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Phone: 636-537-4000 • Fax 636-537-4798 • [www.chesterfield.mo.us](http://www.chesterfield.mo.us)

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## Planning Commission Vote Report

**Subject:** Change of Zoning Vote Report

**Meeting Date:** April 27, 2015

**From:** Jessica Henry, Project Planner

**Location:** South side of Olive Blvd., west of its intersection with Woods Mill Rd.

**Petition:** P.Z. 06-2014 Four Seasons Plaza, Adjusted Lot 2 and Part of Adjusted Lot 1 (Caplaco Seven Inc. & Dierbergs Four Seasons Inc.)

### **Proposal Summary**

Doster Ullom, LLC, on behalf of Caplaco Seven, Inc. and Dierbergs Four Seasons, Inc., has submitted a request for a zoning map amendment from the “C-2” Shopping District and “PC” Planned Commercial District to create a new “PC” Planned Commercial District. If approved, this new district would add an additional use and amend the development criteria within the existing “PC” Planned Commercial District. A Public Hearing for this request was held on April 28, 2014 and an Issues Meeting was held on October 27, 2014.

### **Site History**

Adjusted Lot 1 of the subject site was zoned “C-2” Shopping District by St. Louis County in 1965. There is no site-specific ordinance for this site and no changes to the zoning have occurred in the decades since that time. Adjusted Lot 2 of the subject site was originally zoned “C-8” Planned Commercial District by St. Louis County in 1975 under Ordinance 7836. In the decades since, the site-specific governing ordinance has been amended several times.

The most recent zoning amendment occurred in 2008, when the City of Chesterfield approved Ordinance 2492 which changed the zoning from the “C-8” Planned Commercial District to the “PC” Planned Commercial District. At that time, several modifications were made to the ordinance. As it pertains to this proposal, fast food restaurants were permitted; however, although included in the original request, after concern was expressed by the Planning Commission, drive-thru and free-standing fast food uses were specifically excluded during the zoning process. This concern was first raised at the Public Hearing on the request and the owner agreed to remove the drive-thru use from the request. As such, the entitlement for a drive-thru fast food facility has never existed on this site and has specifically been excluded to ensure this use (as well as a free-standing fast food facility) would not be permitted on the site.

An application for a Boundary Adjustment Plat was filed in conjunction with this zoning petition and was subsequently approved by the City Council on March 16, 2015. The purpose of the Boundary Adjustment Plat was to align the property line between Adjusted Lot 1 and Adjusted Lot 2 to correspond with the limits of the requested change of zoning for the small portion of Adjusted Lot 1. Upon approval of the Boundary Adjustment Plat, the area covered by this zoning petition is now known as Readjusted Lot 2, as shown on the Preliminary Plan.

**Surrounding Land Use and Zoning**

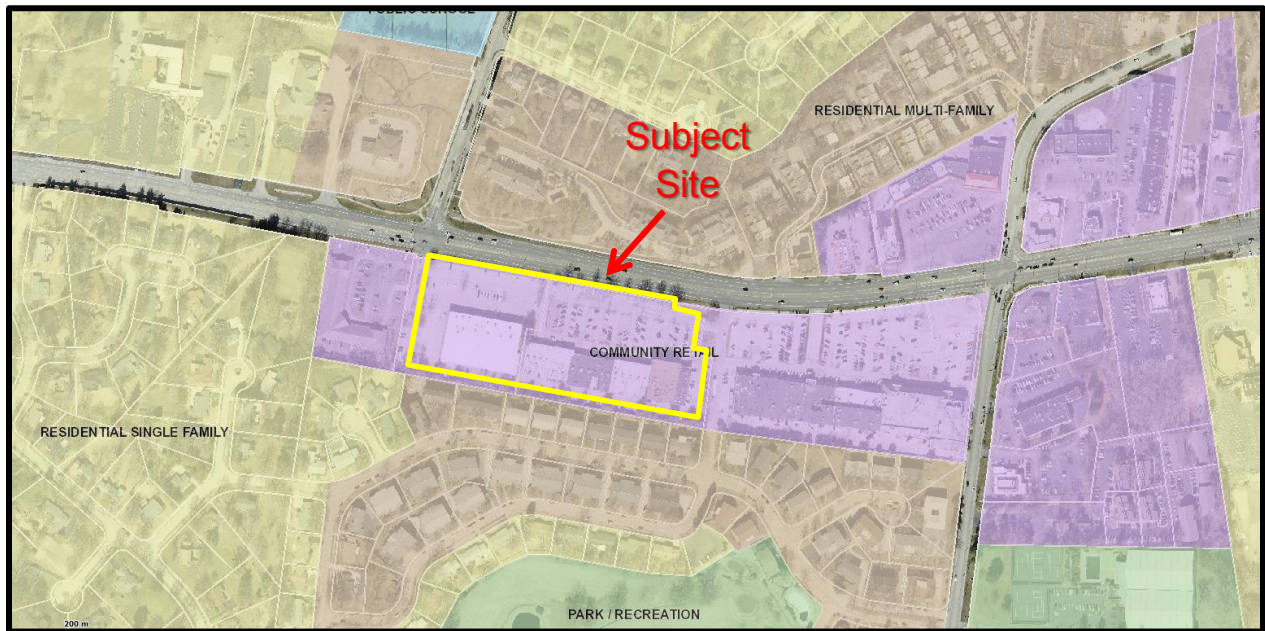
The land use and zoning for the properties surrounding this parcel are shown in the aerial image below and are as follows:

- North:** The property to the north across Olive Boulevard is the River Valley Condominiums residential subdivision and is zoned “R-2” Residence District.
- South:** The property to the south is the Four Seasons residential subdivision and is zoned “R-3” Residence District.
- East:** The property to the east is the Four Seasons Plaza Lot One commercial development and is zoned “C-2” Shopping District.
- West:** The property to the west is the Four Seasons Plaza West commercial development and is zoned “C-8” Planned Commercial District.



**Comprehensive Plan Analysis**

The subject site is located within the Community Retail designation, as shown on in the graphic on the following page. The Comprehensive Plan defines Community Retail as a “Center characterized by one national anchor store or grocery store at a maximum of 150,000 square feet that provides general merchandise and services and attracts customers from multiple neighborhoods within Chesterfield and neighboring municipalities that will generally travel up to 15 minutes to reach the center.”



Comprehensive Plan Excerpt

### **Staff Analysis and Issues**

This request can be broken down into three components, described below.

- 1. A zoning map amendment for a portion of Adjusted Lot 1:** When this petition was originally filed, the property boundary line between Adjusted Lot 1 and Adjusted Lot 2 fell within the parking island adjacent to the parking area that is being proposed as the drive-thru location if this request is approved. In order to contain all physical elements of the request within the boundaries of a single zoning designation, the Petitioner is requesting a zoning map amendment for a portion of Adjusted Lot 1, which is currently zoned “C-2” Shopping District, to incorporate this small portion into the existing “PC” Planned Commercial District and form a new “PC” Planned Commercial District. As discussed in the site history section of this report, a Boundary Adjustment Plat was approved at the March 16, 2015 City Council meeting. Approval of the Boundary Adjustment Plat was a completely separate project and does not require or suggest approval of this zoning request. The graphic on the following shows an approximate location of the Lot 2 property lines before and after approval of the Boundary Adjustment Plat.



2. **Amendments to the development criteria contained within site specific governing Ordinance 2492:** The existing ordinance for the development contains structure and parking setbacks that conflict with the proposed drive-thru use. In order to accommodate various elements of the proposed drive-thru use as well as ensure that the development as it currently exists conforms to all required setbacks, multiple revisions must be made to the current structure and parking setbacks contained in Ordinance 2492.

Additionally, the Petitioner is requesting to modify certain landscaping requirements contained within Ordinance 2492. Rather than the deciduous trees required along the western north-south access road, the applicant is proposing to plant landscape beds with flowering plants, shrubs, and grasses.

Finally, as required by Ordinance 2492, a six (6) foot high sight proof wooden fence exists along the southern property line. However, the ordinance mandates that the fence be located “three (3) feet north of the southern property line with evergreen trees located along both sides of the fence.” As it currently exists, the fence varies in distance from the southern property line, ranging from zero (0) feet to approximately six and a quarter (6.25) feet from the property line. Although a landscape buffer of mature evergreens exists between the Four Seasons Plaza commercial development and the Four Seasons residential subdivision, the varying distance precludes the location of evergreen trees on both sides of the fence as required by Ordinance 2492. Therefore, the Petitioner is seeking a revision to the ordinance language to accommodate the existing fence conditions.

**3. Request for an additional use:** The Petitioner is requesting that “Restaurant, with drive-thru window” be added as a permitted use within the “PC” Planned Commercial District. As stated on page one of the Petitioner’s narrative statement, the purpose of the request is to allow the Panera Bread restaurant that currently operates on Adjusted Lot 1 to relocate to the end-cap tenant space currently occupied by the Mongolian BBQ restaurant on Adjusted Lot 2. This relocation would entail renovations to suit the tenant’s requirements, including the addition of a drive-thru.

Staff would advise both the Petitioner and the Planning Commission that if this request is approved, any construction to this site to accommodate a drive-thru will be required to meet all parking, access, and other City Code requirements. If this request is not approved, this is a non-issue as this project will not reach the site development plan phase of the review process.

Attached to this packet are two letters of opposition received shortly after the Public Hearing was held in April of 2014. Additionally, a letter of support was received on April 8, 2015 and is also attached.

### **Issues**

The Planning Commission identified several issues at the April 28, 2014 Public Hearing on this petition. The Petitioner has submitted a formal response to each of these items which is attached to the Planning Commission packet for review. Additional information from Staff on this request is also provided below.

- **Clarification regarding the requested parking and structure setbacks, including identification of the various structures included in the request and setback requirements for said structures**

The Petitioner has requested a revision to the southern structure setback in order to accommodate the building as currently constructed. The current Ordinance requires a 60 foot structure setback and the Petitioner is proposing a 57 foot structure setback, which is where the existing building stands in relation to the southern property line. Additionally, the Petitioner is requesting setback exceptions to this southern structure setback for the trash enclosure and storage shed as well as a vendor access ramp.

The Petitioner has also requested that certain drive-thru elements, including a menu board, canopy with speaker, preview board, clearance bar and directional signage be excepted from the structure setback requirements along with the more typical exceptions, which include items such as freestanding signs, retaining walls, light standards, and flags.

Finally, the Petitioner has requested minor revisions to the southern, northern, and western parking setbacks to accommodate the existing parking layout.

- **Hours of Operation**

The current ordinance has restrictions on the hours of operation (Sunday – Friday morning 6:00 AM to 1:30 AM and Friday – Sunday morning 6:00 AM until 2:30 AM) for the bowling center. In the attached narrative, the Petitioner is proposing hours of operation be restricted for the fast food restaurant from 6:00 AM to 10:00 PM. The Planning Commission may accept this language or be more restrictive if so desired.

- **Restrictions on requested use “Restaurant, fast food with drive-thru window”**

If the request is approved, Staff would recommend that the drive-thru use be restricted by ordinance to a single drive-thru of any type at any given time not to be located within a free standing building and that the drive-thru location be restricted to an area designated on the Preliminary Plan. Additionally, Staff recommends adding the following language: *“The above use “Restaurant, fast food with drive-thru window, not located in free standing buildings” shall: Be an establishment more narrowly defined as a Fast-Casual type of Fast-Food restaurant which (1) utilizes non-disposable dishware and flatware for all dine-in orders; and (2) the majority of menu items are custom prepared to order versus pre-prepared and “racked.”*

**As indicated on page two of the Petitioner’s issues response letter, the Petitioner is amenable to these restrictions.**

- **Landscape Requests**

The current Ordinance includes the requirement for a six foot high sight proof wooden fence located three feet north of the southern property line with evergreens planted along both sides of this fence. However, due to the alignment of the fence at the time of construction, there is not sufficient space available for the Petitioner to plant the required evergreens. In lieu of this, the Petitioner has worked with the Trustees of the adjacent Four Seasons residential subdivision and is proposing to reconstruct the section of the fence adjacent to the drive-thru and to add additional landscaping in this area, as shown on the drive-thru exhibit included in the meeting packet.

- **The appropriateness of the addition of the drive-thru restaurant use within this development given the close proximity of the Four Seasons residential subdivision**

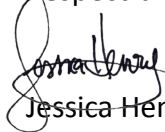
When the property owner was granted a change of zoning to the “PC” Planned Commercial District in 2008, the drive-thru use was specifically excluded. Prior to the change to “PC”, the site did allow for a drive-thru bank; however, fast food restaurants were not permitted. During the May 2008 Public Hearing on the request, concerns were expressed regarding the use, the history of the project, and the proximity to the existing residential properties (approximately 60 feet from building to property line), and the owner agreed to remove the drive-thru use from the request. As such, the entitlement for a drive-thru fast food facility has never existed on this site and has specifically been excluded to ensure this use (as well as a free-standing fast food facility) would not be permitted on the site.

However, with this current request, the Petitioner has worked closely with the Trustees of the adjacent residential subdivision and, in an effort to mitigate any adverse effects of the proposed drive-thru, is proposing to add a fence between the drive-thru area and the adjacent residential properties in addition to fortifying the existing boundary fence and landscape buffer in this area. The Petitioner has included illustrative exhibits of these measures in the Planning Commission packet. Further, the Petitioner has also agreed to grant the Four Seasons subdivisions an access easement over Highland Park Drive to ensure that the residents of the subdivisions do not lose an important access point.

**Request**

Staff has reviewed the request for an ordinance amendment by Doster Ullom & Boyle, LLC for the Four Seasons Plaza development, Adjusted Lot 2 and part of Adjusted Lot 1 (Caplaco Seven Inc. & Dierbergs Four Seasons Inc.) development and has found that all of the requests are compliant with the City of Chesterfield Code. Staff has prepared an Attachment A reflecting this request for consideration by the Planning Commission. Staff requests action on P.Z. 06-2014 Four Seasons Plaza, Adjusted Lot 2 and Part of Adjusted Lot 1 (Caplaco Seven Inc. & Dierbergs Four Seasons Inc.).

Respectfully submitted,



Jessica Henry  
Project Planner

Attachments

1. Response to Issues Letter
2. Drive Thru Exhibit
3. Proposed Landscaping Exhibit
4. Petitioner's Narrative
5. Letters of Support/Opposition
6. Attachment "A"
7. Preliminary Plan

cc: Aimee Nassif, Planning and Development Services Director



**DOSTER ULLOM  
& BOYLE, LLC**  
ATTORNEYS AT LAW

St. Louis  
1090 Swingley Ridge Road  
Suite 620  
Chesterfield, MO 63017  
(636) 532-0042  
(636) 532.1082 Fax

William B. Remis  
bremis@dubllc.com

March 26, 2015



**Sent Via Personal Delivery**

Aimee Nassif  
City of Chesterfield  
690 Chesterfield Parkway W  
Chesterfield, Missouri 63017

**RE: P.Z. 06-2014 Four Seasons Plaza, Lot 2 (Caplaco Seven, Inc. and Dierbergs Four Seasons, Inc.)**

Dear Ms. Nassif:

We are in receipt of your June 30, 2014 letter outlining and restating issues regarding the Zoning Application for the above. Please see our responses below which supplements additional letters previously submitted.

1. The parking and structural setback lines noted on the plan (eastern and southern) should continue through the proposed drive thru and vendor access ramp areas.

***Petitioner's Response – Please see revisions on Preliminary Plan submitted.***

2. As you are aware, the preliminary plan is to provide a conceptual layout of the entire development only and is attached to the legislation which will be written for this request. Therefore all future site plans must substantially conform to the preliminary plan. As such, please remove the text blocks and notes on the preliminary plan regarding the drive thru elements and associated parking and other such setbacks. This will be addressed in the Attachment A. However, you may submit this information under separate document if you wish to do so.

***Petitioner's Response – Please see revisions on Preliminary Plan submitted.***

3. It appears the ramp at the rear of the building is much smaller than the footprint shown for the vendor access ramp. Please clarify what is proposed at this location. The footprint shown on the Plan should also correspond to the dimensions provided in your issues response letter which was received by the City previously.

***Petitioner's Response – We have not yet identified a specific location nor completed a design for the access ramp. However, we have identified on the Preliminary Plan the boundaries for the general area where we will install the ramp. The height of the platform is only intended to accommodate the difference between the pavement and the finished floor elevation of the building. As noted in our prior response***



*letter, the ramp and platform are designed for product delivery and personnel access and egress. The exact location of this improvement will fall within the boundaries of the tenant space in an east to west direction and shall not extend more than 8'-0" from the south face of the building. The existing door locations on this wall will be revised as the tenant plan is developed. New door openings will be coordinated as necessary as part of the tenant improvement to coincide with the platform location.*

4. The title and all associated notes on the Preliminary Plan for Readjusted Lot 2 should be updated to refer to the area under this zoning request as it is presently subdivided which is Adjusted Lot 2 and a portion of Adjusted Lot 1. Please also provide all locator numbers and metes and bounds for such.

*Petitioner's Response – Please see revisions on Preliminary Plan submitted.*

5. Language pertaining to required cross access shall remain as currently written in Ordinance 2492 which currently governs this development.

*Petitioner's Response – Petitioner acknowledges this requirement.*

6. Language permitting a restaurant, fast food use with drive thru window shall be restricted to a single user at any given time and shall be restricted to the area shown on the preliminary plan.

*Petitioner's Response – Petitioner acknowledges this requirement. In addition, Petitioner understands that Staff has proposed the following language for Attachment "A" regarding the drive through use:*

*The above use "Restaurant, fast food with drive-thru window" shall:*

- a. *Be restricted to a single user at any given time; and*
- b. *Not be located in a free standing building; and*
- c. *Be located in the area as shown on the attached Preliminary Plan marked as Attachment B; and*
- d. *Be an establishment more narrowly defined as a Fast-Casual type of Fast-Food restaurant which*
  - (i) *utilizes non-disposable dishware and flatware for all dine-in orders; and*
  - (ii) *the majority of menu items are custom-prepared to order versus pre-prepared and "racked."*

*Petitioner has no objection to and accepts Staff's suggested language.*

Your June 30 letter also sets forth several proposed modifications to Attachment "A". Please note Petitioner has no issues with any of the proposed modifications shown in your letter, except as follows:

- Petitioner has requested a modification to the requirement to "provide a six (6) foot high sight proof wooden fence three (3) feet north of the southern property line with evergreen trees located along both sides of such fence." The fence as originally constructed does not consistently run three (3) feet north of the southern property line (the length varies) and Petitioner cannot accommodate the requirement of planting evergreens on both sides of the fence. However, Petitioner has agreed with the Trustees of Four Seasons Subdivision to install some landscaping and make improvements to a section of the fence (see below).

Please note that the City Council approved the Boundary Adjustment Plat for this project at the March 16, 2015 City Council Meeting.

March 26, 2015

Page 3

Finally, Petitioner has been working with the Trustees of the Four Seasons Subdivision in connection with their concerns regarding the zoning request. As a result, Petitioner has agreed to the following to be completed upon approval of the zoning and site development plan:

1. Install 13 new Green Giant Arborvitae trees behind the fence adjacent to the area where Petitioner will locate the drive through.
2. Install improvements to existing fencing behind the area where Petitioner will locate the drive through to assist with sound mitigation.
3. Grant an access easement over Highland Park Drive for the benefit of the residents of Four Seasons Subdivision (Petitioner has signed the easement and placed it in escrow to be recorded upon approval of the zoning and site development plan).

Please contact the undersigned if you have any questions or wish to further discuss. Thank you.

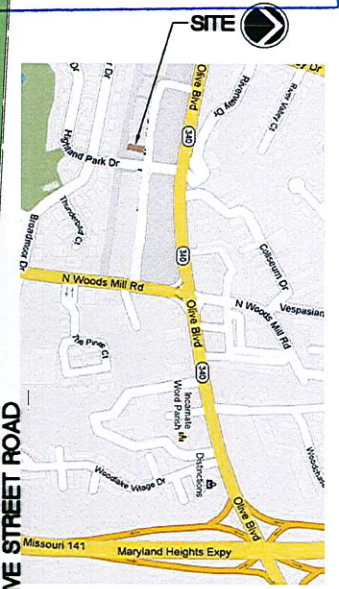
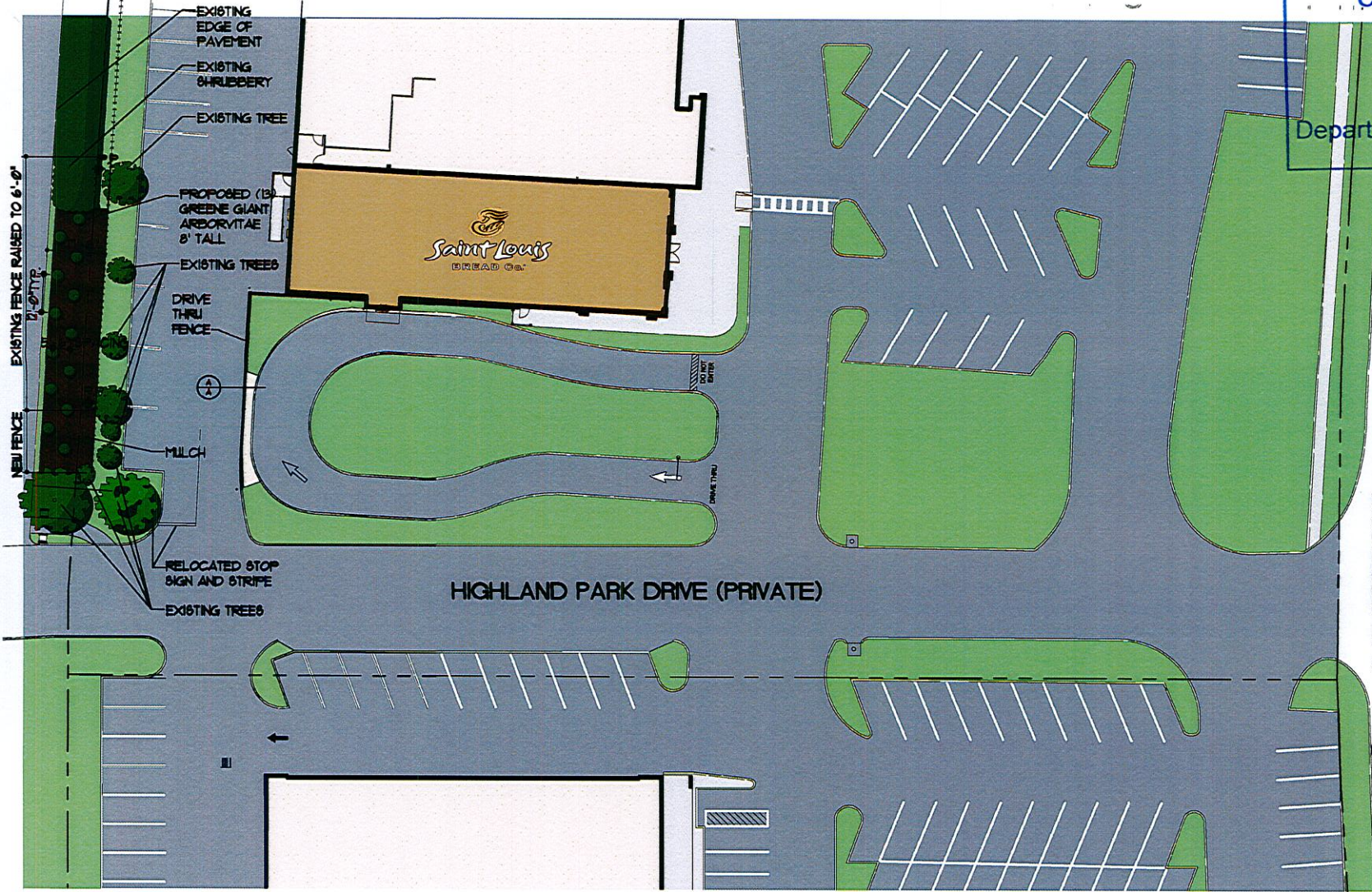
Very truly yours,



William B. Remis

WBR/kml

**RECEIVED**  
 City of Chesterfield  
**APR 17 2015**  
 Department of Public Services



**DRIVE - THRU EXHIBIT**

NOTE:  
 1. WINDOW LOCATION SUBJECT TO CHANGE. DIMENSIONS ARE APPROXIMATE ONLY.

Another  
 Capitol Land  
 Development

**FOUR SEASONS SHOPPING CENTER**  
 CHESTERFIELD, MISSOURI

**Dawdy & ASSOCIATES, INC.**

Phone: (314) 434-0700  
 Date: 01-07-15  
 Job # 21255



RECEIVED

City of Chester

APR 17 2015

Department of Public Services

RECEIVED  
City of Chesterfield

APR 22 2014

Department of Public Services

## NARRATIVE STATEMENT

### Dierbergs Four Seasons Adjusted Lot 2

Caplaco Seven, Inc. and Dierberg's Four Seasons, Inc. (collectively, "Owner") are requesting a zoning map amendment to create a new "PC" Planned Commercial District from a small portion of Adjusted Lot 1 and Adjusted Lot 2 of the Dierbergs Four Seasons Shopping Center (the "Shopping Center"). The zoning change will add an additional use, modify the development criteria within the "PC" Planned Commercial District and add a small portion of Adjusted Lot 1 to Adjusted Lot 2. Adjusted Lot 2 is currently zoned as a "PC" Planned Commercial District pursuant to Ordinance No. 2492.

Owner is seeking the zoning change in connection with the relocation and new lease of the St. Louis Bread Company Restaurant at the Shopping Center. St. Louis Bread Company would like to relocate its existing restaurant to a new location in order to upgrade to a more modern store which will include a drive through. Owner and St. Louis Bread Company have identified a new location within the Shopping Center to accommodate St. Louis Bread Company's request.

Proposed restrictions on the drive through would be as follows:

1. The drive through would be permitted only for fast food restaurants.
2. Hours of operation for the drive through would be restricted to between 6:00 a.m. and 10:00 p.m.
3. Only one (1) drive through would be permitted for the Shopping Center.
4. The only permitted location for the drive through would be in the area generally as shown on the preliminary plan.

Additionally, in order to accommodate the drive through and the St. Louis Bread Company Restaurant, Owner is requesting the following additional modifications:

1. Revision to the structure setback from the southern property line to accommodate trash enclosures and a loading platform for the building in the location generally as shown on the preliminary plan. Setback modification for the loading platform would be forty (40) feet. Setback modification for the trash enclosures would be ten (10) feet.
2. Revision to the structure setback from the northern and eastern property line to accommodate various "structural" elements of the drive through which are the menu board, canopy/ speaker, preview board, clearance bar and directional signage. Setback adjustment would be to zero feet for these drive through elements only.

3. Revision to the parking setback from the eastern and northern property line to accommodate the drive through lane. Setback adjustment would be zero feet for this drive through lane only in accordance with the preliminary plan.
4. Minor adjustment to a portion of the eastern boundary of the property line and the zoning district to provide for sufficient space within the property's boundaries to accommodate the proposed drive through location. A boundary adjustment plat has also been filed to address the shift to this property line.
5. Modification to the requirements for the landscape buffer strip along the eastern service road and the western north-south access road and within the center dividing esplanade of such road. The modification would be to replace deciduous and evergreen trees with low growing shrubs or grasses and with beds of annual flowering plants for such area (or such landscaping as otherwise complies with city requirements).
6. To reflect existing conditions at the Shopping Center, Owner will also request modifications of parking setbacks, structure setbacks and requirements regarding the location of the six (6) foot high sight proof wooden fence along the southern property line.

The applicants are not seeking any other changes other than as described herein.

Jessica Henry

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From: Aimee Nassif  
Sent: Wednesday, April 08, 2015 10:39 AM  
To: sjstubb@charter.net  
Cc: Jessica Henry  
Subject: RE: ST. LOUIS BREAD COMPANY DRIVE THRU

Follow Up Flag: Follow up  
Flag Status: Completed

Mr Stubblefield,

Thank you for taking to time to express your thoughts on this proposal which is currently pending before our Planning Commission.

It is helpful to hear from area residents and business owners such as yourself on matters under review by the City. We will share your feedback with the Planning Commission when this goes back before them for review and recommendation.

Thank you,

Aimee

Aimee Nassif, AICP  
*Planning and Development Services Director*  
*City of Chesterfield*  
*690 Chesterfield Parkway West*  
*P 636.537.4749/F 636.537.4798*



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From: [sjstubb@charter.net](mailto:sjstubb@charter.net) [mailto:sjstubb@charter.net]  
Sent: Tuesday, April 07, 2015 8:40 AM  
To: Aimee Nassif  
Subject: FW: ST. LOUIS BREAD COMPANY DRIVE THRU

-----  
From: "sjstubb"  
To: "JACK STUBBLEFIELD"  
Cc:

Sent: Tue, 7 Apr 2015 13:19:30 GMT

Subject: ST. LOUIS BREAD COMPANY DRIVE THRU

I OWN SEVERAL BUILDINGS IN THE FOUR SEASONS SUBDIVISION. IN ADDITION, I MANAGE 38 APARTMENTS FOR OTHER PROPERTY OWNERS PLUS LEASE APARTMENTS FOR MANY OF THE OTHER PROPERTY OWNERS IN THE FOUR SEASONS SUBDIVISION. I UNDERSTAND ST. LOUIS BREAD COMPANY WILL MOVE OUT OF THE AREA IF THEIR DRIVE THRU IS NOT APPROVED BY THE CITY OF CHESTERFIELD. THIS FIRST CLASS RESTAURANT FULFILLS AN IMPORTANT NEED FOR ALL OF THE RESIDENTS IN THE AREA AND WOULD BE A GREAT LOSS TO THE COMMUNITY IF THEY MOVED OUT OF THE SHOPPING CENTER. I DO NOT OBJECT TO THE DRIVE THRU BEING APPROVED AND I DO NOT KNOW OF ANYONE ELSE THAT OBJECTS TO IT.

THANK YOU

JACK STUBBLEFIELD

314 341 7076





# 13570 Coliseum Dr Chesterfield, MO 63017

**(314) 514-8004**

City of Chesterfield

APR 29 2014

Department of Public Services

**April 29, 2014**

Subject: P.Z. 06-2014 Four Seasons Plaza

To: The City of Chesterfield Planning Commission:

My comments below will summarize the concerns that we, as the Woodsmill Pointe association trustees, have with regard to possible zoning changes that would allow a drive-thru order/pick-up area at the east end of what is now the Mongolian BBQ restaurant. The specific planning commission agenda item I am referring to is "P.Z. 06-2014 Four Seasons Plaza, Adjusted Lot 2 and Part of Adjusted Lot 1 (Caplaco Seven Inc. & Dierbergs Four Seasons Inc.)".

The association trustees here are opposed to any consideration of this zoning change until street accesses are modified such that safe, ready exit and entrance to Coliseum Drive on the west end of our development is insured with what will be more congestion in that area as described below.

We have noted the long lines of cars waiting to access these type drive-thrus at both the McDonald's restaurant in our neighborhood as well as the Panera Bread located at Boone's Crossing-- especially at early morning commuting times. If there is a drive-thru next to what is now the Mongolian BBQ, that will translate into extended lines of cars west bound on Olive in the left turn lane waiting to turn on to Highland Park Dr. as well as east bound Olive traffic backing up on Olive waiting to make right turn into Highland Park Dr. Further, those cars leaving the proposed drive-thru, will have no option at these busy times except to drive west through Four Seasons parking lot to River Valley Drive. What all of this means to Woodsmill Point residents is that left turns onto Olive east bound may well be impossible at these busy times as well as no ability for our residents to approach and turn into Highland Park Drive.

The above changes and added congestion are especially troublesome because this is already our best option for accessing Olive and it may well become our only access in the near future. Currently the electric signals at Olive and Woodsmill Road are an extremely long green for traffic through on Olive. The wait for Woodsmill traffic can be 4 minutes at commute times and with the added traffic from 7-11 and Forum Center, waiting through two 4 minute cycles is a frequent experience. The result has been large amounts of cut-through traffic on Coliseum Drive at high unsafe speeds to avoid the signal wait (by non-resident traffic). To resolve this, we are seriously considering the closing of our east Coliseum Drive entrance.

We thank the Planning Commission for their consideration of these issues. This is a very real problem and safety issue that must be resolved by modifications in the accesses to Highland Park Drive before any approvals of changes that will increase the traffic as described above.

Sincerely,

David R. Meyer, Vice-President, Woodsmill Pointe Section II Board of Managers

## Kathy Reiter

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**From:** Jessica Henry  
**Sent:** Thursday, May 29, 2014 11:04 AM  
**To:** Kathy Reiter  
**Subject:** FW: FYI!

Please log this in for P.Z. 06-2014.

Thanks,

Jessica

**From:** Aimee Nassif  
**Sent:** Thursday, May 29, 2014 10:56 AM  
**To:** Jessica Henry  
**Subject:** FW: FYI!



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**From:** [atasiddiqui@hotmail.com](mailto:atasiddiqui@hotmail.com)  
**To:** [NGreenwood@chesterfield.mo.us](mailto:NGreenwood@chesterfield.mo.us); [DGrier@chesterfield.mo.us](mailto:DGrier@chesterfield.mo.us); [EGrissom@chesterfield.mo.us](mailto:EGrissom@chesterfield.mo.us);  
[MCasey@chesterfield.mo.us](mailto:MCasey@chesterfield.mo.us); [DHurt@chesterfield.mo.us](mailto:DHurt@chesterfield.mo.us); [CFulfs@chesterfield.mo.us](mailto:CFulfs@chesterfield.mo.us);  
[BNation@chesterfield.mo.us](mailto:BNation@chesterfield.mo.us); [BFlachsbart@chesterfield.mo.us](mailto:BFlachsbart@chesterfield.mo.us)  
**CC:** [Inlipsitz@aol.com](mailto:Inlipsitz@aol.com); [jamesfs@att.net](mailto:jamesfs@att.net)  
**Subject:** Proposed drive thru business in Four Seasons (olive and Highland Park)  
**Date:** Thu, 29 May 2014 03:40:18 +0000

Honorable Mayor and Council Members,

I am writing to my representatives of ward 1 as well as all other council members to let everyone know about our objection to a proposed drive thru for a business in place of current Mongolian Restaurant at Olive and Highland Park in City of Chesterfield, Ward 1.

I am owner of two separate properties right behind the proposed drive thru and myself, my fellow trustees and property owners/homeowners of this subdivision strongly object to the proposal since it would greatly increase the traffic on this small street that leads to a private golf course community which is few feet away from this lot. It would also greatly increase the noise level to affect people who live in this subdivision which roughly consists of 360 apartments and homes. It would adversely affect our rental apartments business and Golf course and would definitely lead to decreased property values. Decreased business at the golf course and property values means less revenue for the city and county.

We represent a 360 or more house holds and none of us got any notice from city that they are considering this proposal which is a little unsettling.

We, the trustees of Four Seasons urge you to please kill this proposal because it is bad for our neighborhood and bad for city of Chesterfield.

Looking forward to hear back from you and thank you in advance for your kind consideration in our favor.

Sincerely,

Ata Siddiqui

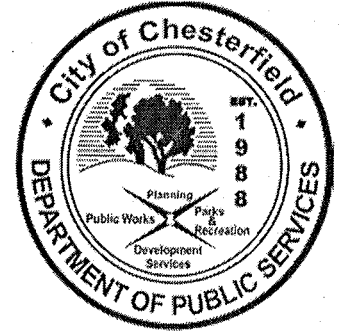
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# Memorandum

## Planning & Development Services Division



**To:** Planning Commission

**From:** Jessica Henry, Project Planner

**Date:** April 23, 2015

**RE:** P.Z. 06-2014 Four Seasons Plaza, Adjusted Lot 2 and Part of Adjusted Lot 1(Caplaco Seven Inc. & Dierbergs Four Seasons, Inc.)—Additional Resident Letters of Support

The above referenced project has been scheduled for vote on the April 27, 2015 Planning Commission Agenda. Accordingly, meeting packets were distributed on Wednesday, April 22, 2015. Upon distribution of the meeting packet, it was brought to Staff's attention that, although two letters of opposition and one letter of support were included in the meeting packet, three letters of support were omitted from the meeting packet. These three letters are attached to this memo for the Planning Commission's consideration.

Please note that one of the letters is from Mr. Ata Siddiqui, a Trustee of the Four Seasons Country Club and Subdivision who, following the April 28, 2014 Public Hearing on this petition, submitted one of the letters of opposition included in the meeting packet. Mr. Siddiqui has changed his position, and, as indicated in the attached letter, fully supports this petition at the present time.

### Attachments

1. Letter from Mr. Ata Siddiqui, Trustee Four Seasons Country Club and Subdivision
2. Letter from Mr. Hong Zheng, Four Seasons Subdivision Resident
3. Letter from Ms. Elizabeth Barnhart, Forest Ridge Manor Subdivision Resident

**Jessica Henry**

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**From:** Bill Remis <BRemis@dublhc.com>  
**Sent:** Wednesday, April 22, 2015 4:47 PM  
**To:** Jessica Henry  
**Subject:** FW: P.Z. 06-2014, proposed drive for STL bread company

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Ata Siddiqui [<mailto:atasiddiqui@hotmail.com>]  
**Sent:** Thursday, February 12, 2015 8:43 PM  
**To:** [ngreenwood@chesterfield.mo.us](mailto:ngreenwood@chesterfield.mo.us); [dgrier@chesterfield.mo.us](mailto:dgrier@chesterfield.mo.us); [egrissom@chesterfield.mo.us](mailto:egrissom@chesterfield.mo.us); [mcasey@chesterfield.mo.us](mailto:mcasey@chesterfield.mo.us); [dhurt@chesterfield.mo.us](mailto:dhurt@chesterfield.mo.us); [cfults@chesterfield.mo.us](mailto:cfults@chesterfield.mo.us); [bnation@chesterfield.mo.us](mailto:bnation@chesterfield.mo.us); [barryf@chesterfield.mo.us](mailto:barryf@chesterfield.mo.us)  
**Cc:** [Lnlipsitz@aol.com](mailto:Lnlipsitz@aol.com); William L Morrow  
**Subject:** P.Z. 06-2014, proposed drive for STL bread company

Honorable Mayor and Members of the City Council of Chesterfield, MO:

In May, I wrote to you regarding the concerns of the trustees and homeowners of Four Seasons Subdivision to the proposed drive through and new St. Louis Bread Co. to be located at Four Seasons Shopping Center. Since delivery of my letter, we have met on multiple occasions with the owners of the Shopping Center. We have now agreed with the owners that, should the City approve the zoning and site plan changes, the owners will modify certain portions of the existing fencing on the south boundary of the property adjacent to the subdivision, install new landscaping behind the fencing, install certain sound mitigation elements for the drive through and grant an easement for Highland Park Drive. Accordingly, ownership has addressed all of our concerns and, the trustees and homeowners no longer object to the St. Louis Bread Company or drive through.

Thank you very much for your cooperation in this matter.

Sincerely,

Ata Siddiqui

Trustee,

Four Seasons Country Club and subdivision

Chesterfield, MO 63017

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**Dan Capps**

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**From:** Hong Zheng <hongzheng63017@gmail.com>  
**Sent:** Tuesday, March 17, 2015 12:29 PM  
**To:** DCapps@caplaco.com  
**Subject:** Fwd: Proposed St.Louis Bread/Panera Drive Thru Four Seasons

----- Forwarded message -----

**From:** **Hong Zheng** <hongzheng63017@gmail.com>  
**Date:** Tue, Mar 17, 2015 at 11:57 AM  
**Subject:** Proposed St.Louids Bread/Panera Drive Thru Four Seasons  
**To:** [anassif@chesterfield.mo.us](mailto:anassif@chesterfield.mo.us)

Dear Aimee,

I am writing this letter regarding the above mentioned proposal. I am a business owner myself and a homeowner in Four Seasons Subdivision at 68 Burning Tree Drive.

It has come to my attention that St. Louis Bread Company may be moving out of the Four Seasons Shopping Center if they cannot relocate their restaurant and a drive thru in the location where Mongolian BBQ presently occupies its restaurant.

I know many other homeowners in Four Seasons and have spoken with them. I am aware that many of the homeowners look forward to this drive thru being completed. We feel that a drive thru to get a cup of coffee on the way to work is a plus, not to mention a top quality restaurant for meals.

Would you kindly forward this to the City Council members.

Thank you in advance for your consideration.

Sincerely,

Hong Zheng

## Jessica Henry

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**From:** Bill Remis <BRemis@dublhc.com>  
**Sent:** Wednesday, April 22, 2015 5:11 PM  
**To:** Jessica Henry  
**Subject:** FW: St. Louis Bread Company

Jessica – here is the first of a couple of emails in support that were sent to the City.

Thanks.

Bill

**From:** elizabeth barnhart [[ecabarnhart@yahoo.com](mailto:ecabarnhart@yahoo.com)]  
**Sent:** Monday, March 23, 2015 4:05 PM  
**To:** Nancy Greenwood; Barry Flachsbart  
**Subject:** St. Louis Bread Company

Dear Councilmembers Greenwood and Flachsbart,

My name is Elizabeth Barnhart and I own my home at 18 Tempest Drive in your ward.

I have recently become aware that St. Louis Bread Co. may be moving out of Four Seasons Center if they cannot relocate their restaurant and get a drive thru lane.

St. Louis Bread Co. is a favorite meeting spot for people in the neighborhood and it would be a terrible setback to the neighborhood to lose them. I believe my feelings are shared by many of my neighbors.

I hope you will support their zoning request. We do not want to lose them.

Sincerely,  
Elizabeth Barnhart

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## **ATTACHMENT A**

**All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.**

### **I. SPECIFIC CRITERIA**

#### **A. PERMITTED USES**

1. The uses allowed in this "PC" Planned Commercial District shall be:
  - a. Animal hospitals, veterinary clinics and kennels;
  - b. Barber shops and beauty parlors;
  - c. Bookstores;
  - d. Broadcasting studios for radio and television;
  - e. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications shall not be permitted except for the receiving and transmitting antennas installed on the roof of the Center as of the effective date of this Ordinance;
  - f. Cafeterias for employees and guests only;
  - g. Child care centers, nursery schools, and day nurseries;
  - h. Colleges and universities;
  - i. Dry cleaning drop-off and pick-up stations;
  - j. Film drop-off and pick-up stations;
  - k. Financial Institutions;
  - l. Medical and dental offices;
  - m. Office or office buildings;
  - n. Recreational facilities, indoor facilities, including swimming pools, tennis courts, gymnasiums, and indoor theaters;
  - o. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
  - p. Restaurants, fast food with drive-thru window, not located in free standing buildings;
  - q. Restaurants, sit down;

- r. Rental and leasing of new and used vehicles, including automobiles, as well as associated repairs and necessary outdoor storage of said vehicles;
  - s. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training;
  - t. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, 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. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises except indoor sale of motor vehicles shall not include the sale of automobiles or trucks.
2. The above use "Restaurant, fast food with drive-thru window, not located in free standing buildings" shall:
- a. Be restricted to a single user at any given time; and
  - b. Be located in the area as shown on the attached Preliminary Plan marked as Attachment B; and
  - c. Be an establishment more narrowly defined as a Fast-Casual type of Fast-Food restaurant which:
    - i. utilizes non-disposable dishware and flatware for all dine-in orders; and
    - ii. the majority of menu items are custom prepared to order versus pre-prepared and "racked."
3. The following ancillary uses shall be permitted:
- a. Associated work and storage areas required by a business, firm, or service to carry on business operations;
  - b. Automatic vending facilities for:
    - i. Ice and solid carbon dioxide (dry ice);
    - ii. Beverages;
    - iii. Confections.

- c. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles.
4. Hours of Operation.
- a. Hours of operation for the bowling center shall be limited to 6:00 AM to 1:30 AM on Sunday through Friday morning, and from 6:00 AM to 2:30 AM on Friday through Sunday morning.
  - b. Use “Restaurant, fast food with drive-thru window; not located in free standing buildings” listed above includes a drive-thru and fast food sales, in conjunction with that use, will be subject to hours of operation from 6:00 AM to 10:00 PM.

## **B. SETBACKS**

### 1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles, fences, dumpster enclosures, or drive-thru elements including a menu board, canopy with speaker, preview board, clearance bar and directional signage, will be located within the following setbacks:

- a. Eighty (80) feet from the northernmost & westernmost boundaries of this “PC” Planned Commercial District.
- b. Fifty-seven (57) feet from the southern boundary of this “PC” Planned Commercial District with the following exceptions:
  - i. Ten (10) feet from the southern boundary of this “PC” Planned Commercial District for the trash enclosure and storage shed.
  - ii. Forty (40) feet from the southern boundary of this “PC” Planned Commercial District for the vendor access ramp.
- c. Sixty (60) feet from the eastern boundary of this “PC” Planned Commercial District.

## 2. Parking Setbacks

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

- a. Fourteen (14) feet from the northern boundary of this "PC" Planned Commercial District.
- b. Twelve (12) feet from the southern and western boundaries of this "PC" Planned Commercial District.
- c. Ten (10) feet from the eastern boundary of this "PC" Planned Commercial District.

## **C. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Parking lots shall not be used as streets.
3. No loading space shall be required for the bowling center.
4. The above required parking shall be reduced by twenty percent (20%) in this "PC" Planned Commercial District.
5. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.

## **D. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Landscape and Tree Preservation requirements of the City of Chesterfield Code.
2. A landscaped buffer strip of the following width shall be provided; ten (10) feet along both sides of the east service road and fifteen (15) feet along both sides of the western north-south access road as well as within the center dividing esplanade of such road. Such buffers strips shall include low growing shrubs and/or grasses and annual flowering plants.
3. The southern buffer strip shall contain a six (6) foot high sight proof wooden fence.

## **E. 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.

## **F. LIGHT REQUIREMENTS**

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

## **G. ARCHITECTURAL**

1. The developer shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: 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

## **H. ACCESS/ACCESS MANAGEMENT**

1. Access to this development shall be as shown on the Preliminary Site Plan and limited to the existing commercial entrances from Olive Boulevard (Missouri 340).
2. Provide cross access easements as needed to provide the adjacent parcels to the east and to the west full access to Olive Boulevard.

## **I. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Any work within MoDOT's right-of-way will require a MoDOT permit.
2. All drainage detention storage facilities must be placed outside of the standard governmental agencies' planning and zoning setbacks, or fifteen (15) feet from the new or existing right-of-way line, whichever is greater.
3. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. Roads shall be kept clear of mud and debris at all times.

## **J. TRAFFIC STUDY**

Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation. 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.

## **K. POWER OF REVIEW**

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

## **L. 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. The adequacy and condition of the existing downstream system(s) shall be verified and upgraded as necessary and as directed by the City of Chesterfield, the Metropolitan St. Louis Sewer District, and the Missouri Department of Transportation.
2. Storm water quantity management, channel protection, and water quality improvements shall be provided as required by the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the City of Chesterfield. The location and types of storm water management facilities shall be identified on all Site Development and Improvement Plans.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as approved by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the 100 year high water elevation in detention/retention facilities. All structures shall be set at least thirty (30) feet horizontally from the limits of the 100 year high water.
6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.

## **M. SANITARY SEWER**

Sanitary sewers shall be as approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield.

## **N. GEOTECHNICAL REPORT**

Prior to Site Development Plan approval, the developer shall provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the City of Chesterfield. 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. 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, Missouri Code shall be required where applicable.
3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Saint Louis County Department of Highways and Traffic or MoDOT. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

## **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 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 two (2) feet, 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.

23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

**V. RECORDING**

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

**VI. 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.

