



VIIA

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Planning Commission Vote Report

Subject: Conditional Use Permit Vote Report

Meeting Date: March 26, 2012

From: Shawn Seymour, AICP
Senior Planner

Location: On the east side of US Highway 40/Interstate 64 south of its crossing of the Missouri River (16W240030).

Petition: P.Z. 09-2011 Simpson Construction Materials (17971 North Outer Forty Road)

Proposal Summary

Simpson Construction Materials are requesting an amendment to a Conditional Use Permit (CUP) granted by St. Louis County in a "FP-M3" Flood Plain Planned Industrial District. The property is zoned "M3" Planned Industrial District, but due to its location in the flood plain, it is made a part of the "FP" Flood Plain Overlay. The "FP" Flood Plain Overlay is a land use restrictive overlay and therefore, the CUP is granted to the overlay and not the underlying "M3" Planned Industrial Zoning District. A CUP was granted by St. Louis County in 1967 providing approval for the extraction of raw materials from the Missouri River via dredging and the stock piling and outdoor storage of such materials by a conveyor belt system.

The petitioners are requesting an amendment to the existing CUP in order to locate an asphalt batching plant on the property. The requested land use is, *extraction of raw materials from the Earth and processing thereof, but not including the manufacture of a product*. The petitioner proposes locating the batching plant for the purpose of processing materials dredged from the Missouri River into asphalt and distributing via truck off site. This activity will operate in conjunction with an existing facility that dredges the Missouri River and through a conveyor belt system stores sand on site for

offsite distribution. A Public Hearing was held for this request on October 10, 2011 and issues related to that public hearing are discussed later in this report.

Site Area History

St. Louis County zoned the subject site "FP-M3" Flood Plain Planned Industrial District in 1965. The "FP" Flood Plain Overlay designation was given to the site as it is located north of the Chesterfield Valley Levee. Due to the "FP" Flood Plain designation being a use restrictive overlay, no site specific ordinance exists with regards to the "M3" Planned Industrial District. All development standards and land uses are made a part of the "FP" Flood Plain Overlay District in Section 1003.101 of the City of Chesterfield Zoning Ordinance.

In 1967, St. Louis County approved petition 18-67, granting a Conditional Use Permit (CUP) for the St. Charles Sand Company for the purpose of, *dredge barge docking facilities, unloading conveyor belt system and outdoor storage of sand materials*. This activity is currently in operation at present time.

Zoning Analysis

Conditional land uses are listed in zoning districts but are not considered to be a "by-right" land use. These land uses are deemed conditional because although they may be appropriate in a zoning district, due to site specific criteria, surrounding environments and potential impacts by the land use, they may not be appropriate in the particular example of the same zoning district. As such, they require a discretionary review by the Planning Commission to determine the appropriateness of such use in that location. Once a petition for a CUP is reviewed, it may be approved or denied by the Planning Commission. Upon granting of a decision by the Planning Commission, the City Council has fifteen (15) days to act and call Power of Review on the CUP request. If fifteen (15) days passes and no action by the City Council is made, than the approval or denial of the Planning Commission shall be considered the official determination of the City. If Power of Review is utilized, the City Council may review the request and Approve, granting a CUP to the petitioner or deny and withhold the CUP. An affirmative vote of two-thirds (2/3) of the members of the City Council shall be required to overrule an approval or denial by the Planning Commission.

The granting of a CUP does not necessarily grant a vested right to a land owner to conduct a particular land use on a site. Rather, it provides a permit of appropriateness and it is up to the land owner to submit and obtain additional approvals such as but not exclusive to, site plan, improvement plans and flood plain permits prior to engaging in the requested land use.

The property was zoned "FP-M3" Flood Plain Planned Industrial District by St. Louis County in 1965 and as stated above due to the "FP" Flood Plain Overlay no site specific ordinance is necessary. An existing CUP permits the dredging of the Missouri River and the stock piling of those materials on the site. The petitioner proposes amending the

CUP to further process those materials dredged from the Missouri River for the purpose of producing asphalt. This asphalt would then be trucked off site to various construction sites throughout the region.

The petitioner is requesting to add the conditional land use of, *extraction of raw materials from the Earth and processing thereof, but not including the manufacture of a product*, to the existing CUP. Currently there are a number of sites on the north site of the Chesterfield Levee that have incurred some sort of natural resource extraction, either from the Earth or from the Missouri River. In all cases, the extracted material was stock piled and removed from the site. The petitioners request to process the extracted materials would be the first site to engage in a processing activity. However, within this area of the City there have been two (2) facilities that processed earthen extracted materials. An asphalt batching plant at 18616 Olive Street Road and a concrete batching plant at 18395 Chesterfield Airport Road. The Simpson site and the two (2) existing sites are all within close proximity to the Chesterfield Valley Athletic Complex (CVAC). The Simpson site is approximately, 0.74 miles to the closest activity field at the CVAC. The asphalt plant at 18616 Olive Street Road is approximately, 0.82 miles from the closest activity field at the CVAC and the existing concrete plant at 18395 Chesterfield Airport Road is approximately, 0.30 miles from the closest activity field at the CVAC.

The petitioner will obtain aggregates from the Missouri River as per the existing extraction and stock piling activity on the site. The petitioner will further truck to the site a petroleum product for blending and mixing with the extracted aggregate to create the asphalt. The aggregate will be stock piled on the site as it is currently being done. The petroleum product will be stored in vats within bunkers and protected by an earthen berm. The petroleum product is required to be heated prior to being blended and mixed with the aggregate; the petitioner proposes to do this by utilizing natural gas or fuel oil fired burners. Once the asphalt has been produced, it will be trucked off site for use throughout the region.

Surrounding Land Use and Zoning

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

North: This property forms the northern boundary of the City of Chesterfield and abuts the Missouri River.

South: The property located immediately to the south in U.S. Highway 40/61 Interstate 64.

East: The adjacent property to the east is an undeveloped tract of land zoned "FP-M3" Flood Plain Planned Industrial District and "FP-NU" Flood Plain Non-Urban District.

West: The properties located to the west are a part of the Chesterfield Blue Valley Development and are zoned "PC" Planned Commercial District and "FP-NU" Flood Plain Non-Urban District.



View looking NE at Site.



View looking N at Site along Levee Trail.



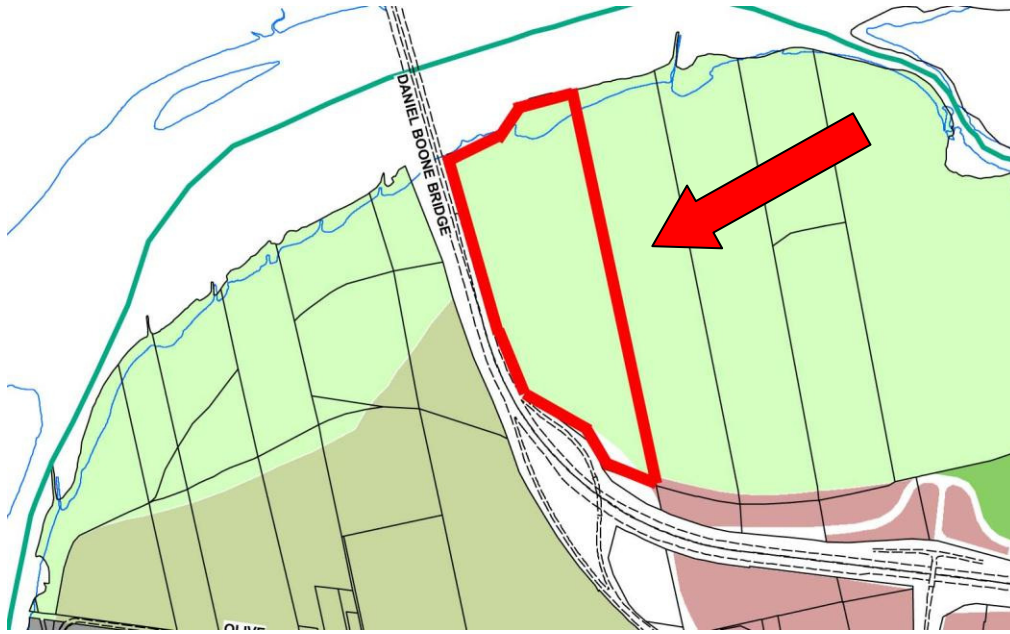
View looking north from access road.



View looking at south end of site from access road and levee trail.

Comprehensive Plan Analysis

The Comprehensive Plan Land Use Map depicts this property as Agricultural, Flood Plain, Conservation. The extraction of materials and the processing thereof, would be considered consistent with this Comprehensive Plan Land Use Designation.



Issues

A Public Hearing was held on October 10, 2011. The following issues were generated during that meeting with the petitioner's response below. Also, attached to this report is the response to issues letter received by Staff after the public hearing.

Public Hearing generated issues.

1. Provide all applicable approvals and permits from the Missouri Department of Natural Resources (DNR). If not currently available, the City will request that copies of such be forwarded to the City and added to the property file.

The petitioner will provide copies of all approvals and permits from the Department of Natural Resources (DNR) and Army Corps of Engineers (if required) after approval of the amended CUP.

Language to this issue has been added to the CUP, requiring that these approvals and permits be furnished to the City of Chesterfield during Site Development Plan review.

2. The site is currently not serviced by water, which poses a safety concern. Provide an emergency preparedness plan in case of a fire or other situation that would require the services of the local fire protection district.

A water pump and line is proposed to be placed as to pull water from the Missouri River. The size of pump and supply of water to the site will be per Monarch Fire Protection District's request.

3. Note, the Monarch Fire Protection District requests further information regarding this proposed land use.

Monarch Fire Protection District will review both the site development plan and the building permits for the site. All required approvals from Monarch will be obtained as well as the emergency preparedness plan. The petitioner will work with Monarch throughout the development process.

4. The land use requested in the application for CUP is; *"Extraction of raw materials from the earth and the processing thereof, but not including manufacturing of a product."* The City of Chesterfield requests to modify this language to the following: *"Extraction of raw materials from the earth and the processing thereof for the purpose of creating asphalt for use off site."*

The petitioner agrees to the modified land use language.

5. Confirm that the proposed location of the asphalt batching plant is located in or out of the flood way.

The proposed location of the batching plant is in the flood way. The petitioner will conduct a flood plain study to ensure that the proposed batching plant will not cause any problems upstream.

6. Provide accurate data regarding the number of trucks that would be entering the site daily to obtain asphalt. The Planning Commission requests this number as they are concerned with the added number of daily trips.

Ten (10) to twenty (20) trucks will visit the site each day. The petitioner has contacted the Levee District and has confirmed that this level of truck traffic will not cause adverse impacts to the levee.

7. Provide data as to possible odor and fumes created at the proposed batching plant. More specifically would it be possible that a strong odor or fumes could be observed at the Chesterfield Valley Athletic Complex.

The petitioner has provided an exhibit which illustrates the distance of residential development from their current asphalt batching plant in the South St. Louis County area. The closest district from the batching plant to a home is approximately 3,750 ft. The petitioner claims that no complaints of odors or fumes

have ever been reported. Additionally, the petitioner provides an exhibit which illustrates the distance of the proposed batching plant from the closest athletic field at the Chesterfield Valley Athletic Complex (CVAC). This distance is 4,050 ft. The petitioner states that odor and fumes will not be an issue at this location.

Staff generated issues.

1. FLOODPLAIN: All development associated with the conditional use permit shall comply with the City's floodplain development requirements in Chapter 14 of the Chesterfield City Code. Specifically **Sec. 14-4. Methods of reducing flood losses.** In order to accomplish its purposes, this chapter includes methods and provisions for:

Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion or to flood heights or velocities. The developer shall show how the CUP will not pose a threat or danger to the adjacent river water quality and/or aquatic life during periods of flooding.

Staff emphasizes that there are multiple concerns with regard to the floodplain and floodway. Granting of the CUP could potentially create a situation whereby the use was permitted by zoning, but staff would be unable to issue flood plain development permits for the operation due to restrictive conditions within the City's flood plain management ordinance.

The Planning Commission should be aware that FEMA has been in the process of issuing new flood maps and have in fact issued preliminary, unofficial versions for review. Further, the Missouri Department of Transportation has initiated their project for constructing a new Highway Bridge and removing the oldest bridge structure immediately south of this location. FEMA has previously defined the limits of the floodway based upon a three to one widening of the floodway from the northernmost foundations of the bridge structures. Once this bridge is removed, it is likely that the floodway limits will further impact this site.

There is a significant distinction between floodway and floodplain. While the City's ordinances allow restrictive use of the floodplain, use of the Floodway is based upon a much more rigorous standard and requires hydraulic studies that assure there will be zero rise in the hydraulic profile of the river. The floodway is defined as that area of the waterway which is necessary to carry the volume of water from the 100 year flood occurrence. Further, the floodway is characterized by high velocities and debris. While the user may be concerned with simply elevating structures, the structures, materials, and equipment itself creates a danger during flood occurrences. Placement of materials, tanks, and equipment in or near the

floodway creates the potential for such items to become dislodged and float down the river. Such debris can create significant hazards to bridges and other structures. The debris itself can impact foundations, or can simply accumulate and create debris jams which prevent water flow and damaging upstream hydraulic forces.

The introduction of a stored petroleum based product, in or adjacent to the floodway is a significant concern.

It should be understood that the existing sand dredging operation is, by definition a water dependent use. The production of asphalt for commercial sale or use is not a water dependent use.

The petitioner claims that the development will not pose a problem to the adjacent Missouri River and/or aquatic life because the Missouri River tops its banks at the proposed site approximately two (2) times every 10-15 years. In addition, the national weather service gives daily forecasts for what the river levels are going to be at a particular location on the river at the time. The forecasts give property owners ample time to prepare their property for the possible high water levels. More importantly, by federal law a hot-mix asphalt plant operator must keep all hazardous material on site in above ground tanks surrounded by berms that would contain all material in the event of a spill. Finally, "asphalt" is an inert material which is not soluble or harmful in a water environment.

2. TRAFFIC STUDY: Developer shall provide a traffic study as directed by the City of Chesterfield and/or MODOT. The scope of the study shall address internal circulation, existing roadway improvements, entrance geometrics, and sight distance, and shall recommend necessary site improvements. Should the density of development be other than the density assumed in the City's traffic model, regional issues shall be addressed as directed by the City of Chesterfield.

Access to this development is limited to the existing gravel, unpaved roadway. Staff is concerned that the character and construction of the roadway is inadequate for the increased commercial intensity of the site.

If required, the petitioner will conduct a traffic study.

3. SANITARY SEWERAGE FACILITIES: Staff is concerned that there are no connections to a sanitary sewerage processing plant from this site. The plans indicate that the existing sand plant is served by a septic system located in the flood plain, perhaps the flood way. The existing approved and permitted dredging operation consists of a very defined number of on-site personnel and waste generation. We are concerned about the potential expansion of sanitary demand related to the introduction of a commercial asphalt batching operation. At a minimum, the

existing system should be evaluated by a licensed professional engineer, and its ability to perform under the increased demand conditions should be evaluated. Expansion of this septic system use should be separately reviewed and approved by both the Metropolitan St. Louis Sewer District and the Missouri Department of Natural Resources.

4. GEOTECHNICAL REPORT: Developer shall provide a geotechnical report, prepared by a professional engineer licensed in the State of Missouri, as directed by the Department of Planning and Public Works, prior to site disturbance including surcharge, clearing, grading, site utilities and infrastructure or building construction. The geotechnical report shall identify the suitability of soil and geologic conditions for proposed improvements and shall include methods to address any ponds, septic fields, sinkholes, wetlands, compressible soils, steep slopes, or liquefaction risk. A statement of report compliance signed and sealed by the engineer preparing the geotechnical report, shall be included on all Site Development Plans, grading plans, and improvement plans, as directed by the Department of Planning and Public Works.

If required, geotechnical studies will be completed.

5. TRUST FUND CONTRIBUTION: The developer shall contribute to the Chesterfield Valley Trust Fund #556 in accordance with the rates established by St. Louis County. 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.

The petitioner will comply with the Trust Fund Contribution.

6. PARKING: The developer shall ensure that 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.

The petitioner will comply with this requirement.

7. The developer shall 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.

The petitioner will comply with this requirement.

Request

Staff has reviewed the requested Amendment to St. Louis County CUP #57. The petitioners request to amend an existing CUP for the purpose of locating an asphalt batching plant. The amended CUP will feature the following language permitting the requested land use.

Extraction of raw materials from the earth and the processing thereof for the purpose of creating asphalt for use off site

Staff has reviewed the request by the petitioner as well as the issues raised by the Planning Commission during the public hearing. Staff believes that there are a considerable amount of concerns as they relate to the location of the proposed asphalt batching plant in the Floodway and Floodplain. Further, staff believes that the approval of the CUP may provide an unrealistic or false sense of a vested right to this land use in this location. It is unclear by staff as to the ability of the petitioner to obtain the appropriate site plan, floodplain and State reviewed and granted approvals post issuance of the CUP. As such, staff recommends **DENIAL** of the requested CUP by petition P.Z. 09-2011 Simpson Construction Materials (17971 North Outer Forty Road).

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

CONDITIONAL USE PERMIT # _____

Petition: P.Z. 09-2011 Simpson Construction Materials
(17971 North Outer Forty Road)

Public Hearing Date: October 10, 2011

Site Location: East side of US Highway 40/61 Interstate 64
south of its crossing of the Missouri River
(16W240030)

Acreage for CUP: 81.64 acres

Zoning District: "FP-M3" Flood Plain Planned Industrial District

The following Conditional Uses shall be allowed in this development:

1. Permitted Uses

The uses authorized by this CUP Conditional Use Permit shall be the following.

- a. Dredge barge docking facilities, unloading and conveyor belt systems, and outdoor storage of sand material.
- b. Extraction of raw materials from the earth and the processing thereof for the purpose of creating asphalt for use off site.

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

2. General

- a. The height of the sand and gravel stockpiles shall be limited to the level of the adjacent roadway, US Highway 40/61 Interstate 64.
- b. The height of all structures shall be limited to two (2) stories.
- c. The extraction of raw materials allowed under this CUP for the property in question shall be from the Missouri River only.
- d. The land uses permitted herein shall be operated in conformance with the Performance Standards contained in Section 1003.165 of the City of Chesterfield Zoning Ordinance.

- e. At the time of Site Development Plan submittal the applicant shall furnish to the City of Chesterfield copies of all Army Corps of Engineers and Missouri Department of Natural Resources Permits and Approvals.
- f. The Developer shall provide a geotechnical report, prepared by a professional engineer licensed in the State of Missouri, as directed by the Department of Planning, Public Works and Parks, prior to site disturbance including surcharge, clearing, grading, site utilities, infrastructure, or plant construction. The geotechnical report shall identify the suitability of soil and geologic conditions for proposed improvements and shall include methods to address any ponds, septic fields, sinkholes, wetlands, compressible soils, steep slopes, or liquefaction risk. A statement report shall be included on all Site Development Plans, Grading Plans, and Improvements Plans, as directed by the Department of Planning, Public Works and Parks.
- g. The Developer shall obtain a Flood Plain Permit from the City Chesterfield.
- h. The Developer shall provide a study conducted by a certified Missouri Engineer as to the status existing septic system and its capacity with regards to the proposed additional development on site.

3. Access

- a. Access to the development shall be allowed only from North Outer Forty Road
- b. Any changes to the entrance geometrics and drainage shall be in accordance with MoDOT standards and shall be reviewed and approved by MoDOT.
- c. Any work within MoDOT's right-of-way will require a MoDOT permit.
- d. The developer shall provide a traffic study as directed by the City of Chesterfield and/or MoDOT. The scope of the study shall address internal circulation, entrance geometrics, sight distance, and shall recommend necessary improvements to the existing roadway to accommodate the increased heavy truck traffic.

4. Miscellaneous Conditions

Provide an outside trash collection area enclosed by a six (6) foot high sight proof wooden fence with supporting plant material.

5. Trust Fund Contribution

The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (Trust Fund No. 556). This contribution shall not exceed an amount established by multiplying the ordinance-required parking space by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$606.42 / Parking Space
Manufacturing	\$485.15 / Parking Space
Loading Space	\$2,865.43 / Parking Space

(Parking Space as required by the site-specific ordinance or by section 1003.165 of the Saint Louis County Zoning Ordinance.)

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

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

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

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. 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 \$731.73 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing 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 St. Louis County approval of the Site Development Plan unless otherwise directed

by the Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

Storm water

The storm water 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 storm water 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 storm water contribution will be computed based on \$2,321.64 per acre for the total area as approved on the Site Development Plan. The storm water 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 Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the 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 St. Louis Sewer District as required by the District.

The amount of these required contributions for the roadway, storm water and primary water line improvements, if not submitted by January 1, 2012, 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.

Legal Description

A tract of land being part of U.S. Surveys 368 and 371, Township 45 North, Range 3 East, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the intersection of the west line of land now or formally of Monarch-Chesterfield Levee District, as recorded by Deed Book 12381, Page 726 of the St, Louis County, Missouri Records Office.

LATHROP & GAGE_{LLP}

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WWW.LATHROPGAGE.COM

PIERRE LACLEDE CENTER
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FAX: 314.613.2801

January 17, 2012

Shawn Seymour, AICP
Senior Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017



Dear Shawn:

Following are the answers to the issues set forth in your letter of October 18, 2011 regarding the Simpson Conditional Use Permit (CUP) request.

1. You have received the Site Plan with updated revisions.
2. Once zoning approval has been approved, Simpson will proceed to obtain the approvals from DNR and the Corp. of Engineers if necessary. Copies will be provided to the City.
3. Upon approval of zoning, Petitioner will obtain an approval for an emergency preparedness plan from the Monarch Fire Protection District.
4. Upon approval of zoning, the Monarch Fire Protection District will be contacted for approval of all permits.
5. This language as changed is agreed to by Simpson and appears on the Site Plan.
6. The Batching Plant is in the Flood Way. Simpson will do a Flood Plain Study and it will show that the Batching does not cause any upstream problems.
7. The numbers of trucks in and out each day will be ten (10) to twenty (20). Simpson spoke to the Levee District and they indicated those trips over the levee will not harm the levee in any way.
8. An aerial is in the Planning Commission showing the distance to the closest ball field and the closest home. Our site on I-44 would give everyone a good indication that there is very little odor emanating from the asphalt plant.

9. Petitioner will comply with all of the Ordinances of the City.
10. If required, the Petition will do a traffic study but under the circumstances it does not appear that one will be necessary.
11. If required, geotechnical studies will be done by the Petitioner.
12. Developer will comply with the Trust Fund Contribution.
13. All of the requirements of this paragraph will be complied with by Petitioner.
14. Off-street parking will be provided.

Sincerely,

LATHROP & GAGE LLP

By:



John P. King

JPK/mh

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January 17, 2012

Shawn Seymour, AICP
Senior Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Dear Shawn:

In addition to the information I provided you earlier, please add new information from Mark Simpson to the Simpson zoning file.

The new information for questions 3 and 9 are as follows:

3. We will provide a pumping station that will pull water from the Missouri River. The pump will supply the amount of gallons per minute with the hose hookup required by the Monarch Fire District. In addition, the electric for the pump will be supplied by a completely separate electrical system not connected to the asphalt plant.

9. The development will not pose a problem to the adjacent river and/or aquatic life because the Missouri River tops its banks at the proposed site approximately two (2) times every 10-15 years. In addition, the national weather service gives daily forecasts for what the river levels are going to be at a particular location on the river at the time. The forecasts give property owners ample time to prepare their property for the possible high water levels. More importantly, by federal law a hot-mix asphalt plant operator must keep all hazardous material on site in above ground tanks surrounded by berms that would contain all material in the event of a spill. Finally, "asphalt" is an inert material which is not soluble or harmful in a water environment.

Shawn Seymour, AICP
January 17, 2012
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If you need anything else, please let me know. Thanks.

Sincerely,

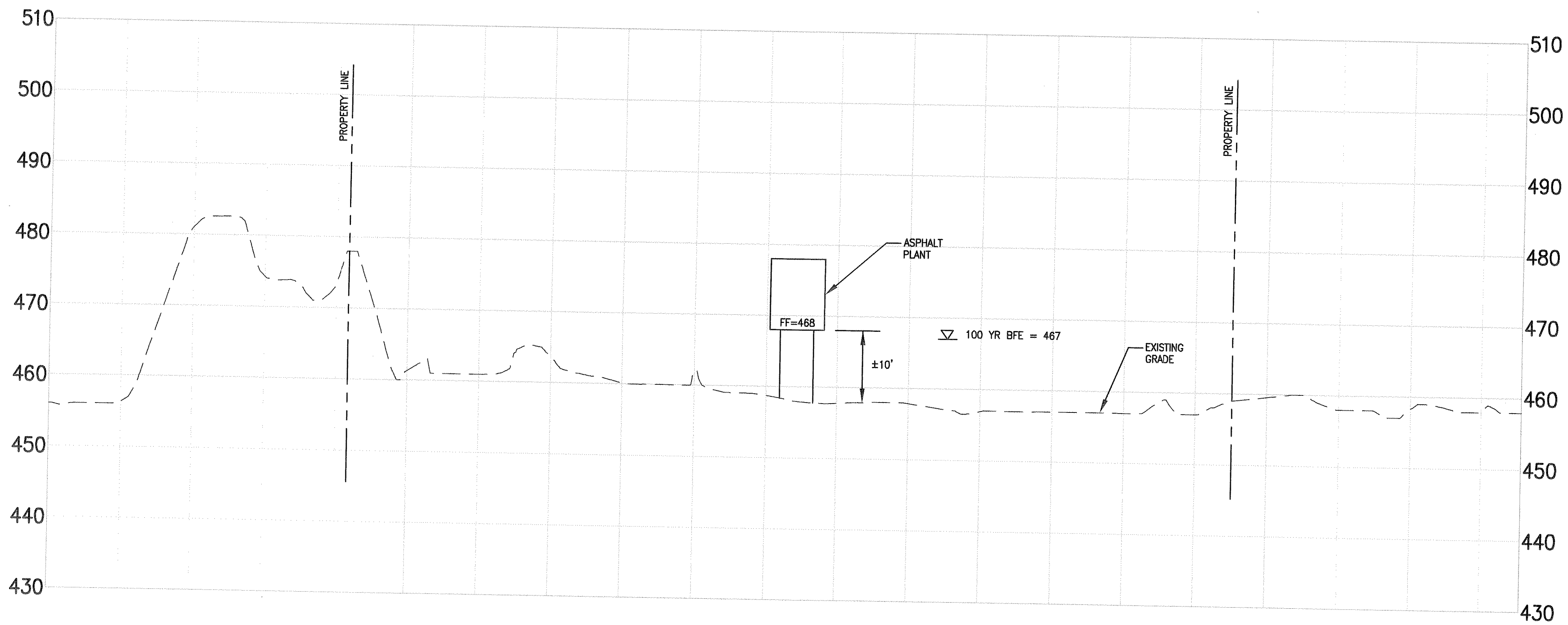
LATHROP & GAGE LLP

By:

A handwritten signature in black ink, appearing to read "J.P. King", is written over a horizontal line.

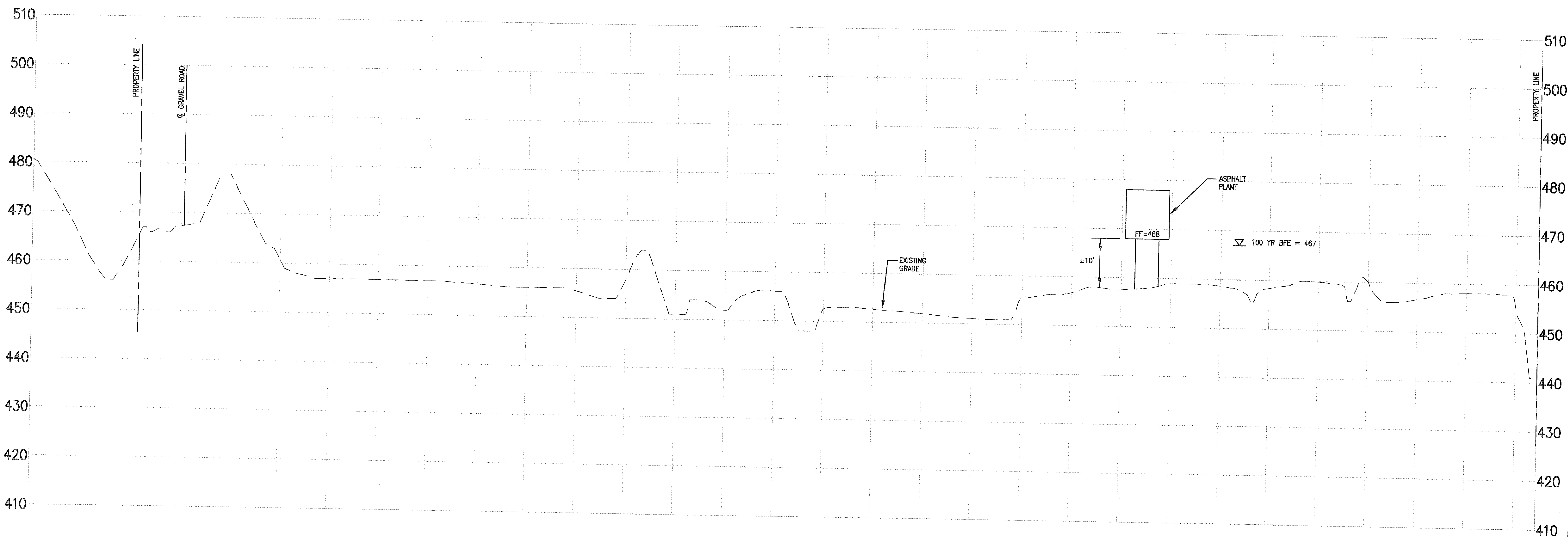
John P. King

JPK/mh



SECTION A-A

SCALE: 1"=100' HORIZ.
1"=10' VERT.



SECTION B-B

SCALE: 1"=100' HORIZ.
1"=10' VERT.

USER: Mike Vonderheide.TIB: SECTIONS
DATE: February 16, 2012 1:31:41 PM
DRAWING: S:\JOBS\Jobz2011\11-0089\CSD-DWG_C-Work\Concept\X_Concept_11-0089.dwg

NO.	REVISION DESCRIPTION	DATE
1	CITY COMMENTS	1/10/12

DEVELOPER/OWNER:
SIMPSON CONSTRUCTION MATERIALS, LLC
P.O. BOX 88
FENTON, MO. 63026

THE PROFESSIONAL ENGINEER'S SIGNATURE AND PROFESSIONAL SEAL ARE REQUIRED FOR THIS DRAWING. THE PROFESSIONAL ENGINEER ASSUMES RESPONSIBILITY ONLY FOR WHAT APPEARS ON THIS PAGE. THE PROFESSIONAL ENGINEER'S SIGNATURE AND PROFESSIONAL SEAL ARE REQUIRED FOR ALL OTHER PAGES. THIS DRAWING IS NOT TO BE USED FOR ANY PART OR PARTS OF THE PROJECT TO WHICH THIS PAGE REFERS.

CIVIL ENGINEERS
CORPORATE
ENGINEERING
CERTIFICATE
NUMBER
E-23077

MIKE E. VONDERHEIDE
REGISTERED PROFESSIONAL ENGINEER
STATE OF MISSOURI

SIMPSON CONSTRUCTION MATERIALS
17971 N. OUTER 40 ROAD
CHESTERFIELD, MO. 63017

SITE SECTIONS

ST. LOUIS
10777 Sunset Office Dr.
St. Louis, MO 63127
314.584.9867 ext
314.584.0567 fax

cole
CIVIL ENGINEERING / SURVEYING / PLANNING / LANDSCAPE ARCHITECTURE
Cole & Associates, Inc.

DESIGN/CALC BY	MEV
DRAWN BY	JKW
CHECKED BY	MEV
DRAWING SCALE	
DATE	08/05/11
Job Number	11-0089
Sheet Number	0.2