



**VIII.C**

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## **Planning Commission Vote Report**

**Subject:** Zoning Map Amendment Vote Report

**Meeting Date:** April 11, 2011

**From:** Shawn Seymour, AICP  
Senior Planner

**Location:** North of US Highway 40/Interstate 64 east of its intersection with the Chesterfield Parkway and west of its intersection with Timberlake Manor Parkway.

**Petition:** P.Z. 15-2010 Highland on Conway (Delmar Gardens at Conway Ridge III, LLC)

### **Proposal Summary**

Delmar Gardens at Conway Ridge III, LLC (petitioner) is requesting a zoning map amendment from the City of Chesterfield Zoning Ordinance, to change the permitted land uses and development standards for this development. In 2002, through the passage of Ordinance 1870, the City of Chesterfield approved the development of this site as an office building with a parking structure as a "PC" Planned Commercial District.

The petitioner is requesting to modify the permitted land uses and to further modify the development standards of this existing "PC" district. However, due to changes made to the "PC" enabling ordinance, the petitioner is required to complete a zoning map amendment to utilize the new "PC" standards as opposed to a simple zoning text amendment or ordinance amendment that would make the requested changes to the previously approved ordinance, ordinance 1870.

Specifically, the petitioner is requesting to add the land use of **Office, dental** and **Office, medical** to the previously approved **Office, general**. The previous owner of the site and petitioner of the approved ordinance 1870, proposed to develop the site as general

office only; however the current petitioners are requesting to be permitted to locate dental and medical office land uses to compliment their existing dental and medical office buildings located directly adjacent to the west.

Additionally, the petitioner is requesting modifications to the development standards of ordinance 1870. As stated above, the petitioner owns and operates a fully developed office property to the west, which permits in addition to general office both medical and dental land uses. The proposed design of the subject site would include the third office type structure and would be developed to mimic the urban form and architecture of the properties to the west. The use of curvilinear architecture to create a flowing or wave like look to the proposed building will both match the existing structures but will also require modifications to the setbacks. Several minor modifications to the development standards are also being requested and are discussed further in this report.

### **Site Area History**

St. Louis County zoned the subject site "NU" Non-Urban District in 1965. In 1998, the property owner at that time filed a petition for a zoning map amendment from the "NU" District to a "PC" Planned Commercial District. This petition was review in conjunction with a petition for the properties located adjacent to north, east, and west that were requesting the same zoning map amendment of "NU" District to "PC" District. Subsequently, both petitions failed to be approved for a number of reasons. The site obtained "PC" Planned Commercial zoning in 2002 with the passage of City of Chesterfield Ordinance 1870, which was reviewed independently as the properties to both the east and west had already obtained "PC" zoning and the properties to the north had obtained "R3" Residence District zoning.

Although the current petitioner is an arm of the Delmar Gardens organization the previous petitioner/owner was Chesterfield Village Inc. Further, this property is part of the Highland on Conway subdivision with was first platted in 1957 and included 11 lots located between US Highway 40/Interstate 64 and Conway Road. Since the initial platting of this subdivision it has been replatted and developed as office, dental/medical office, and residential land uses. Currently, the developments of Delmar Gardens, One Chesterfield Place, Bonhomme Presbyterian Church, Conway on the Grove, and August Hill on Conway occupy the properties formally known as Highland on Conway.

### **Zoning Analysis**

As stated above the existing zoning on the site is a "PC" Planned Commercial District, approved in 2002 and permits the land use of office general. The petitioner is requesting a zoning map amendment to add the land uses of **office, dental** and **office, medical** to the permitted land uses in this "PC" District. Both properties to the east and to the west are fully developed office structures. The property to the east permits office, general while the property to the west permits general office as well as dental and medical offices. This property to the west as stated above was developed and is

operated by the Delmar Gardens organization and the subject site is proposed to be an expansion of this existing development aimed at providing additional office floor space.

The properties located to the north are attached single-family residential. Although it is typically the norm to separate single family residential from that of medium density office; in this case the office land use acts as a buffer to mitigate the noise of US Highway 40/Interstate 64 from the residential properties. Note, City of Chesterfield code requires a landscaped buffer to frame and otherwise separate residential from non-residential land uses. The petitioner has illustrated in the Preliminary Plan that they will comply with this requirement. As such, the proposed additional land uses of office, dental and office, medical are deemed to be in conformance with and consistent to those existing land uses in this area of the City.

Due to the proposed site design and intent to compliment the urban form and architecture of the petitioners properties located directly adjacent to the west, modifications are being requested to the development standards as approved in Ordinance 1870. See below for a comparison of the proposed development standards and those approved in 2002.

	<b>PC Ordinance 1870</b>	<b>Current Proposal</b>
<b>Density</b>	126,760 sf.	126,760 sf.
<b>Height Office</b>	70 ft.	70 ft.
<b>Height Parking Structure</b>	585 ft. ASL.*	585 ft. ASL.*
<b>Setbacks</b>		
north	280 ft.	30 ft.
south	80 ft.	65 ft.
east	180 ft.	45 ft.
west	75 ft.	35 ft.
<b>Parking Setbacks</b>		
north	25 ft.	30 ft.
south	240 ft.	65 ft.
east	33 ft.	45 ft.
west	35 ft.	0 ft.
<b>Open Space</b>	45%	min 35%
<b>FAR</b>	0.55	0.55
* ASL ~ Above Sea Level		

The parking structure elevation is noted in height above sea level for the following reason; the subject property as well the residential subdivision to the north, slope downward from Conway Road to US Highway 40/Interstate 64, with the residential subdivision sitting on higher ground than that of the subject site. To deter and otherwise mitigate any detrimental impacts of the subject site on the residential properties to the north, the top floor elevation of the parking structure is set at a height

below the finished floor of the residential structures. Thusly, requiring one to look downward from the residential properties to in fact see the top level of the parking structure.

A great difference is seen in the structure setback from the north property line. The current "PC" District was written in error and did not consider the parking structure to be in fact a structure. As this is not consistent with City of Chesterfield Code, the setback has been changed reflect the fact that the parking structure is a structure and will have to meet structure setbacks. Note, the parking structure is located **five (5) feet further** from the northern property line, a full thirty (30) feet to accommodate the landscape buffer requirement than what was previously shown at the public hearing.

Both structure and parking setbacks to the west have been relaxed. This is due to the fact that the subject site is proposed to be an expansion of the existing office structures to the west. It proposes linkages by both auto drive isles and parking areas that require a zero (0) foot setback to optimize this linage. Also, the proposed office structure is to utilize the same curvilinear architecture as the existing office structures and by moving the proposed office building closer to the west, it further enhances this single development feel. Also, by shifting the proposed structures to the west, additional spacing is provided on the east to better frame the overall Delmar Gardens development and to provide additional setbacks from the existing office development located adjacent to the east which does not share this architectural design and urban form.

### **Surrounding Land Use and Zoning**

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

North: The properties to the north are attached single-family residences and are zoned "R3" Residence District.

South: The adjacent properties to the south detached single-family homes and are zoned "NU" Non Urban District, "R1A" Residence District, and "R2" Residence District. These properties are separated from the subject site by US Highway 40 Interstate 64.

East: The adjacent property to the east is a commercial structure and is zoned "PC" Planned Commercial District.

West: The property located to the west is a commercial structure and is zoned "PC" Planned Commercial District. This property is also owned by the petitioner.



View looking NE at Site.



View looking NW at Site.



View looking across 40/I-64.

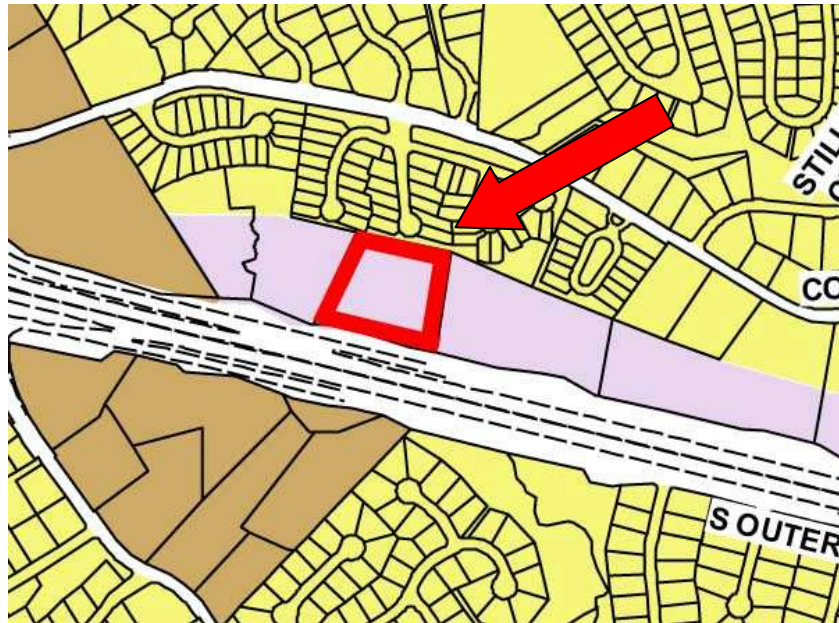


View Looking at existing Delmar Gardens.



### Comprehensive Plan Analysis

The Comprehensive Plan Land Use Map depicts this property as Office. As such, the proposed land uses of office – general, office – dental, and office – medical would be consistent with this Land Use Map designation.



### Issues

A Public Hearing was held on February 14, 2011. Although no issues directly relating to the zoning request were identified, several site plan related concerns were presented. These site plan concerns are provided for informational purposes only and will be extensively reviewed and further discussed at site plan review. The concerns are as follows:

1. *Ability to provide the required thirty (30) foot landscaped buffer at the north property line, adjoining the residential properties.*

The petitioner has previously designed a preliminary site layout that included separating the proposed parking structure twenty-five (25) feet from the north property line. Staff advised the petitioner that they will be required to provide the thirty (30) foot landscape buffer along this side of the property; however, it is permitted that up to five (5) feet of the buffer may be provided on the adjacent residential property with the remaining twenty-five on the petitioners ground.

Proactively the petitioner has made a slight modification to their preliminary site layout and have shifted the proposed parking structure **five (5) feet further** away

from the northern boundary of the site, therefore being able to accommodate all thirty (30) feet of the buffer on their property.

*2. Accuracy of the Tree Stand Delineation.*

During initial review of the tree stand delineation (TSD) and following a site inspection, a number of inconsistencies were found with what was shown on the TSD and what was actually on site.

The petitioner has submitted a revised TSD. The revised TSD has been reviewed by the City of Chesterfield's Arborist and it now with more accuracy better reflects the actual tree coverage of the subject site.

Further, comments were made at the Public Hearing regarding trees that were removed from the subject site. Staff has investigated this concern and has not found any violations of illegal tree removal on the subject site. Staff did review the project files from previous requests, both for the subject site and the surrounding properties and did find that trees were removed from the properties previously owned by the Senseman family, which were developed by a number of entities during the 2000's.

*3. Ability to preserve 30% of the existing tree canopy.*

The petitioner is planning significant grading to the site and per City of Chesterfield Code, they will be required to maintain at minimum thirty percent (30%) of the existing tree canopy as shown on the TSD. Currently, the petitioner is unaware of the exact number of trees or percentage of tree canopy that they will be able to preserve, but will have a definite number during site plan review.

The petitioner has been instructed of this requirement to preserve at minimum thirty percent (30%) of the existing tree canopy. During site plan review, the petitioner will be required to provide to the City both a TSD and a Tree Protection Plan (TPP). The TPP will provide the City an exact percentage of tree canopy to be preserved.

*4. Architectural lighting and parking structure lighting.*

Concerns were raised at the public hearing with regards to the possible use of architectural lighting on the office structure as well as lighting on the parking structure. The concern relating to the architectural lighting was based on misaligned light fixture mounted on the existing Delmar Gardens office building on the property adjacent to the west, which caused light to be directed onto several residential properties. At the time of the public hearing the petitioner was unaware of this problem as it was not conveyed by the residents affected. Since that time the petitioner has rectified the problem and it is no longer an

issue. The petitioner has also promised to do the same should this problem occur with the proposed office structure and as a side note has also agreed to keep the architectural lighting to a minimum on the façade of the proposed office building that will face the north.

Residents also conveyed a concern with regards to the lighting and the height of the lighting standards of the top floor of the parking structure. The petitioner has agreed to keep these standards as low as possible and to utilize fully cut-off fixtures as required by the lighting ordinance of the City of Chesterfield.

### **Request**

Staff has reviewed the requested zoning map amendment by Delmar Gardens on Conway Ridge III, LLC and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on P.Z. 15-2010 Highland on Conway (Delmar Gardens on Conway Ridge III, LLC.).

### **Attachments**

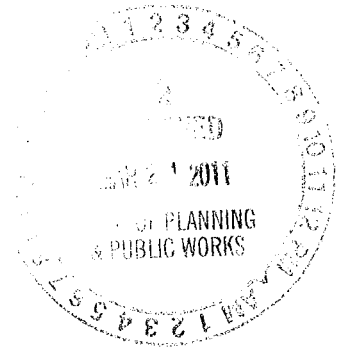
1. Letter from Petitioner
2. Attachment A
3. Preliminary Plan



# LATHROP & GAGE<sub>LLP</sub>

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March 23, 2011

Shawn Seymour  
City of Chesterfield  
690 Chesterfield Parkway W  
Chesterfield, Missouri 63017

Re: Delmar Gardens of Conway Ridge

Dear Shawn:

With regard to the questions raised at the public hearing on the above-captioned matter, I submit the following answers to those questions and concerns:

1. The buffer or setback from our north property line will be a minimum of thirty (30) feet. This buffer will be heavily landscaped to buffer our neighbors to the north.
2. With regard to the lighting: lighting on the garage and parking lot will not exceed twenty (20) feet in height. It is my understanding that you have a Tree Stand Delineation Plan from Rusty Saunders, the landscape architect. If you need any thing further, please let me know.

Sincerely,

LATHROP & GAGE LLP

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. Office, dental.
  - b. Office, general.
  - c. Office, medical
2. Hours of Operation.
  - a. Hours of operation for all uses shall not be restricted.

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

The following requirements shall apply to the permitted land uses:

1. Floor Area
  - a. Total office building floor area shall not exceed 126,760 square feet.
2. Height:
  - a. The maximum height of the office building, exclusive of roof screening, shall not exceed seventy (70) feet from grade or five (5) stories in height.
  - b. The maximum height of the parking structure shall not exceed five-hundred and eighty-five (585) feet above sea level or four (4) levels in height.
3. Building Requirements
  - a. A minimum open space of thirty-five percent (35%) shall be required for this development.
  - b. This development shall have a maximum F.A.R. of 0.55.

## **C. SETBACKS**

### 1. Structure Setbacks

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

- a. Sixty-five (65) feet from the right-of-way of North Outer 40 Road.
- b. Thirty-five (35) feet from the western boundary of this "PC" District.
- c. Thirty (30) feet from the northern boundary of this "PC" District.
- d. Forty-five (45) feet from the eastern boundary of this "PC" District.

### 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. Sixty-five (65) feet from the right-of-way of North Outer 40 Road.
- b. Zero (0) feet from the western boundary of this "PC" District.
- c. Thirty (30) feet from the northern boundary of this "PC" District.
- d. Forty-five (45) feet from the eastern boundary of this "PC" District.

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

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Handicapped parking and access requirements should comply with Section 512.4 of the St. Louis County Building Code.
3. The street 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.
4. Provide adequate off-street 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 and debris 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 Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

## **F. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the Missouri Department of Transportation, for sight distance considerations prior to installation or construction.

## **G. LIGHT REQUIREMENTS**

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

## **H. ARCHITECTURAL**

1. The developer shall adhere to the Architectural Review Standards of the City of Chesterfield.
2. All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the site development plan.

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

1. No direct access will be allowed to North Outer 40 Road. The drives and cross access easements on the adjacent parcels to the east and to the west shall be utilized for ingress and egress. Ordinance Number 1660 and Ordinance Number 1806 shall be referenced for the requirements of the shared entrances and internal drive locations on the adjacent properties.
2. Access management principals to be applied to this development can be found in Chapter 26 of the City Code.

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

1. The property covered by this ordinance is located within the City of Chesterfield's Highway 40 Road Trust Fund as created by Ordinance No.

1652. The developer shall be required to make a contribution to the Trust Fund in accordance with Ordinance No. 1652 and as directed by the City of Chesterfield.
2. Prior to Site Development Plan approval, the petitioner may be requested to provide a traffic study by the City of Chesterfield or the Missouri Department of Transportation.

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

Provide a traffic study as directed by the City of Chesterfield. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

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

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

#### **M. STORMWATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty (60%) of the 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 all Site Development Plans.

## **N. GEOTECHNICAL REPORT**

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Planning, Public Works, & Parks. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

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

1. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit.
2. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Planning & Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.
3. Temporary settlement basins, as required by the City of Chesterfield Department of Planning & Public Works, shall be constructed during construction to allow for settling of sediment, prior to the discharge of storm water from this site. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil.
4. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions shall be taken to retain soil materials on site. Protective measures, such as permanent seeding, periodic wetting or other means, may be required by the Director of Public Works/City Engineer.



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

**P. MISCELLANEOUS**

1. All utilities will be installed underground.
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 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 PLAN SUBMITTAL REQUIREMENTS**

The Site Development Plan shall include, but not be limited to, the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.

12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, and Spirit of St. Louis Airport.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

## **V. TRUST FUND CONTRIBUTION**

1. The developer shall contribute a Traffic Generation Assessment (TGA) to the Route 40 (I-64) Corridor Trust Fund (553). 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>
Medical Office	\$ 1,819.37/Parking Space

(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.

As 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.

2. 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.
3. The amount of the required contribution, if not approved for construction by January 1, 2012, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.

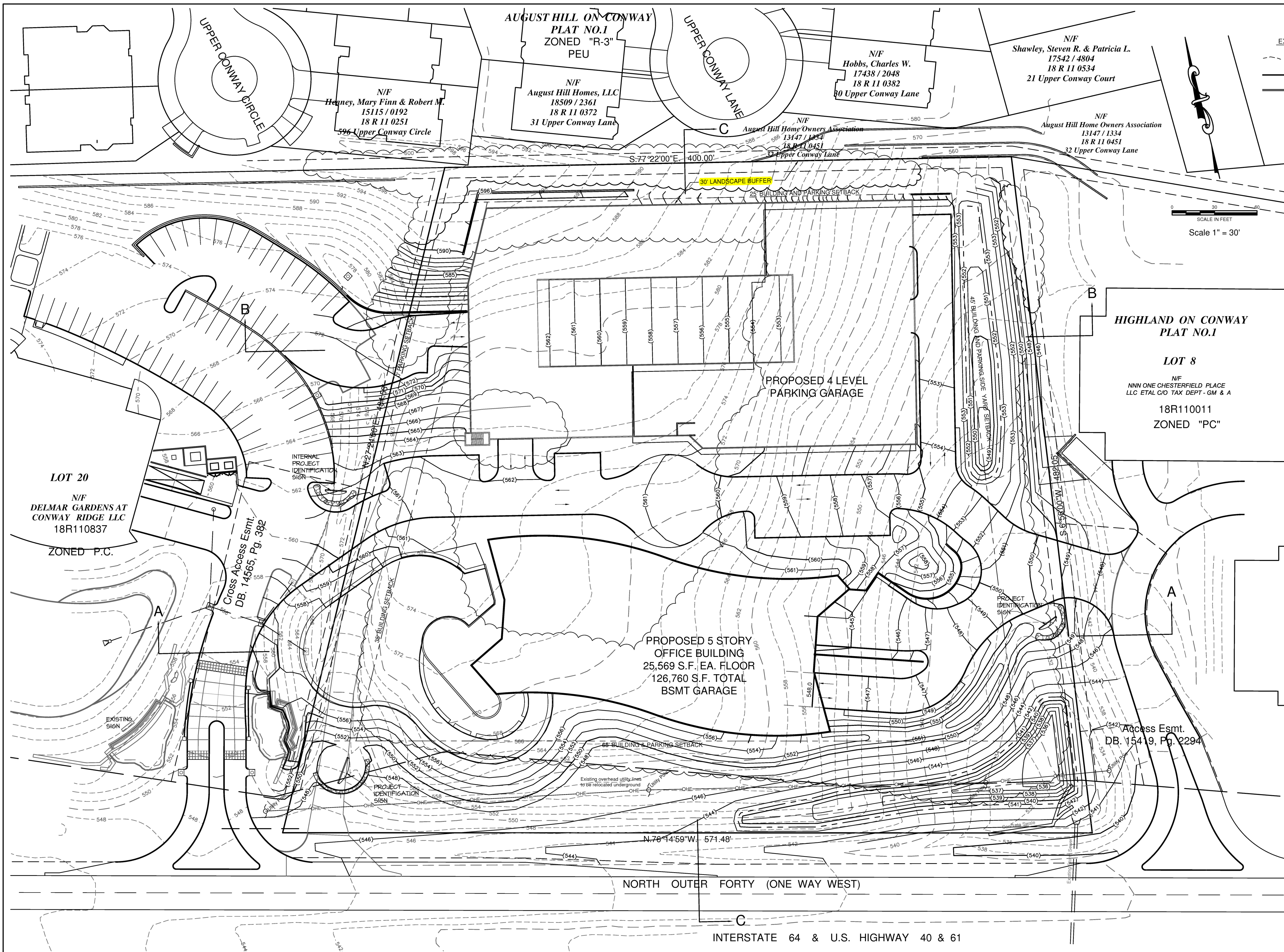
## **VI. RECORDING**

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.

## **VII. ENFORCEMENT**

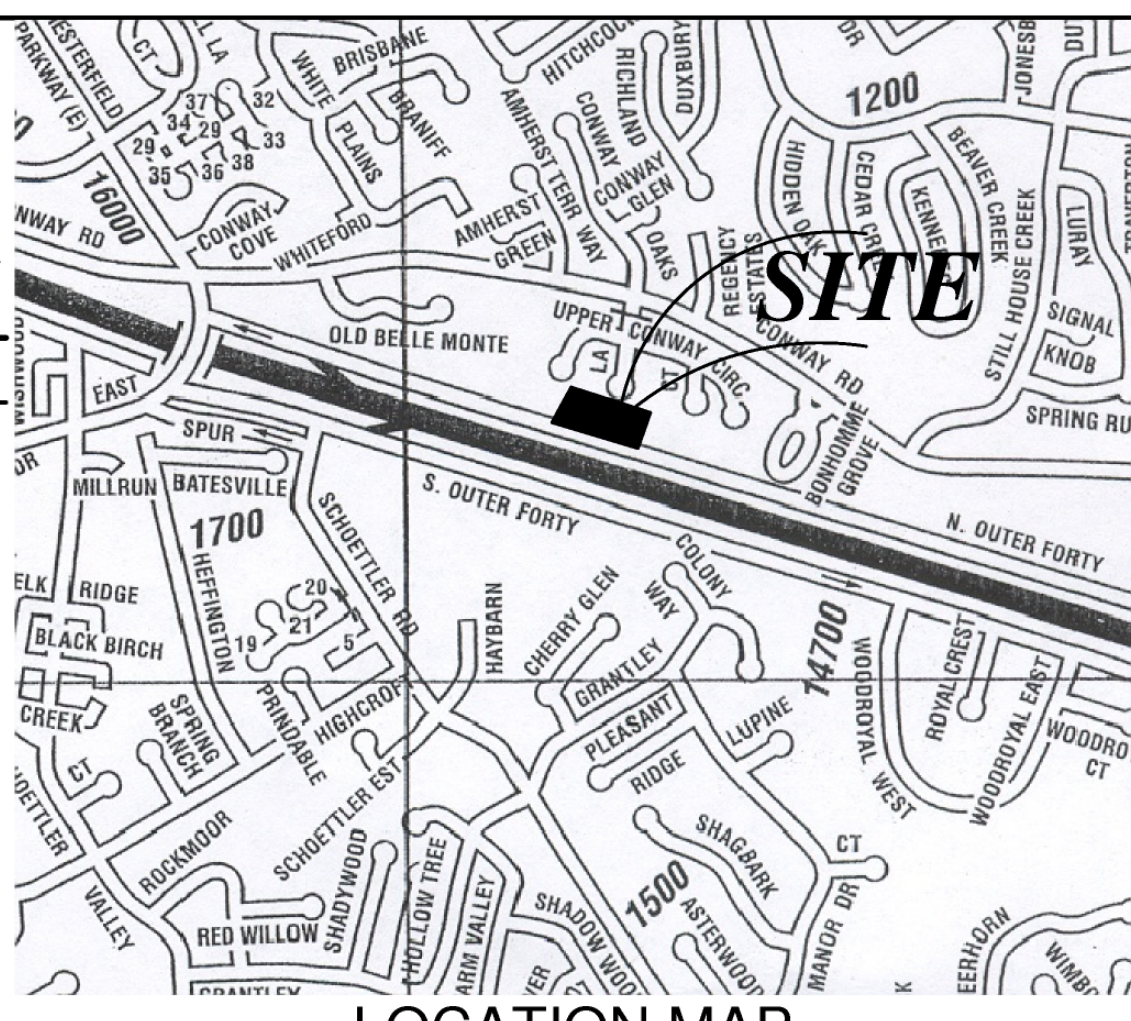
- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- C. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D. Waiver of Notice of Violation per the City of Chesterfield Code.
- E. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.





**LEGEND**

- |             |          |
|-------------|----------|
| EXISTING    | PROPOSED |
| --- 520 --- | (520)    |
| ---         | ---      |
| ○           | ●        |
| □           | ■        |
| △           | ▲        |
| +           | +        |
| +           | +        |
| +           | +        |
| +           | +        |
| +           | +        |



Scale 1" = 30'

**GENERAL NOTES**

- TOTAL AREA OF TRACT = 5.2909 Acres (230,472 s.f.)
- Tract is identified by St. Louis County Locator Number 18 R 11 0745
- Tract is currently zoned: "PC" Planned Commercial District
- Proposed zoning request: "PC" Planned Commercial District
- ALLOWABLE YIELD = Allowable yield shall be based on Allowable Floor Area Ratio (FAR) FAR = .55 (55% of Total Area of tract) 230,472 sq. ft. x 0.55 = 126,760 sq. ft.
- Tract is served by the following utilities:  
Electric: AmerenUE  
Water: American Water Company  
Gas: Laclede Gas Company  
Telephone: Southwestern Bell
- Tract is located in the following districts:  
Sewer: Metropolitan St. Louis Sewer District  
Fire District: Monarch Fire Protection District  
School District: Parkway
- All construction shall be in accordance with City of Chesterfield and Metropolitan St. Louis Sewer District standards and specifications.
- Open space shall be provided for the site at a minimum of thirty-five (35) percent of the total site.
- All Sewer Construction shall be in accordance with the Standard Details shown in 2006 Metropolitan St. Louis Sewer District "Standard Construction Specifications for Sewers and Drainage Facilities"
- Entrances shall conform to the standards contained in the City of Chesterfield Design Criteria and Standard Specifications for Street Construction
- All existing utility mains and lines shall be located by the utility companies prior to the start of construction.
- All electric and telephone distribution lines shall be constructed underground.
- Fire Hydrants shall be provided in accordance with Monarch Fire Protection District Regulations.
- A Soils report shall be submitted with the results of soil conditions, subsurface rock and water table information prior to the commencement of the grading operation.
- Existing contours are U.S.C.S. Datum
- All landscaping shall be in accordance with City of Chesterfield regulations.
- Lighting shall be in accordance with Section 1003.430 City of Chesterfield's Lighting Ordinance. No light shall trespass to adjoining properties in accordance with the City of Chesterfield Lighting Ordinance.
- This tract does not lie in any Special Flood Hazard Area.

**DETENTION NOTES:**

- Detention shall be provided for this site in accordance with the Metropolitan St. Louis Sewer District "Standard Construction Specifications for Sewers and Drainage Facilities" February 2006.
- The watershed release rate for this site shall be as outlined in Table 4-5 of the Metropolitan St. Louis Sewer District "Standard Construction Specifications for Sewers and Drainage Facilities" February 2006.
- All required detention and BMP's shall be provided with the use of dry basins, underground storage facilities or other approved methods.

**LEGAL DESCRIPTION:**

A tract of land being part of Lot 21 of "Highland on Conway Plat No. 2", a subdivision according to the plat thereof recorded in Plat Book 63, Page 39 of the St. Louis County Records and part of the right-of-way of Interstate 64 and U.S. Highway 40-61, being also part of original Lot 21 of said subdivision of "Highland on Conway Plat No. 2", in U.S. Survey 370, Township 45 North - Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:  
Beginning at the intersection of the East line of Lot 20 of said "Highland on Conway Plat No. 2", with the South line of Lot 14 of said "Highland on Conway Plat No. 2"; thence Eastwardly along the South line of Lots 14 and 13 of said "Highland on Conway Plat No. 2"; South 77 degrees 22 minutes 00 seconds East, 400 feet to the Northwest corner of Lot 8 of "Highland on Conway Plat No. 1", a subdivision according to the plat thereof recorded in Plat Book 63, Page 23 of the St. Louis County Records; thence Southwardly along the West line of said Lot 8, South 06 degrees 56 minutes 00 seconds West, 482.05 feet to a point; thence North 76 degrees 15 minutes 00 seconds West, 571.49 feet to a point on the West line of Lot 21 of said "Highland on Conway Plat No. 2"; thence Northwardly along said West line, North 27 degrees 24 minutes 00 seconds East, 484.52 feet to the point of beginning and containing 5.2909 Acres (230,472 square feet).

This is to certify that this plat is a correct representation of all existing and proposed land divisions and has been prepared from plats and deeds of record

David A. Colvin, Mo. P.E. - #E-19276



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

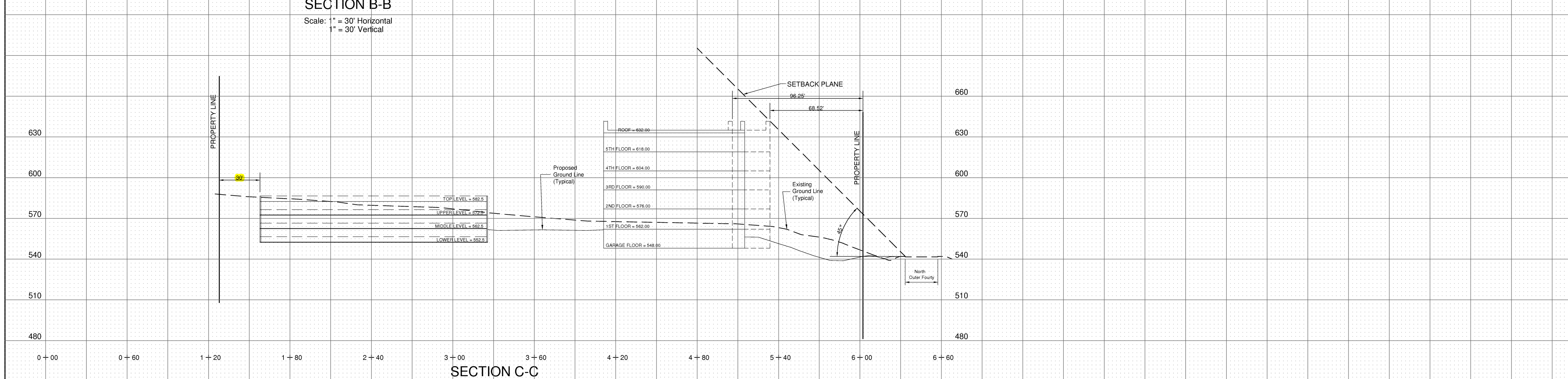
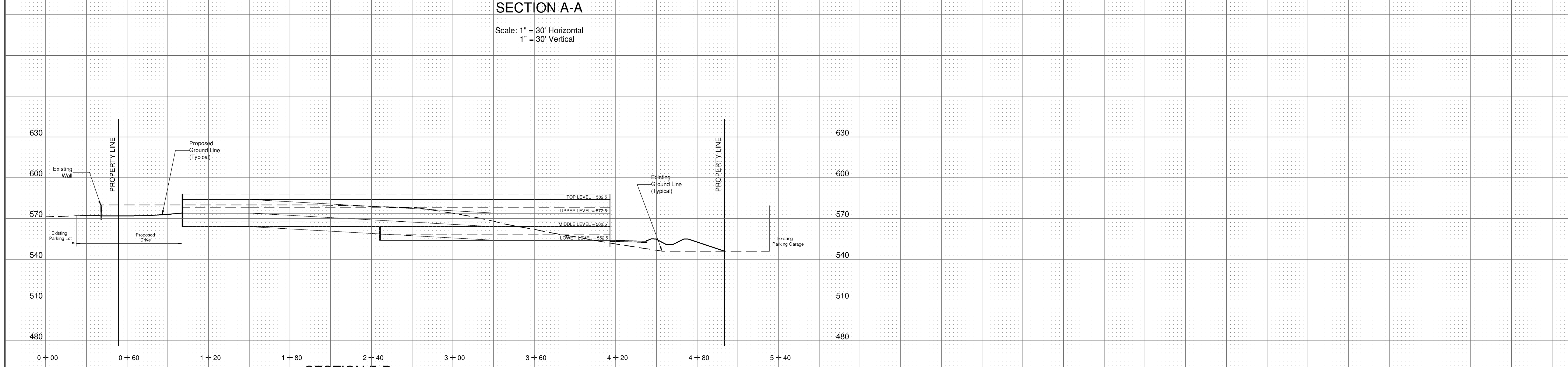
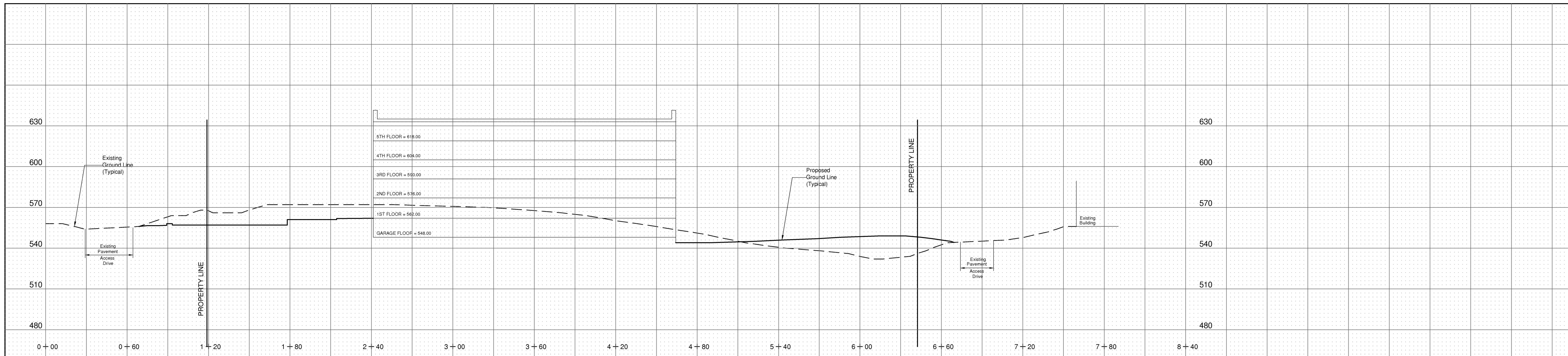
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the clayton engineering company, inc.  
ENGINEERS • SURVEYORS • PLANNERS  
1820 WEST INDUSTRIAL DRIVE  
ST. LOUIS, MISSOURI 63104  
PH: 636.331.1000 FAX: 636.331.1001  
Mo. Cert. of Authority: #01-000000020002-Prof. Surveying #000004

NO.	DATE	DESCRIPTION	BY	CHKD.
1	03/20/11	ISSUED BY City of Chesterfield	JM	JM

DELMAR GARDENS ENTERPRISES  
14805 North Outer Forty  
Chesterfield, Missouri 63017  
(636)733-7000 Fax:(636)733-7010  
PRELIMINARY PLAN  
DELMAR GARDENS AT CONWAY RIDGE III

Prepared for:  
Preliminary, not for construction, recording or implementation.  
Designed Drawn KRS  
Checked KRS, DGS  
Date 12/27/10  
Project Number 07154-1  
Sheet Number 1 of 2





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ENGINEERS • SURVEYORS • PLANNERS  
1880 North Outer Forty  
Chesterfield, Missouri 63017  
(314) 962-2668 FAX: (314) 962-2668  
Missouri Certificate of Authority - Prof. Engineering #00007 & Prof. Surveying #000714

NO.	DATE	DESCRIPTION	BY	CHECKED
1	03/28/11	KRS per City of Chesterfield	KRS	DGS

Prepared for:  
**DELMAR GARDENS ENTERPRISES**  
14805 North Outer Forty  
Chesterfield, Missouri 63017  
(636) 733-7000 Fax: (636) 733-7010  
SITE SECTIONS  
**DELMAR GARDENS AT CONWAY RIDGE III**

Preliminary, not for  
construction, recording  
purposes or  
implementation.

Designed: KRS  
Drawn: KRS, DGS  
Checked: DAC  
Date: 12/27/10  
Project Number: 07154-1  
Sheet Number: 2 of 2

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