



VIII.A.

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Planning Commission Staff Report

Subject: Rezoning Issues Report

Meeting Date: April 28, 2008

From: Annissa McCaskill-Clay, AICP
Assistant Director of Planning

Location: 14730 Conway Road (19R530232)

Petition: P.Z. 01-2008 Kraus Farm Office Center (Opus Northwest)

Proposal Summary

Opus Northwest has submitted an application for a change of zoning from “NU” Non-Urban District to “PC” Planned Commercial District per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.140.

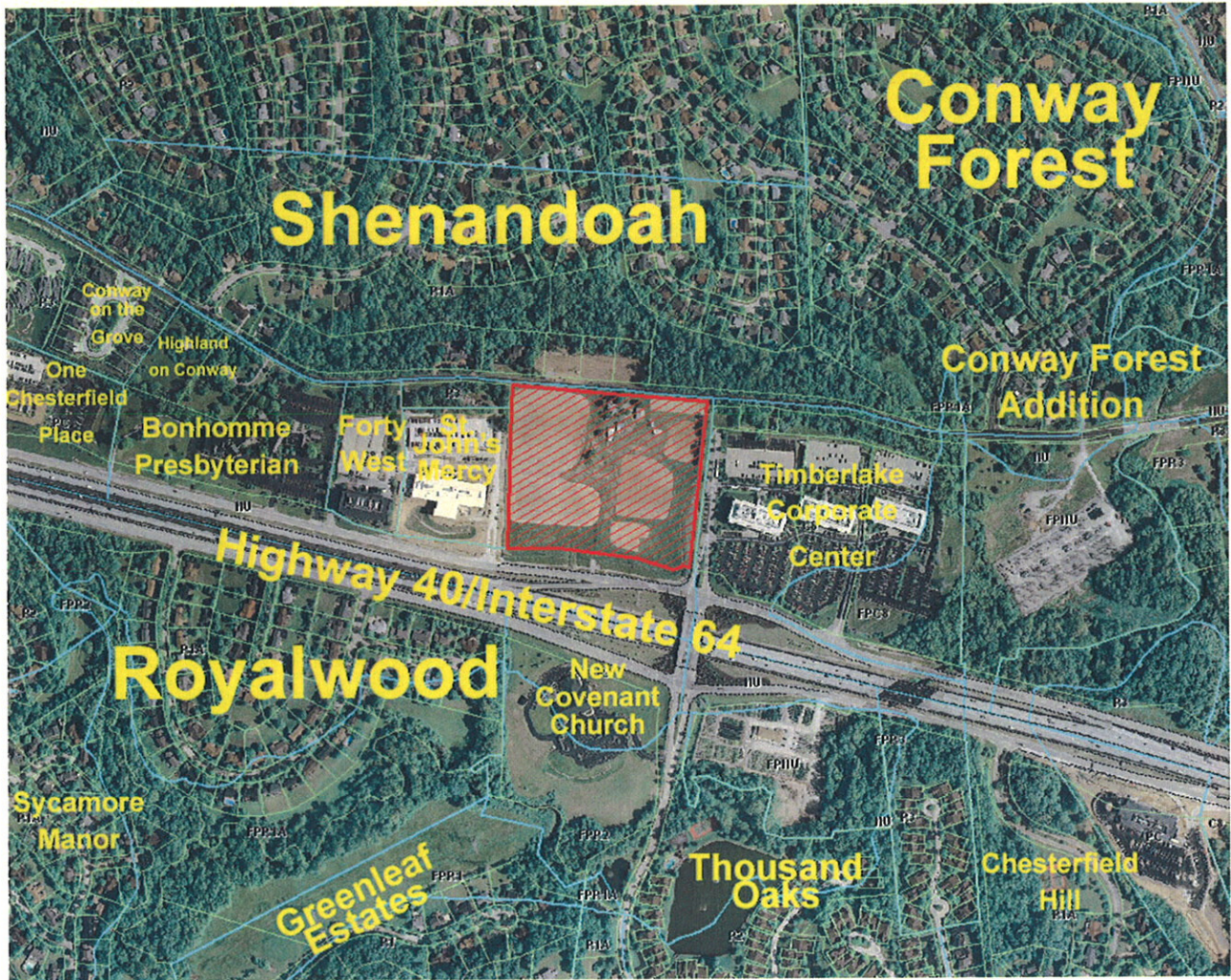
Development Process

Change of zoning requests to any planned district are regulated under the requirements of Section 1003.178 of the City of Chesterfield Zoning Ordinance. The City of Chesterfield Zoning Ordinance requires only the following items be shown on a preliminary plan:

1. Conceptual location of buildings.
2. Existing and proposed contours.
3. Proposed uses.
4. Location of tree masses.
5. Cross section of the site.
6. Proposed ingress and egress.
7. Sanitation and drainage facilities.
8. Legal description.

Area Land Use

The subject site is located at 14730 Conway Road. The following are an area map and pictures of the area surrounding the subject site.

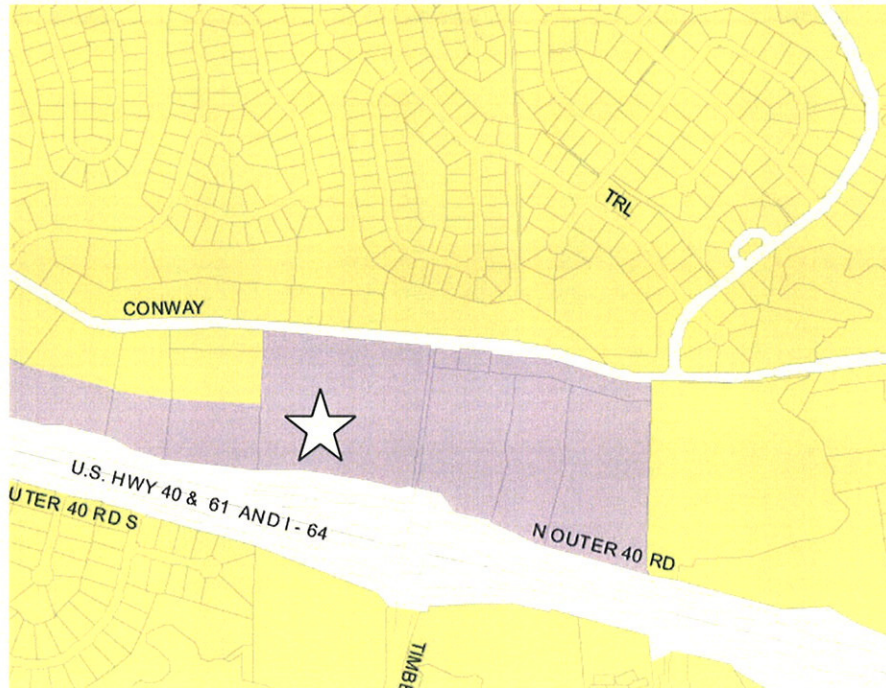


View standing on North Outer Forty Road, looking North across the subject Site.



View standing on Conway Road, looking South across the subject site.

The Comprehensive Plan designation for the subject tract is "Office." Office is defined as "A land use or parcel of land that contains a building or multiple buildings primarily used for administrative, executive, professional, research or similar activities."



Issues

A Public Hearing was held on March 24, 2008. At that time, several issues were identified. Those issues, along with the Petitioner's responses are attached.

The Petitioner has requested amendment to conditions which are currently found in the Attachment A. These amendments are located under the heading "Comments Regarding General Conditions" in the Petitioner's response and are currently being reviewed by the Department of Planning and Public Works.

Request

Staff is requesting that additional issues be identified at this time for this rezoning request.

Respectfully submitted,

Annisca McCaskill-Clay

Annisca McCaskill-Clay, AICP
Assistant Director of Planning

Attachments

1. Draft Attachment A
2. Petitioner's Response to Issues
3. Preliminary Plan



DOSTERGUIN
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April 16, 2008

HAND DELIVERED

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

RE: P.Z. 01-2008 Kraus Farm Office Center (Opus Northwest, LLC)

Dear Annissa:

In response to the issues identified at the March 24, 2008 Public Hearing for the above-mentioned petition and specified in your letter dated April 2, 2008 we offer the following responses:

CITY OF CHESTERFIELD COMMENTS

- Height of the proposed structures – both the office buildings and parking structure – in comparison to other developments in the area**

Response: The following charts contains data from our records on heights of various buildings and garages in the corridor (we do not have data on all structures in this area). Note that for garages, elevations shown are at slab grade and do not take crash walls into account:

Building	Building Height	Building Height Mean Sea Level
40 West I	58	649
St. John's Rehab	29	611.50
40 West II (approved)	58	633
Kraus Bldg. West	70	641
Kraus Bldg. East	70	627.50
Timberlake (1350)	69	592.08
Timberlake (1370)	69	590.60
Timberlake (1390)	70	588.57

Garage	Garage Height	Garage Height Mean Sea Level
40 West I Garage	20	609
40 West II Garage (approved)	20	597
St. John's	13	595
Kraus Parking Garage	20	581
Timberlake Garage (West)	(Staff may have this number)	550.96

2. Hours of Operation for the Proposed Development.

Response: Hours of operation for the proposed development should not be restricted for either office or medical use. Given the nature of the proposed uses and the lack of restrictions on hours of operation for other developments in the area, restriction on hours would not be appropriate or necessary.

3. The hours for lighting (other than those for safety purposes) on the parking structure – in comparison to other developments in the area.

Response: The ordinance for the St. John's facility located adjacent to the proposed development states, "All light standards located on the parking structure, other than those for security purposes, shall be turned off by 9:00 p.m., seven days a week." We propose the same requirement for this development.

4. Consistency of development requirements with others in the area.

Response: The proposed development complies with the performance standards for floor area ratio, minimum open space requirements, building setbacks, building heights and minimum parking requirements as set forth in Ordinance 1678. These standards were developed specifically for this area.

5. Relative location of the buildings and parking structure as compared to the buildings to the east and west – proximity to Conway Road as compared to proximity to North Outer 40

Response: The location of the proposed parking garage and buildings is consistent with the adjacent developments. The West building is 143 feet from N Outer 40 and the East Building is 157 feet from N. Outer 40. The parking structure is 120 feet from Conway

Road (this is the same as the parking structures for the St. John's parcel and the 40 West I parcel).

- 6. Square footage of the three buildings in the Timberlake development and how many parking spaces are provided for it.**

Response: 1350 Timberlake – 119,860 SF, 675 spaces provided
1370 Timberlake – 115,020 SF, 463 spaces provided
1390 Timberlake – 112,090 SF, 464 spaces provided

- 7. The eastern access point to the parking structure will not comply with the requirements of the City's Access Management Standards. The access point will need to be located farther to the south or eliminated.**

Response: We acknowledge these requirements and will address during the site plan process.

- 8. The plan does not appear to provide adequate access for the maintenance of the eastern most forebay. Ease of maintenance for the stormwater quality features will need to be addressed during final site design.**

Response We acknowledge and will address during the site plan process.

Conway Road

- 1. The appearance/size of the parking structure and buildings and how they may appear along Conway Road.**

Response: We have designed the project so that the berm and landscaping will shield the view of the buildings and parking structure from Conway Road.

- 2. Changes to the character of Conway Road.**

Response: We have designed the development to minimize any impact or change in character to Conway Road, namely through use of the berm and landscaping.

- 3. Access to Conway.**

Response: There will be no access to Conway Road of any kind at any time.

- 4. The mass of development along Conway.**

Response: The 120 foot buffer, the use of the berm, use of landscaping and compliance with the performance standards will minimize the mass of development along Conway Road related to this development.

5. The impact of possible lighting spillover to the residences on Conway Road.

Response: We have designed the project and will use appropriate lighting fixtures so that lighting spillover will not impact residences along Conway Road.

6. Any impact or possible changes to the character of Conway Road and residences in the Area.

Response: See responses to 1 through 5 above.

Landscaping and Buffering

1. Adequacy of proposed buffer on the site

Response: The 120 foot buffer is consistent with developments in this area, and we have demonstrated the berm and landscaping will create a visual buffer from Conway Road.

2. Diversity of materials that would be utilized in the landscape buffer

Response: The project will include an extensive quantity of trees (84) with some varying rates of growth providing a mixture of evergreen and deciduous. The project currently will utilize – (a) two types of Evergreens: (i) Red Pine-Medium Growth Rate and (ii) White Pine Fast Growth Rate; (b) three types of over story trees: (i) Red Oak Medium Growth Rate, (ii) Swamp White Oak Medium Growth Rate and (iii) London Plane Tree Fast Growth Rate; (c) one flowering tree: (i) Washington Hawthorn and (d) One Shrub Type: (i) Staghorn Sumac.

3. Protection of the existing monarch trees

Response: With the Tree Preservation Plan, we will indicate the details of protection measures for the existing trees to be preserved. The 24 inch Maple is located in the ROW Dedication for Conway Road. Nevertheless, we will take appropriate measures to protect this tree from construction activities.

The 21 inch Maple is located on the property. The proposed berm grading currently encroaches on the drip-line of the tree. Currently the plan shows fills occurring at 8 feet away from the trunk of the tree. The drip line of the tree is approximately 15 feet. Ideally grading should stay out of the drip line. Alternatively, a low versa-lock wall could be used if the grading cannot change. Construction fence will be installed to keep construction traffic from the root zone of the tree.

The 12 inch Shingle Oak is located on the western property line. We are working to move the 8 inch water service at least 5 feet east of where it is currently located to minimize the impact of the construction on the tree. Alternatively, the line could be bored.

Site Plan and Architectural Issues

1. The possible use of a water feature(s) on the site

Response: We are currently considering options for fountains in the ponds to be located within the development.

Stormwater

1. Water run-off from the subject site and possible impact to Creve Coeur Creek because of the amount of pavement necessary to develop the site

Response: The two retention and water quality basins for the site are designed in accordance with MSD requirements. Release rates for the basins are appropriate for this location.

Traffic and Infrastructure Improvements

1. Traffic management in general and the CBB Traffic update specifically.

Response: We have submitted the traffic assessment for review by staff. The traffic assessment of the proposed development is based upon the 1999 corridor study.

2. Impact and necessary improvement on South Outer 40 as traffic will be redirected off of North Outer 40 and Chesterfield Parkway going across Timberlake and onto South Outer 40.

Response: No improvements are necessary at South Outer 40 and Timberlake Manor Drive. Approximately 235 vph are expected to be added to South Outer Road in the p.m. peak hour (east of Timberlake Manor Drive) of which the majority, if not all, would be destined onto eastbound I-64.

3. Additional changes to the location of the existing landscaped medians on Timberlake Manor Parkway Extension may need to be made to accommodate the turning movements of larger vehicles.

Response: The Preliminary Site Development Plan currently on file reflects these modifications.

4. What is the proposed timing of infrastructure improvements that would be necessary?

Response: Infrastructure improvements would occur simultaneously with land and building development.

- 5. Sufficiency of the internal driveways between the buildings – specifically for future improvements to all access on Conway Road if the future dictates such access.**

Response: The proposed development does not and will not access Conway Road.

Comments Regarding General Conditions:

- 2. No permanent direct access shall be allowed to Conway Road or North Outer Forty Road**

Response: Please revise this provision to read as follows: “No direct access shall be allowed to Conway Road and no permanent direct access shall be allowed to North Outer Forty Road.”

- 6. Improve Timberlake Manor Parkway Extension, from its connection to the North Outer Forty road to Conway road to its full designed section...**

Response: The development will not now or in the future access Conway Road. There is no need to provide an extension to Conway Road as a result. This provision should be deleted.

- 7. Improve the intersection of Timberlake Manor Parkway Extension and North Outer Forty Road to provide a southbound right turn lane...**

Response: Please change the word “provide” to the word “extend.” Regarding the west bound turn lane, we do not own nor do we have under contract property necessary to construct the turn lane. In addition, utilities are currently located in the area where the turn lane would be constructed.

- 8. Improve Conway Road to one half of a seventy (70) foot right of way and a twenty four (24) foot pavement with eight (8) foot shoulders, and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.**

Response: We will dedicate property for the right of way improvements and will work with St Louis County to develop a Special Cash Escrow for the improvements as outlined. In lieu of improvements, the Cash Escrow will be used to establish a credit to the developer toward the required TGA contribution.

- 10. Provide a 5 foot wide sidewalk, conforming to ADA standards, adjacent to Conway Road or provide the finish grading therefore and required cash escrow as directed by the St. Louis County Department of Highways and Traffic.**

Response: See response to 8 above.

16. Provide a traffic study as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic and/or the Missouri Department of Transportation...

Response: The Traffic Assessment submitted to you was based upon the 1999 traffic study, and the proposed project completes the various developments in this area envisioned by the 1999 study. The analysis in the Assessment concludes that the traffic impact of the project is consistent with development envisioned by the 1999 study. In fact, adverse traffic impacts due to development along the North Outer Forty corridor (as envisioned by the 1999 study) have not been fully realized. Therefore, no additional traffic study is necessary for the proposed project.

Please call if you have any questions.

Very truly yours,

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

By: 

Michael J. Doster

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. Colleges and Universities
 - b. Financial Institutions
 - c. Medical and Dental Offices
 - d. Office or Office Buildings
 - e. Schools for business, professional, or technical training but not including outdoor areas for driving or heavy equipment training

2. Ancillary uses in this "PC" Planned Commercial District shall be:
 - a. Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - b. Cafeterias for employees and guests only.
 - 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 for a period in excess of seventy-two (72) hours.
 - d. Permitted signs (See Section 1003.168 "Sign Regulations").
 - e. Recreational facilities, including swimming pools and gymnasiums provided such uses shall be ancillary to the major office and medical uses and shall not have separate exterior entrances or exterior signage.
 - f. Restaurants, fast food and sit-down, provided such uses shall be ancillary to the major office and medical uses and shall not have separate exterior entrances or exterior signage.
 - g. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are being offered for sale or hire to the general public on the

premises, provided such uses shall be ancillary to the major office and medical uses and shall not have separate exterior entrances or exterior signage.

h. Vehicle washing facilities for automobiles.

3. The above uses in the "PC" Planned Commercial District shall be restricted as follows:

a. Associated work and storage areas required by business, firm or service to carry on business operations shall not include any outdoor storage.

b. Financial institutions shall not include retail banking

c. Vehicle washing facilities for automobiles shall be located in the parking garage and the use of these facilities shall be restricted to the tenants of the building.

4. Hours of Operation.

a. Hours of operation for this "PC" District shall not be restricted.

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

1. FLOOR AREA

Total building floor area shall not exceed 345,330 square feet.

2. HEIGHT

a. The maximum height of the buildings, exclusive of roof screening, shall not exceed 610 feet above mean sea level.

b. The maximum height for the parking structure shall not exceed 590 feet above mean sea level. .

C. SETBACKS

1. STRUCTURE SETBACKS

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

a. One hundred thirty (130) feet from the right-of-way of North Outer Forty Road on the southern boundary of the "PC" Planned Commercial District.

- b. Fifty (50) feet from the eastern boundary of the "PC" Planned Commercial District.
- c. Fifty (50) feet from the western boundary of the "PC" Planned Commercial District.
- d. One hundred twenty (120) feet from the right-of-way of Conway Road.

2. **PARKING SETBACKS**

No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress, shared drives and the areas dedicated for use by the Fire Protection District, will be located within the following setbacks:

- a. One hundred forty (140) feet from the right-of-way of North Outer Forty Road.
- b. One hundred twenty (120) feet from the right-of-way of Conway Road.
- c. Ten (10) feet from the western boundary of the "PC" Planned Commercial District.
- d. Thirty (30) feet from the eastern boundary of the "PC" Planned Commercial 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. Construction Parking
 - a. No construction related parking shall be permitted within the Conway Road or North Outer Forty Road right of way.
 - b. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - c. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and

employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. In addition to the above requirement, the developer shall provide a 120 foot buffer from the right-of-way of Conway Road with materials to be approved upon review of the Site Development Plan.

F. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the Missouri Department of Transportation.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development shall be via Timberlake Manor Parkway Extension.
2. No permanent direct access shall be allowed to Conway Road or North Outer Forty Road
3. Provide cross access easements and temporary slope construction licenses or other appropriate legal instruments or agreements guaranteeing permanent access between this site and adjacent properties as directed by the Department of Planning and Public Works, the St. Louis County Department of Highways and Traffic and the Missouri Department of Transportation.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, adjacent to Conway Road or provide the finish grading therefore and required cash escrow, as directed by the St. Louis County Department of Highways and Traffic.
2. Pedestrian access between this development and the developments to the east and west shall be provided for (i.e. sidewalks, crosswalks) as directed by the Department of Planning and Public Works.
3. Improve Conway Road to one half of a Seventy (70) foot right-of-way and a twenty four (24) foot pavement with Eight (8) foot shoulders, and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.
4. The site shall be designed to accommodate a roadway, which will connect the subject property and the two parcels to the west to Timberlake Manor Parkway Extension. The roadway shall connect the existing east/west drives on the adjoining sites as directed by the Department of Planning and Public Works. No parking shall be allowed along or directly off this roadway within the site as directed by the Department of Planning and Public Works.
5. Improve Timberlake Manor Parkway Extension, from its connection to North Outer Forty Road to Conway Road, to its full designed section including curb, required tapers, turn lanes and storm drainage facilities, as directed by the Department of Planning and Public Works. The required improvements are to be located within a private road easement. Also, a 10 foot wide roadway, maintenance

and utility easement is to be provided outside of the private road easement. The private road easement and the adjacent 10' wide easement shall be utilized to define a reserve strip. Said reserve strip shall be dedicated to the City of Chesterfield upon demand at no cost to the City.

6. Improve the intersection of Timberlake Manor Parkway Extension and North Outer Forty Road to provide a southbound right-turn lane and a westbound right-turn lane as directed by the Department of Planning and Public Works and the Missouri Department of Transportation.
7. Improve Conway Road to one half of a seventy (70) foot right of way and a twenty-four (24) foot pavement with eight (8) foot shoulders, and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.
8. Based on the preliminary plan, improvements to Conway Road must be completed prior to issuance of the building permits in excess of sixty percent (60%) of the total. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
9. All roadway and related improvements in development shall be constructed prior to issuance of building permits exceeding 70% for the development. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 70%.
10. All proposed work in the Missouri Department of Transportation right of way must comply with the Missouri Department of Transportation standards, specifications, conform to the Missouri Department of Transportation's Access Management Guidelines with detailed construction plans being received and approved by the Missouri Department of Transportation. Said work will also require a permit.
11. Consideration must be given to flattening the right of way slope to 3:5:1 or flatter. The existing 3:1 slope is eroding and every effort must be made to reduce the potential for erosion and to improve future maintenance of this slope. Adjustment of all Missouri Department of Transportation underground facilities to the proper depth/elevation must be noted.
12. The developer is advised that utility companies will require compensation for relocation of their facilities with public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays

will not constitute a cause to allow occupancy prior to completion of road improvements.

13. 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 Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic 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.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto North Outer Forty Road. If adequate sight distance cannot be provided at the access location, acquisition of right of way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

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 connected to 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 development or issuance of building permits exceeding sixty (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
3. Detention may be required for the entire project site such that the allowable release rates will not be exceeded for the post developed peakflow of the 2-year and 100-year, 24 hour storm event. Stormwater must be discharged at an adequate natural discharge point. Wetland mitigation will not be allowable within the detention basins.
4. Treatment may be required for water quality and channel protection in accordance with Metropolitan St. Louis Sewer District regulations dated February 2006.

N. SANITARY SEWER

1. Internal parking garage floor drains shall discharge via sand/oil separator and sampling tee to a sanitary sewer.
2. Stormwater BMP's including pretreatment forebays and wet lake detention shall meet all the requirements of 2000 Maryland Stormwater Design Manual Vol. 1 Chapter 3 and current MSD rules and regulations and should be located within the property boundaries.
3. The developer's engineer shall demonstrate an adequate watershed budget to keep the water quality/detention lakes wet. Generally, 10 acres is required.

O. GEOTECHNICAL REPORT.

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

sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

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, Missouri Code shall be required where applicable.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

- A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance.
- B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA

A. Site Development Concept Plan.

1. Any site development concept plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

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

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

The Site Development Section Plan shall adhere to the above criteria and to the following:

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.

15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

- A. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Highway Route 40 (Interstate 64) (No. 553) Corridor Trust Fund.

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$556.13

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

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

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

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

The amount of the required contribution/improvements, if not approved for construction by January 1, 2009, 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.

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

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance any a Special Use Permit (SUP) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, St. Louis County." If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

The amount of these required contributions/improvements, if not submitted by January 1, 2009 shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.

VII. RECORDING

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

VIII. ENFORCEMENT

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

15125 CONWAY ROAD
CHESTERFIELD, MISSOURI 63017



April 5, 2008

Chesterfield Planning Commission

RE: PZ01 – 2008

To the Commissioners,

I was very impressed by the excellent questions asked by the Planning Commissioners at the public hearing on March 24.

Soon after the public hearing I found this diagram about drainage in the Post Dispatch which I have enclosed. The Kraus Farm on Conway has always absorbed huge amounts of rainfall which otherwise would end up in our creeks. The lawyer for the developer said at the hearing that the proposed office park development would have a drainage system "which the present property does not have" (roughly quoted). I submit that slow absorption by open ground is much preferable to fast runoff from impermeable surfaces like parking lots and rooftops, even if the impermeable surfaces have a drainage system.

I do not expect this property to remain commercially undeveloped, but I would hope that the 'open space' of, I believe, 90% could have less asphalt and roof and more permeable surfaces. This would also be in keeping with the wooded, suburban atmosphere of Conway Road. I would decrease the future runoff from the property which might help the flooding problem at Woods Mill and Ladue.

The altitude of the two office buildings of the proposed development was described by the Planning Department Assistant Director, Ms McCaskill-Clay, as being "comparable" to surrounding office buildings. This may be quibbling, but, since the two proposed buildings are higher than any of the noted buildings, I would say that "comparable" is not the correct description.

Thank you for your concern about saving the Monarch trees near the Conway Road area on the Kraus property. I know that new trees will grow to look nice but that could take many years. I hope to see that the Kraus Farm development keeps some of the trees and open areas borders of the original property.

Sincerely,

A handwritten signature in black ink that reads "Lynne Johnson". The signature is fluid and cursive, with a long horizontal line extending from the end.

Lynne Johnson

636-532-3746

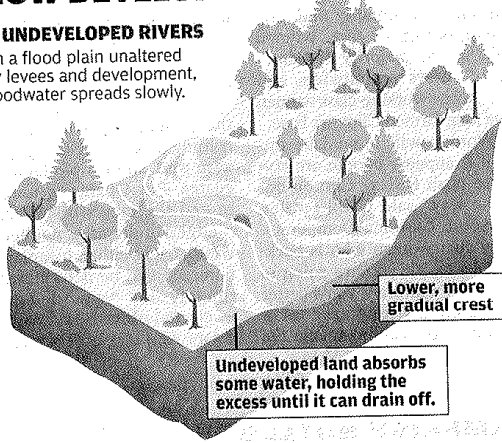


NOTE: Levees are designed to withstand different flood levels. For instance, a 100-year flood is one that has a 1 percent chance of happening in any given year.

HOW DEVELOPMENT AFFECTS FLOODING

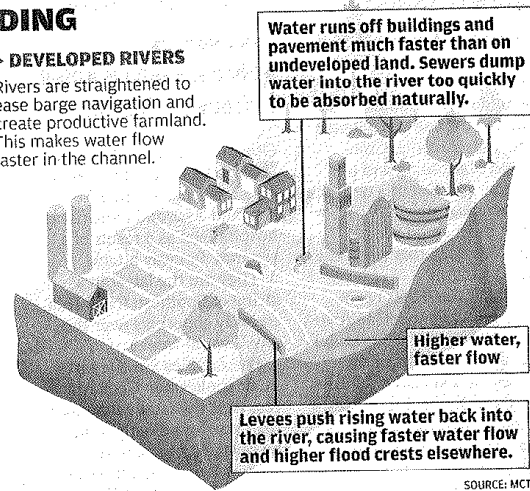
► UNDEVELOPED RIVERS

On a flood plain unaltered by levees and development, floodwater spreads slowly.



► DEVELOPED RIVERS

Rivers are straightened to ease barge navigation and create productive farmland. This makes water flow faster in the channel.



From: <Barbara_Briggs@ssmhc.com>
To: <amccaskill@chesterfield.mo.us>
Date: 3/31/2008 12:00 PM
Subject: P.Z. 01-2008 Kraus Farm Office Center

I invite the Planning Commission to drive down Conway Road and look South. You will see how the office buildings that you have allowed to be built on the South side are clearly visible to Conway Road whether you are driving or walking or biking.

If the proposed commercial building is the same height or only slightly lower, then the promise of the developers that the building would be only "slightly" visible from Conway Road is impossible to keep.

Please do not rely solely on paper representation. Please go to the site and check it out.

In addition, please consider the water drainage issues. Cookshire Lane is the lowest point on the stretch of Conway Road from 141 to Chesterfield Parkway. We have seen a tremendous amount of water at the end of our street in the common ground area where the creek overflows. The water has gotten higher over the years. Our residents are very concerned about how well the water will be handled as more and more concrete covers the land North of us.

Thank you for all that the Planning Commission does. I know it is a lot of work and a large burden to make such decisions that will have huge impact on our whole community for years to come.

Sincerely,
Barbara Briggs
Trustee, Cookshire Lane Subdivision
324 Cookshire Lane
Chesterfield, MO 63017

314-994-7722 (day phone)

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From: <Barbara_Briggs@ssmhc.com>
To: "Annissa McCaskill" <AMcCaskill@chesterfield.mo.us>
Date: 3/31/2008 12:54 PM
Subject: Re: P.Z. 01-2008 Kraus Farm Office Center
Attachments: Annissa McCaskill.vcf

Thanks, Annissa. And by the way, in my second to last paragraph, I meant to say..." the land West of us" not "North of us". It is the construction on the hill that is concerning, but it is due west on Cookshire Lane.

Thank you for the opportunity to be of service to you. Please let me know if there is anything else I can do to help.

Barbara Briggs, MA, MBA, CHC
Corporate Vice President - Corporate Responsibility
SSM Health Care
477 North Lindbergh Blvd.
St. Louis, MO 63141
314.994.7722
FAX: 314.994.7846
Barbara_Briggs@ssmhc.com

"Honesty is the cornerstone of character. The honest man or woman seeks not merely to avoid criminal or illegal acts, but to be scrupulously fair, upright, fearless in both action and expression. Honesty pays dividends both in dollars and in peace of mind." - B.C. Forbes

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