without entering the Long Road/Edison Avenue intersection. It will also aid internal circulation.

Road Improvements

3. Construct additional lanes and pavement widening, including all improvements necessary to accommodate the additional lanes and pavement, and provide necessary right of way to provide for a right hand deceleration lane and left turn lane into the site in the vicinity of the permitted drive entrance location, as directed by the Department of Planning and Public Works. These improvements are required in order to ensure the continued free flow of traffic along Edison Avenue.

Petitioner's Response: Petitioner acknowledges the requirement to "construct additional lanes and pavement widening, including all improvements necessary to accommodate the additional lanes and pavement, and provide necessary right of way as directed by the Department of Planning and Public Works".

Pedestrian Circulation

4. Provide a five (5) foot sidewalk, conforming to ADA standards, along the entire Long Road frontage of the site, as directed by the Department of Planning and Public Works and St. Louis County Department of Highways and Traffic.

Petitioner's Response: Petitioner acknowledges this requirement.

Parking

5. No construction related parking shall be permitted within the Edison Avenue or Long Road right of way.

Petitioner's Response: Petitioner acknowledges this requirement.

Traffic Studies

6. Provide a traffic study as directed by the Department of Planning and Public Works and/or 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.

Petitioner's Response: Petitioner acknowledges this requirement.

Recreational Easement

7. 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.

Petitioner's Response: Petitioner acknowledges the requirement.

- G-4. 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.

November 6, 2007

Page 6

Petitioner's Response: Petitioner acknowledges the standard general conditions.

The balance of the items are advisory, and Petitioner acknowledges same.

Respectfully submitted,
Doster Mickes James Ullom
Benson & Guest, LLC

By: 

Michael J. Doster

MJD/jb

NO.	DATE	DESCRIPTION
1	02-15-09	ISSUED FOR PERMITS
2	02-17-09	REVISED PER CITY COMMENTS
3	02-17-09	REVISED PER CITY COMMENTS
4	02-17-09	REVISED PER CITY COMMENTS
5	02-17-09	REVISED PER CITY COMMENTS
6	02-17-09	REVISED PER CITY COMMENTS
7	02-17-09	REVISED PER CITY COMMENTS
8	02-17-09	REVISED PER CITY COMMENTS
9	02-17-09	REVISED PER CITY COMMENTS
10	02-17-09	REVISED PER CITY COMMENTS

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6	02-17-09	REVISED PER CITY COMMENTS
7	02-17-09	REVISED PER CITY COMMENTS
8	02-17-09	REVISED PER CITY COMMENTS
9	02-17-09	REVISED PER CITY COMMENTS
10	02-17-09	REVISED PER CITY COMMENTS

EDISON CROSSING LLC
PROJECT NO. 07014
SHEET NUMBER 3 of 4

Checked by: [Signature]
Date: 05-21-09

Designed by: ERICA SKELTON
Checked by: [Signature]
Date: 05-21-09

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

The Contractor shall be responsible for verifying the actual location of all existing utilities and other features shown on these plans. The contractor shall be responsible for the measurement of utilities or other features shown on these plans. The contractor shall be responsible for the measurement of utilities or other features shown on these plans. The contractor shall be responsible for the measurement of utilities or other features shown on these plans.

