

Memorandum Planning and Development Services



TO: Planning and Public Works Committee

FROM: John Boyer, Senior Planner

DATE: June 10, 2015

RE: **P.Z. 03-2015 Sachs Properties (The Grove in Chesterfield)**: A request for a zoning map amendment from “C8” Planned Commercial District to “UC” Urban Core District for a 3.6 acre property located southeast of the intersection of Chesterfield Parkway West and Justus Post Road (19S431691 & 19S430579).

Summary

DosterUllom & Boyle, LLC, on behalf of The Grove Assisted Living, LLC, has submitted a request for a zoning map amendment from “C8” Planned Commercial District to “UC” Urban Core District. Per the updated written narrative, the applicant wishes to rezone the site to allow an Assisted Living Care Facility while maintaining some of the existing land uses currently approved under previous ordinance authority. Related with the application for the zoning map amendment, a Preliminary Plan is also attached for the Planning and Public Works Committee’s review. Since the “UC” District is a planned district, the submittal of a preliminary plan is required and made part of the legislation.

When this petition was originally filed and heard at the Public Hearing on April 13, 2015, a total of 69 uses were requested. Of those 69 uses requested, 66 were previously approved under current zoning entitlements. During the Public Hearing and Issues Meeting, Staff and the Planning Commission discussed existing land uses which may no longer be compatible to the area since the original zoning approval by St. Louis County in 1973. In response, the petitioner has removed from their request a number of land uses to be more compatible with existing surrounding development.

During the Public Hearing, Planning Commission requested that the land use Brewpub be removed from the request due to possible concerns with the incompatibility with existing land uses in the area, specifically residential uses to the south. Prior to the Vote Meeting, the Petitioner requested to have this land use re-evaluated by the Planning Commission and included in the Attachment A to be forwarded to Planning and Public Works Committee. After discussion by the Planning Commission, a motion approving the addition of this use to the petition passed by a vote of 5-4. After this use was included back into the petition, the Planning Commission then voted on the petition with the Brewpub land use 8-1 recommending approval to the Planning and Public Works Committee.

Attached are the Planning Commission Vote Report, the Attachment A as recommended by the Planning Commission and the updated Project Narrative from the applicant.



Figure 1: Aerial Photo

Respectfully submitted,

A handwritten signature in black ink, appearing to be "John Boyer".

John Boyer
Senior Planner

cc. Aimee Nassif, Planning and Development Services Director



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Planning Commission Vote Report

Subject: Zoning Map Amendment Vote Report

Meeting Date: June 8, 2015

From: John Boyer, Senior Planner

Location: Southeast of the intersection of Chesterfield Parkway West and Justus Post Road (19S431691 & 19S430579).

Petition: **P.Z. 03-2015 Sachs Properties (The Grove in Chesterfield):**

Proposal Summary

DosterUllom & Boyle, LLC, on behalf of The Grove Assisted Living, LLC, has submitted a request for a zoning map amendment from “C8” Planned Commercial District to “UC” Urban Core District. Per the submitted written narrative, the applicant wishes to rezone the site to allow an Assisted Living Care Facility. Related with the application for the zoning map amendment, a Preliminary Plan is also attached for the Planning Commission’s review. Since the UC District is a planned district, the submittal of a preliminary plan is required and be made part of the legislation. .

When this petition was originally filed and heard at the Public Hearing on April 13, 2015, a total of 69 uses were requested. Of those 69 uses requested, 66 were previously approved under current zoning entitlements. During the Public Hearing and Issues Meeting, Staff and the Planning Commission discussed land uses being requested under the UC District which may no longer be compatible to the area. In response, the petitioner has removed from their request a number of land uses to be more compatible with existing, surrounding development. Further discussion of these land uses are within the Petition Analysis on page 5 of this report.

Site History

This site is located within the Southwest Quadrant of the Chesterfield Village, specifically parcel C104. As discussed in earlier reports, the Southwest Quadrant of Olive/Clarkson and I-64 was included in the original presentation to the St. Louis County Planning Commission in 1971 to initiate development of Chesterfield Village. The Southwest Quadrant included 758 acres, see map identifying the boundaries of the Southwest Quadrant in Figure 1 on page 2. St. Louis County Ordinance 6,815 approved the Chesterfield Village zonings in 1973.

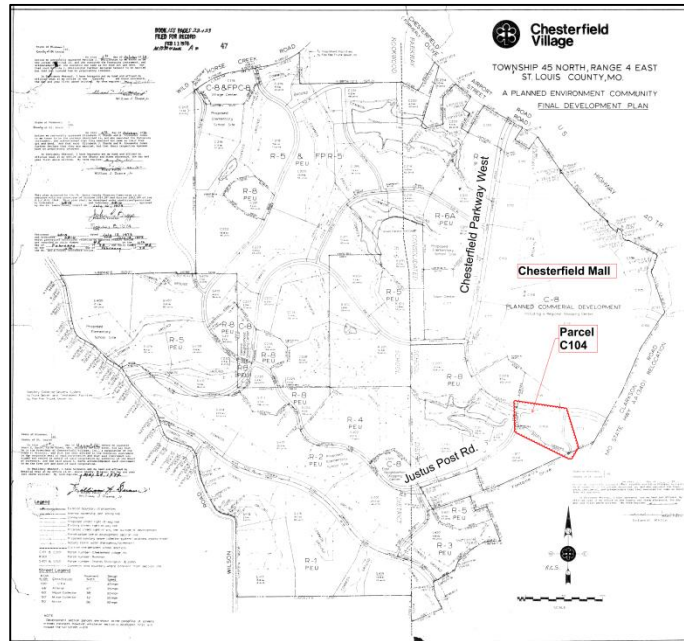


Figure 1: Map of Southwest Quadrant

In 1981, St. Louis County Ordinance 10,241 amended a section of Ordinance 6,815, specifically general conditions, design requirements, landscape/environment conditions and commercial land uses. In 1991, the City of Chesterfield approved an amendment to St. Louis County Ordinances 6,815 and 10,241 via City of Chesterfield Ordinance 571, specifically amending parking requirements.

St. Louis County Ordinance 6,851 created 3 commercial areas; Regional Commercial/Town Center, the Village Center and the Neighborhood Centers. Parcel C104 is located within the Regional Commercial/Town Center which permitted C1 through C7 land uses. Two office buildings were previously located on the subject parcels and later were demolished in 2005. The property is currently vacant minus a portion of the previous parking area of the office buildings.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel shown in the aerial image in Figure 2 below is as follows:

North: The property to the north across Chesterfield Parkway West is currently zoned “C8” Planned Commercial District. These lots consist of restaurants and the Chesterfield Mall.

South: The property is currently zoned “R6/PEU” Residence District with a Planned Environment Unit procedure. These lots are residences within the Sycamore subdivision.

East: The property to the east across Clarkson on-ramp is currently zoned “C8” Planned Commercial District. This lot consists of an office building.

West: The property is currently zoned “R6/PEU” Residence District with a Planned Environment Unit procedure. These lots are residences within the Justus Pointe and The Oak subdivisions.

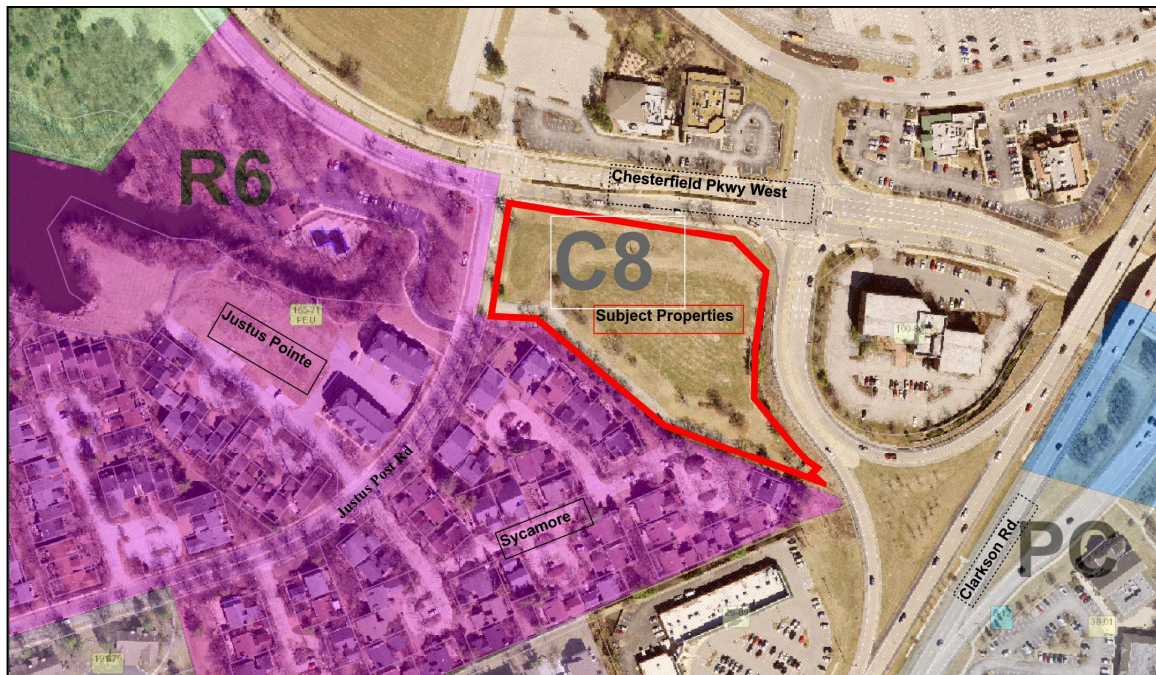


Figure 2: Aerial and Zoning of Area



Figure 3: Comprehensive Land Use Plan

Comprehensive Plan Analysis

Included in Figure 3 above is a portion of the City of Chesterfield Land Use Plan which identifies the property location in relation to specific Land Use categories. The subject site is located within the Urban Core District as identified above. The Urban Core area is defined within the Comprehensive Plan as “the area known as the Chesterfield Village, centered at the intersection of I-64/US 40 and Clarkson Road/Olive Boulevard and primarily served by the Chesterfield Parkway. Land uses for the Urban Core include a mixture of high-density residential, retail and office uses containing the highest density development in the City of Chesterfield.” The petitioner has included a diverse list of uses, with a majority of the uses previously approved by St. Louis County. All uses currently requested and included in the Attachment A are compliant with the Urban Core land use designation.

In addition with the compliance of uses within the Urban Core, a proposed development should be in general compliance with the Development Policies of the Urban Core as well as Commercial Development in general. Below is a list of all relevant policies the petition is compliant within the Comprehensive Plan. These policies in relation to this petition were discussed in detail within the Issues Report previously viewed by the Planning Commission. A list of those applicable plan policies are:

- **3.1.2 Buffering of Neighborhoods**
- **3.6.1 High Density Development**
- **3.6.2 Mixed-Use Development**
- **3.6.5 Chesterfield Village**
- **3.6.6 Multi-Modal Transportation**

Petition Analysis

Land Uses

During the Issues Meeting on May 11, 2015, compatibility or appropriateness of uses was discussed. As a result, the Petitioner agreed to remove a number of additional uses including Bar and Parking Garage. Below is a discussion on the remaining uses Planning Commission directed Staff to work on with the Petitioner. Staff has proposed conditions relative to each use below which mitigate concerns with compatibility to existing development while realizing the land use vision and goals of the Comprehensive Plan. These conditions are all found on page 3 of the Attachment A.

The land uses Educational Facility-Vocational School, College/University and Gymnasium were amongst the first to be discussed. Staff believes that limiting the hours of operation and prohibiting the development of these in stand-alone structures would mitigate concerns and issues. As such, Staff is recommending these uses remain in the Attachment A with the conditions included on page 3.

The land use Restaurant, Fast Food was also discussed. After meeting with the Petitioner, Staff believes if this use is conditioned properly, it can operate in compliance with current and future land uses in the area. To achieve this, we recommend the drive-thru element be removed and the use be prohibited from being constructed in a stand-alone structure. In addition, the hours of operation restrictions would also apply to this use. The above conditions have been placed within the Attachment A (page 3) for Planning Commission's review. Please note that these same restrictions apply to the Restaurant, Take Out use as well.

The Hotel/Motel land use was also identified and discussed at the Issues Meeting. Staff believes this use, if conditioned properly, can operate in compliance with current and future land uses. This use would also be restricted by the proposed condition on height of all structures not to exceed three (3) stories in height. In addition, the UC Urban Core

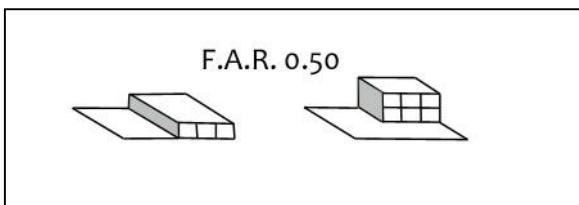


Figure 4: FAR Exhibit

District requirement prohibits structures' Floor Area Ratio (FAR) to exceed 0.55. Floor Area Ratio is the "gross floor area of all buildings on a lot divided by the total lot area". In other words, 0.55 FAR would allow approximately 1.9 acres of a 3.6 acre lot to be developed as a one-story structure, or if the foot-print of the

building became smaller, the structure could have more stories. For a visual example, please see Figure 4 above from the City of Chesterfield Unified Development Code. By limiting the use's FAR to 0.55 and three (3) stories, this limits the size and intensity of a Hotel/Motel use.

Lastly, the Brewpub use was identified and discussed. The Petitioner is requesting that the Brewpub use become a permitted use in this UC District and therefore be added into the Attachment A. (See attached letter from the Petitioner). While Planning Commission requested this land use removed at the Public Hearing, the Petitioner has requested re-evaluation of this use. After meeting with the Petitioner and conducting our own research, Staff believes the Brewpub use can be appropriate and operate in compliance with adjacent residential uses with the proper conditions put into place.

For your information, the City Code defines a Brewpub as “A restaurant that prepares handcrafted natural beer as an accessory use intended for consumption on the premises. Production capacity shall be limited to not more than 5,000 barrels per year. Such accessory use may occupy up to 30% of the gross floor area of the restaurant”. As the Planning Commission specifically directed Staff at the Public Hearing to not include this use in the Attachment A; it currently is not included. However, if the Planning Commission so directed, Staff can include it in the Attachment A along with any other conditions. If this use were added, the hours of operation restriction would apply. Staff is not opposed to this use being incorporated into the Attachment A and does believe that the conditions currently included in the Attachment A would mitigate any potential negative impacts or concerns.

In reference to this discussion on uses, the subject property is located on a minor arterial (Chesterfield Parkway) within the Urban Core area of the Comprehensive Land Use Plan. Arterials typically move a heavy amount of traffic; therefore, prime real estate is usually off these roadways. The above uses are and can typically be found off of such roadways. In addition, Justus Post, while is primarily within a dense residential area, is a collector road serving between two Arterials (Chesterfield Parkway and Baxter Road which is a major arterial to the southwest). With adequate buffering, which the UC District requires, these uses could co-exist with adjacent residential uses. As discussed in the Preliminary Plan Analysis, the addition of the dense landscaping and the use of berms along the southern property line included in the Attachment A should alleviate possible concern with the above uses.

All other uses requested to be removed by the Planning Commission have been removed by the Petitioner.

Preliminary Plan

While there are a number of uses requested associated with this petition, the intent is to construct an Assisted Living Care Facility. The additional uses are being requested as they are currently permitted under the existing zoning entitlements and the property owner desires to retain those permitted uses. The Petitioner has submitted the required Preliminary Plan which depicts a proposed three-story, 85,000 square foot, 96 bed Assisted Living Care Facility and associated parking field. The building is shown on the

Preliminary Plan to be pushed north from the residential areas to the south and towards Chesterfield Parkway West. Access for the site is proposed to be provided at the existing access point off Justus Post Road and not Chesterfield Parkway. Associated with the request for the UC District, minimum required setbacks and buffers are provided on the Preliminary Plan. As required, a minimum of 30 foot buffer is provided around the perimeter of the site. The UC District also requires a minimum of 30% open space. Per General Note #7, the project will meet and/or exceed this standard. **The Preliminary Plan as proposed is compliant with all UDC criteria and compliant with specific requirements of the UC District. In addition, if this change of zoning is approved and a use other than the Assisted Living Care Facility is pursued during site plan review, the layout is required to be consistent with the preliminary plan. If it is not, a new preliminary plan will be required and must be reviewed by the Planning Commission and approved by the City Council.**

Summary of Request and Staff Recommendation

The purpose of this petition is for a zoning map amendment to the Urban Core District to maintain existing commercial uses and allow for an Assisted Living Care Facility. After working with the Petitioner, Staff has proposed a number of conditions associated with the proposed uses. These conditions can be found within the provided Attachment A for the Planning Commission's review. In addition to the uses included within the Attachment A, the petitioner has also requested re-evaluation of the removal of the Brewpub land use.

All other issues discussed at the Public Hearing on April 13, 2015 and the Issues Meeting on May 11, 2015 have been resolved. Staff has no other outstanding concerns/issues with this petition. The petition has met all filing requirements and procedures of the City of Chesterfield. Additionally, all agency comments have been received and comments are represented in the provided Attachment A. **Staff recommends approval of the request and Attachment A. As discussed above, Staff is also seeking direction from the Planning Commission on the Brewpub use and its inclusion in the Attachment A. If the Planning Commission elects for this use to be included, a motion can be made by the Commission to approve the petition with the Brewpub use added to the Permitted Uses section on page 1 of the Attachment A.**

Attachments:

1. Attachment A
2. May 27, 2015 letter from the Petitioner
3. Preliminary Plan

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 UC Urban Core District shall be:

- a. Animal grooming service
- b. Art gallery
- c. Art studio
- d. Automotive retail supply
- e. Bakery
- f. Barber or beauty shop
- g. Brewpub
- h. Broadcasting studio
- i. Church and other place of worship
- j. Club
- k. Coffee shop
- l. Coffee shop, drive-thru
- m. Commercial service facility
- n. Community center
- o. Day Care Center
- p. Drug store and pharmacy
- q. Drug store and pharmacy, drive-thru

- r. Dry cleaning establishment
- s. Dry cleaning establishment, drive-thru
- t. Education facility- specialized private schools
- u. Education facility- vocational school
- v. Educational facility- college/university
- w. Educational facility- kindergarten or nursery school
- x. Film drop-off and pick-up station
- y. Financial institution
- z. Financial institution, drive-thru
- aa. Grocery-community
- bb. Grocery-neighborhood
- cc. Group Residential Facility
- dd. Gymnasium
- ee. Hospice
- ff. Hotel and motel
- gg. Laundromat
- hh. Library
- ii. Mortuary
- jj. Museum
- kk. Newspaper stand
- ll. Nursing home
- mm. Office, dental
- nn. Office, general
- oo. Office, medical

- pp. Park
 - qq. Professional and technical service facility
 - rr. Public safety facility
 - ss. Reading room
 - tt. Recreation facility
 - uu. Research facility
 - vv. Restaurant, fast food
 - ww. Restaurant, sit down
 - xx. Restaurant, take out
 - yy. Retail sales establishment, community
 - zz. Retail sales establishment, neighborhood
 - aaa. Telecommunications structure
 - bbb. Telecommunications tower or facility
 - ccc. Veterinary clinic
2. The above uses in the “UC” District shall be restricted as follows:
- a. The Group Residential Facility, Nursing Home and Hospice uses shall be limited to no more than 96 beds.
 - b. Retail sales uses shall be prohibited from any outdoor sales, storage or display of materials or goods.
 - c. Land uses ‘u’, ‘v’, ‘dd’, ‘vv’ and ‘ww’ listed above are not permitted in stand-alone structures.
 - d. Restaurant land uses shall not be permitted to have a drive-thru component.
3. Hours of Operation.
- Hours of operation for this “UC” District shall be restricted from 7 a.m. to 11 p.m. for all uses with the exception of Group Residential Facility, Nursing Home, Hospice and Hotel/Motel land uses.

4. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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

1. Height

- a. The maximum height of any structure, exclusive of roof screening, shall not exceed 3 stories.

C. SETBACKS

1. Structure Setbacks

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

- a. 35 feet from the right-of-way Chesterfield Parkway on the north boundary of this Urban Core (UC) District.
- b. 35 feet from the right-of-way of Justus Post Road on the west boundary of this UC District.
- c. 35 feet from the south boundary of this UC District.
- d. 35 feet from the right-of-way of Missouri State Route 340 on the east boundary of this UC District.

2. Parking Setbacks

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

- a. 30 feet from the right-of-way of Chesterfield Parkway on the north boundary of this Urban Core (UC) District.
- b. 30 feet from the right-of-way of Justus Post Road on the west boundary of this UC District.
- c. 30 feet from the south boundary of this UC District.
- d. 30 feet from the right-of-way of Missouri State Route 340 on the east boundary of this UC 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. Parking lots shall not be used as streets.
3. No construction related parking shall be permitted within the right of way or on any existing roadways surrounding the development including but not limited to Justus Post Road and Chesterfield Parkway West. All construction related parking shall be confined to the development.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Dense landscaping in addition to a berm shall be installed and maintained along the southern property line of this UC District. Landscaping along this property line shall be reviewed and approved with the Site Development Plan.

F. SIGN REQUIREMENTS

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

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

1. The development 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.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be from Justus Post Road as shown on the Preliminary Site Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield, the Missouri Department of Transportation and St. Louis County Department of Highways and Traffic, as applicable.
2. Direct access to this development from Chesterfield Parkway West shall be prohibited.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Highways and Traffic. No gate installation will be permitted on public right-of-way.
2. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.
3. Provide and/or improve sidewalk and curb ramps, in conformance with ADA standards, along Justus Post Road and Chesterfield Parkway West. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects to maintain and enhance existing pedestrian connectivity. The sidewalk may be located within right-of-way controlled by another agency, if permitted by that agency or on private property within a 6 foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
4. Obtain approvals from the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
5. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation, St. Louis County Department of Highways and Traffic, and the City of Chesterfield.

6. Improve Chesterfield Parkway West to one half of the ultimate section including all storm drainage facilities as directed by the St. Louis County Department of Highways and Traffic.
7. Prior to Special Use Permit issuance by the St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the Missouri Department of Transportation and/or St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Justus Post 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 and St. Louis County Department of Highways and Traffic.

L. 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.

M. STORM WATER

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 percent (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. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed 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 one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (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.
7. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).
8. Treatment for water quality is required in accordance with our region's MS4 permit. Volume reduction BMPs shall be the emphasis for the water quality treatment strategy. In order to comply with the Chesterfield Village Southwest Quadrant Stormwater Master Plan for detention, post development impervious coverage shall not exceed 90% and the site post developed CN shall be less than 91. Provisions for Channel Protection are required and may be satisfied by volume reduction BMPs.

N. SANITARY SEWER

1. Sanitary sewers shall be as approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield.
2. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts to the existing system(s).

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 Public Services. 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.

R. 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 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 St. 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.
4. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.

5. Prior to final release of construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
6. Formal MSD plan review, approval and construction permits for this project will be required prior to construction of site improvements.
7. Easements to MSD will be required to cover public sewers that are reconfigured to accommodate the layout of the development. Encroachments upon MSD facilities and easements shall be avoided.

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, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

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 City Council may extend the period to commence construction for two (2) additional years.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

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

The developer shall be required to contribute to the Chesterfield Village Road Trust Fund (No. 554), as directed by the St. Louis County Department of Highways and Traffic. This contribution shall not exceed an amount established by multiplying the ordinance-required parking spaces for the difference between the existing and proposed uses by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Assisted Living	\$434.28/parking space
General Office	\$663.43/parking space
Loading Space	\$3,257.06/parking space

(Parking spaces as required by the City of Chesterfield Code.)

If types of development differ from those listed, St. Louis County Department of Highways and Traffic will provide rates.

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

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

The amount of the required contribution, if not submitted by January 1, 2016, shall be adjusted on that date and on the first day of January in each succeeding year thereafter by the 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 of any 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."

The developer is advised that utility companies will require compensation for relocation of their facilities within public 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 on utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

VI. 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.

VII. ENFORCEMENT

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

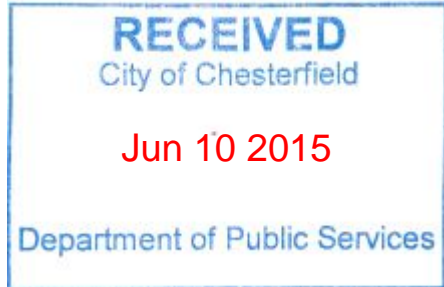
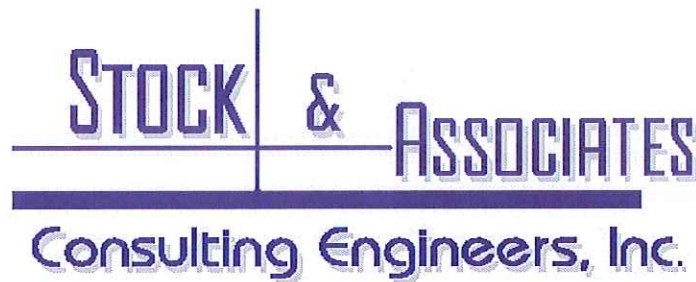


EXHIBIT II

THE GROVE IN CHESTERFIELD VILLAGE

Stock Project No. 214-5215

Dated: February 26, 2015

Revised: June 10, 2015

A. Narrative Statement

The Application requests re-zoning of the Property to "Urban Core District". The Property consists of two parcels that will be combined for the proposed Assisted Living Facility (use proposed by the Owner Under Contract, "Primary Proposed Use"). The current Owner of the Property is entitled to a broad range of uses under the current applicable zoning ordinance (the "Entitled Uses"), and the Owner does not want to give up the Entitled Uses unless and until the Owner Under Contract closes on the Property following the approval of the requested rezoning to Urban Core District. The request to rezone represented by the Application does not include all of the Entitled Uses. Since the Urban Core District enabling ordinance does not allow some of the Entitled Uses, those uses have not been included. All of the requested uses, including the Primary Proposed Use are allowable uses in the Urban Core District, and the use terminology is taken from the City's Code.

The Property was originally developed with two office buildings. Because of their age, the buildings were demolished and the Property is currently vacant.

The Comprehensive Plan shows that the Property is considered part of the Urban Core.

B. Project Description

The Grove Assisted Living, L.L.C. proposes to develop and operate a 96-bed, Assisted Living Facility on a site located at 16300 Justus Post Road and 16120 W. Chesterfield Parkway, Chesterfield, Missouri 63017. The total project cost is \$24,528,970.00.

The facility will be offered on a monthly rental basis with no buy-in fees. The facility will have a combination of studios, one, and two bedroom units.

The community will provide the following amenities:

- Salon
- Spa
- Dining Room

Dated: February 26, 2015

Revised: June 10, 2015

Page 2 of 2

- Exercise room
- Outdoor Gardens
- Private Dining
- Wellness Center
- Lounges
- Transportation
- First Class Service

A Timeline of Events

Construction on the facility is expected to begin in 2015. Construction will take approximately 12 months. The facility is expected to open in 2016, with 2017 as its first full year of operations.

THE GROVE IN CHESTERFIELD

PRELIMINARY SITE PLAN

A TRACT OF LAND BEING LOT A AND PART OF LOT B OF CHESTERFIELD VILLAGE AS RECORDED IN PLAT BOOK 183, PAGE 95 LOCATED IN U.S. SURVEY 2002, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
 PROPOSED ZONING: UC (URBAN CORE)

SITE INFORMATION

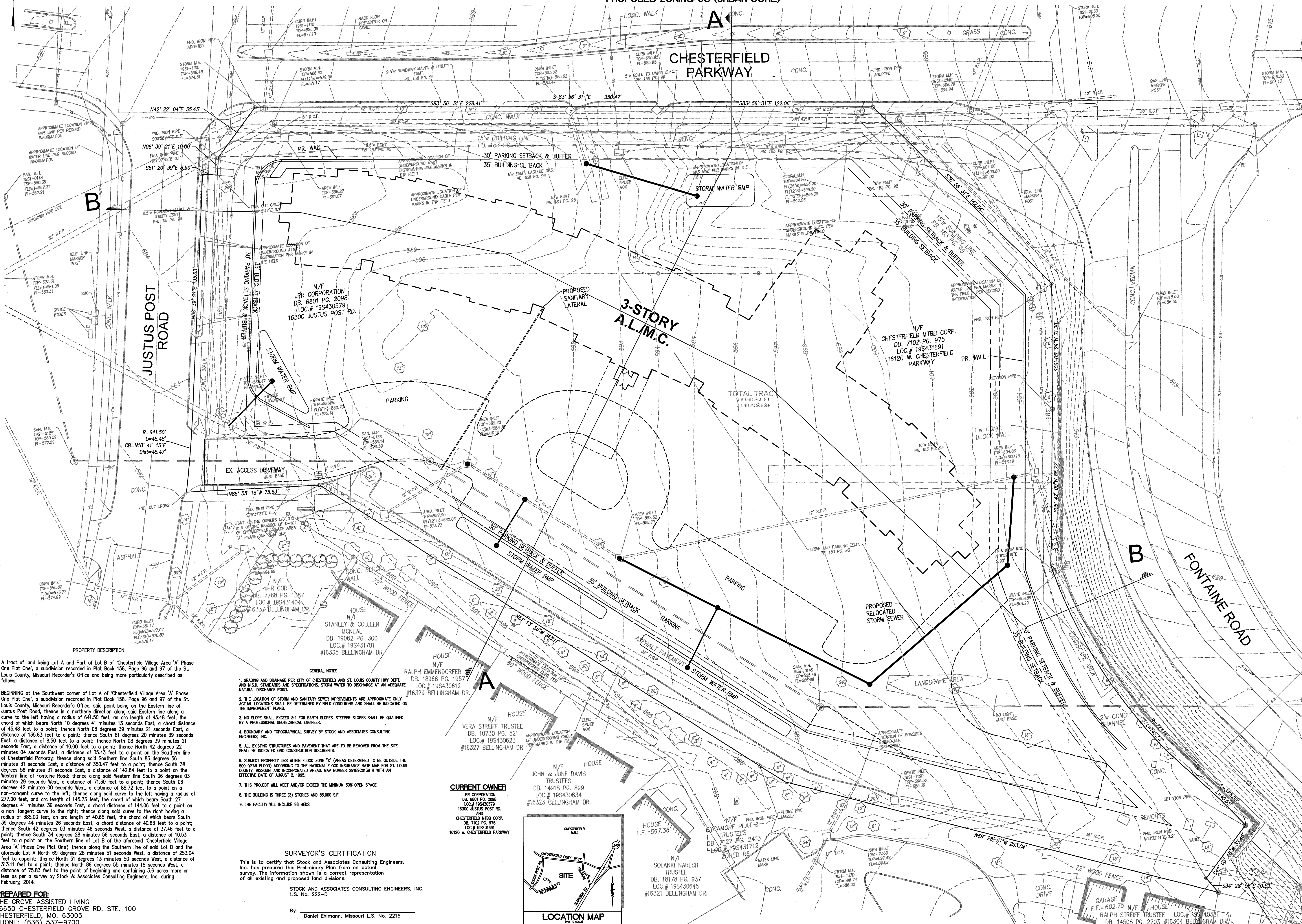
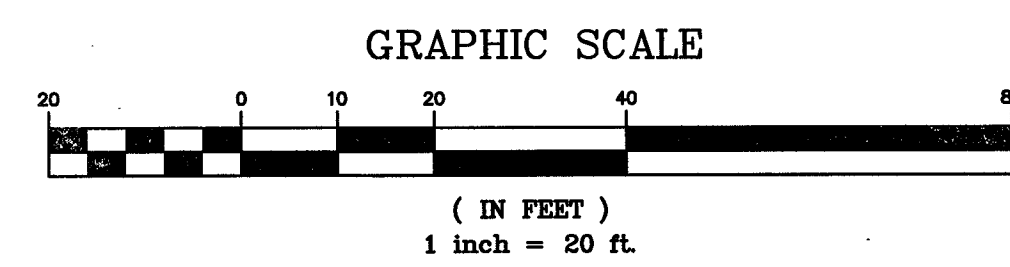
- SITE ACREAGE: 3.6 Acres ±
- SITE ADDRESS: 16300 JUSTUS POST RD.
- LOCATOR No.: 195431691, 195430579
- EXISTING ZONING: "C" COMMERCIAL
- PROPOSED ZONING: "UC" URBAN CORE
- FIRE DISTRICT: MONARCH FIRE PROTECTION
- SCHOOL DISTRICT: PARKWAY DISTRICT
- SEWER DISTRICT: METROPOLITAN ST. LOUIS SEWER DIST.
- WATER SERVICE: MISSOURI AMERICAN WATER COMPANY
- GAS SERVICE: LACLEDE GAS
- ELECTRIC SERVICE: AMEREN U.E.
- PHONE SERVICE: AT&T

ST. LOUIS COUNTY BENCHMARK

12-165 - ELEV. 646.98 "STANDARD ALUMINUM DISK STAMPED 5-3-31 SET ALONG THE WEST SIDE OF ELDRIDGE DRIVE, ACROSS THE NORTH DRIVE OF FIRST NATIONAL BANK, APPROX. 100' SOUTH OF STRECKER RD. & ACROSS FOUNTAINE DR.

SITE BENCHMARK

CUT CROSS IN TRAFFIC SIGNAL MEDIAN AT S.W. QUADRANT OF CHESTERFIELD PARKWAY WEST AND HIGHWAY 340 ON RAMP, AS SHOWN HEREON.



A tract of land being Lot A and Part of Lot B of Chesterfield Village Area "A" Phase One Plat One, a subdivision recorded in Plat Book 158, Page 96 and 97 of the St. Louis County, Missouri Recorder's Office and being more particularly described as follows:

BEGINNING at the Southwest corner of Lot A of Chesterfield Village Area "A" Phase One Plat One, a subdivision recorded in Plat Book 158, Page 96 and 97 of the St. Louis County, Missouri Recorder's Office, said point being on the Eastern line of Justus Post Road, thence in a northerly direction along said Eastern line along a curve to the left having a radius of 141.50 feet, an arc length of 45.49 feet, the chord of which bears North 10 degrees 41 minutes 13 seconds East, a chord distance of 45.48 feet to a point; thence North 08 degrees 39 minutes 21 seconds East, a distance of 135.83 feet to a point; thence South 31 degrees 20 minutes 39 seconds East, a distance of 8.50 feet to a point; thence North 08 degrees 39 minutes 21 seconds East, a distance of 10.00 feet to a point; thence North 42 degrees 22 minutes 04 seconds East, a distance of 35.43 feet to a point on the Southern line of Chesterfield Parkway, thence along said Southern line South 83 degrees 56 minutes 31 seconds East, a distance of 350.47 feet to a point; thence South 38 degrees 56 minutes 31 seconds East, a distance of 142.84 feet to a point on the Western line of Fontaine Road, thence along said Western line South 06 degrees 03 minutes 29 seconds West, a distance of 71.30 feet to a point; thence South 06 degrees 42 minutes 00 seconds West, a distance of 88.72 feet to a point on a non-tangent curve to the left; thence along said curve to the right having a radius of 385.00 feet, an arc length of 40.65 feet, the chord of which bears South 39 degrees 44 minutes 26 seconds East, a chord distance of 40.63 feet to a point; thence South 42 degrees 03 minutes 46 seconds West, a distance of 37.46 feet to a point; thence South 34 degrees 28 minutes 56 seconds East, a distance of 10.53 feet to a point on the Southern line of Lot B of the aforesaid Chesterfield Village Area "A" Phase One Plat One; thence along the Southern line of said Lot B and the aforesaid Lot A North 69 degrees 29 minutes 51 seconds West, a distance of 253.04 feet to a point; thence North 51 degrees 13 minutes 50 seconds West, a distance of 313.11 feet to a point; thence North 86 degrees 55 minutes 18 seconds West, a distance of 75.83 feet to the point of beginning containing 3.6 acres more or less as per a survey by Stock & Associates Consulting Engineers, Inc. during February, 2014.

GENERAL NOTES

- GRAVING AND DRAINAGE PER CITY OF CHESTERFIELD AND ST. LOUIS COUNTY HWY DEPT. AND I.S.D. STANDARDS AND SPECIFICATIONS. STORM WATER TO DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT.
- THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATIONS SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.
- NO SLOPE SHALL EXCEED 3:1 FOR EARTH SLOPES. STEEPER SLOPES SHALL BE QUALIFIED BY A PROFESSIONAL GEOTECHNICAL ENGINEER.
- BOUNDARY AND TOPOGRAPHICAL SURVEY BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
- ALL EXISTING STRUCTURES AND PAVEMENT THAT ARE TO BE REMOVED FROM THE SITE SHALL BE INDICATED ON CONSTRUCTION DOCUMENTS.
- SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI AND INCORPORATED AREAS. MAP NUMBER 29188C03H WITH AN EFFECTIVE DATE OF AUGUST 2, 1995.
- THIS PROJECT WILL MEET AND/OR EXCEED THE MINIMUM 30% OPEN SPACE.
- THE BUILDING IS THREE (3) STORES AND 85,000 S.F.
- THE FACILITY WILL INCLUDE 98 BEDS.

CURRENT OWNER

JPR CORPORATION
 DB. 6801 PG. 2098
 LOC. # 195430579
 16300 JUSTUS POST RD.
 AND
 CHESTERFIELD MTBB CORP.
 DB. 7102 PG. 975
 LOC. # 195431691
 16120 W. CHESTERFIELD PARKWAY

CONTRACTOR

VERA STREIFF TRUSTEE
 DB. 10730 PG. 521
 LOC. # 195430623
 #16327 BELLINGHAM DR.

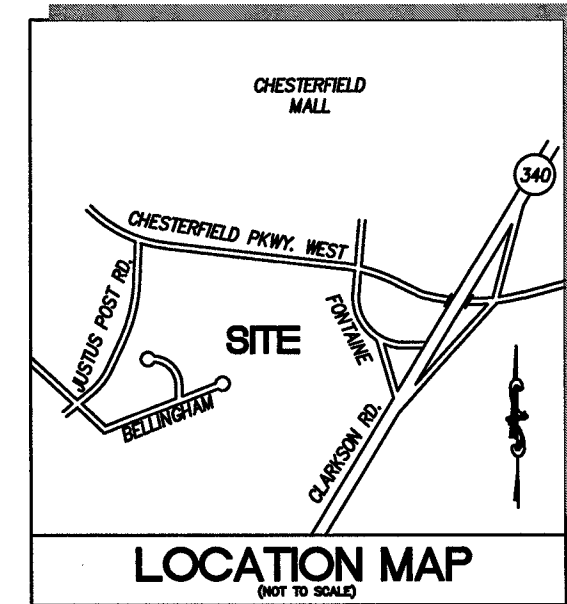
JOHN & JUNE DAVIS TRUSTEES
 DB. 14918 PG. 899
 LOC. # 195430634
 #16323 BELLINGHAM DR.

SOLANKI NARESH TRUSTEE
 DB. 18178 PG. 937
 LOC. # 195430645
 #16321 BELLINGHAM DR.

SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc. has prepared this Preliminary Plan from an actual survey. The information shown is a correct representation of all existing and proposed land divisions.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
 L.S. No. 222-D
 By: Daniel Ehlmann, Missouri L.S. No. 2215



PREPARED FOR:
 THE GROVE ASSISTED LIVING
 16650 CHESTERFIELD GROVE RD. STE. 100
 CHESTERFIELD, MO. 63005
 PHONE: (636) 537-9700

PREPARED BY:
STOCK & ASSOCIATES
 Consulting Engineers, Inc.
 257 Chesterfield Business Parkway
 St. Louis, MO 63005 PG. (636)
 530-9100 FAX (636) 530-9300
 e-mail: general@stockandassociates.com
 Web: www.stockandassociates.com

PRELIMINARY PLAN FOR:
THE GROVE IN CHESTERFIELD
 16300 JUSTUS POST ROAD
 CITY OF CHESTERFIELD, MISSOURI

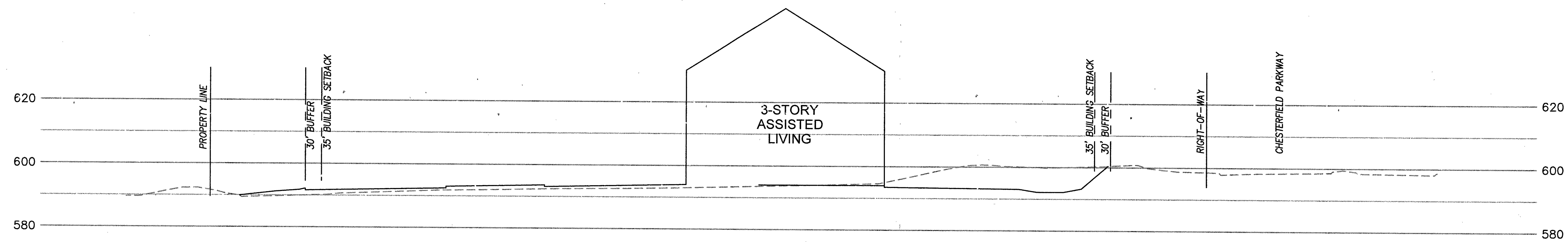
DATE: MAY 4, 2015

 GEORGE MICHAEL STOCK
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 02096

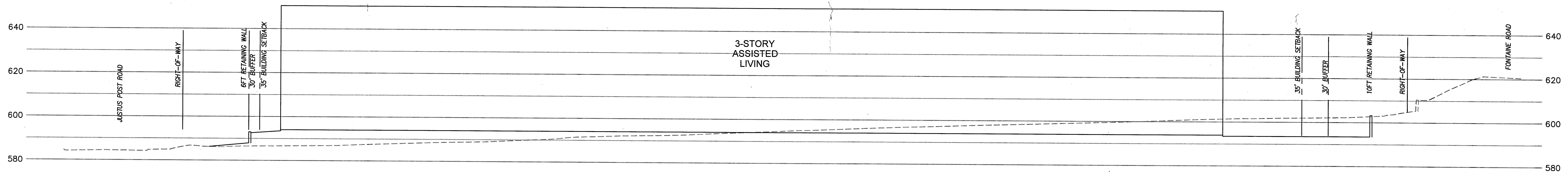
- REVISIONS:
1. 3/27/15 PER CITY COMMENTS & LETTER DATED 3/24/15.
 2. 4/23/15 REVISED PER 4/20/15 ISSUE LETTER.

RECEIVED
 City of Chesterfield
 MAY 05 2015
 Department of Public Services

DRAWN BY: J.E.F.	CHECKED BY: J.M.S.
DATE: 02-27-2015	JOB NO: 215-0216
M.S.D. P. #	BASE MAP #
S.L.C. HAT #	HAT SUP. #
MDAR #	
SHEET TITLE: PRELIMINARY SITE PLAN	
SHEET NO.: SHEET 1	



SITE SECTION A-A
SCALE: 1"=20'(H)(V)



SITE SECTION B-B
SCALE: 1"=20'(H)(V)

PREPARED BY:

STOCK & ASSOCIATES
Consulting Engineers, Inc.

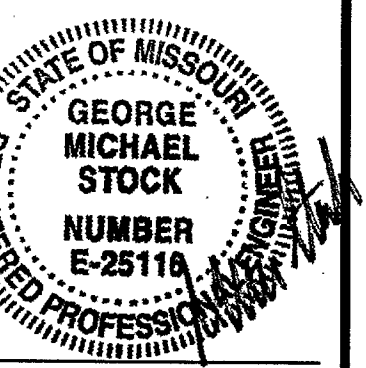
257 Chesterfield Business Parkway
St. Louis, MO 63005 (PH) (636)
330-3000 FAX (636) 530-9330
e-mail: general@stockassoc.com
Web: www.stockassoc.com

PRELIMINARY PLAN FOR:

THE GROVE IN CHESTERFIELD

16300 JUSTUS POST ROAD
CITY OF CHESTERFIELD, MISSOURI

DATE: MAY 4, 2015



GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 00096

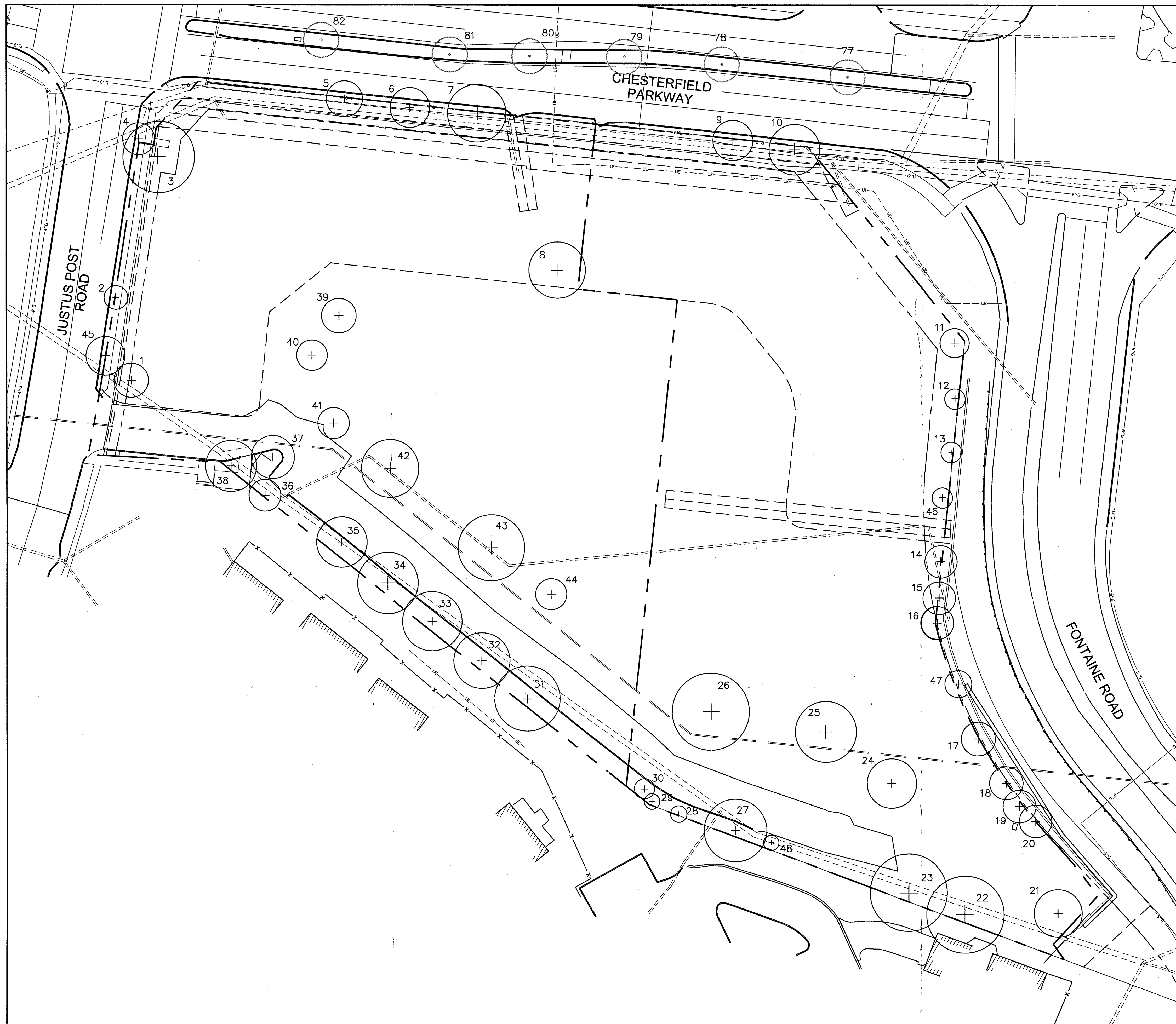
REVISIONS:

- 3/27/15: PER CITY COMMENTS & LETTER DATED 3/24/15.
- 4/23/15: REVISED PER 4/20/15 ISSUE LETTER.

DRAWN BY: J.E.F.	CHECKED BY: G.M.S.
DATE: 02-27-2015	JOB NO: 213-0215
M.S.D. P.#	BASE MAP.# 193
S.L.C. HET.#	HET S.U.P.#
M.D.N.A.#	

SHEET TITLE:
PRELIMINARY SITE SECTIONS

SHEET NO.:
SHEET 2



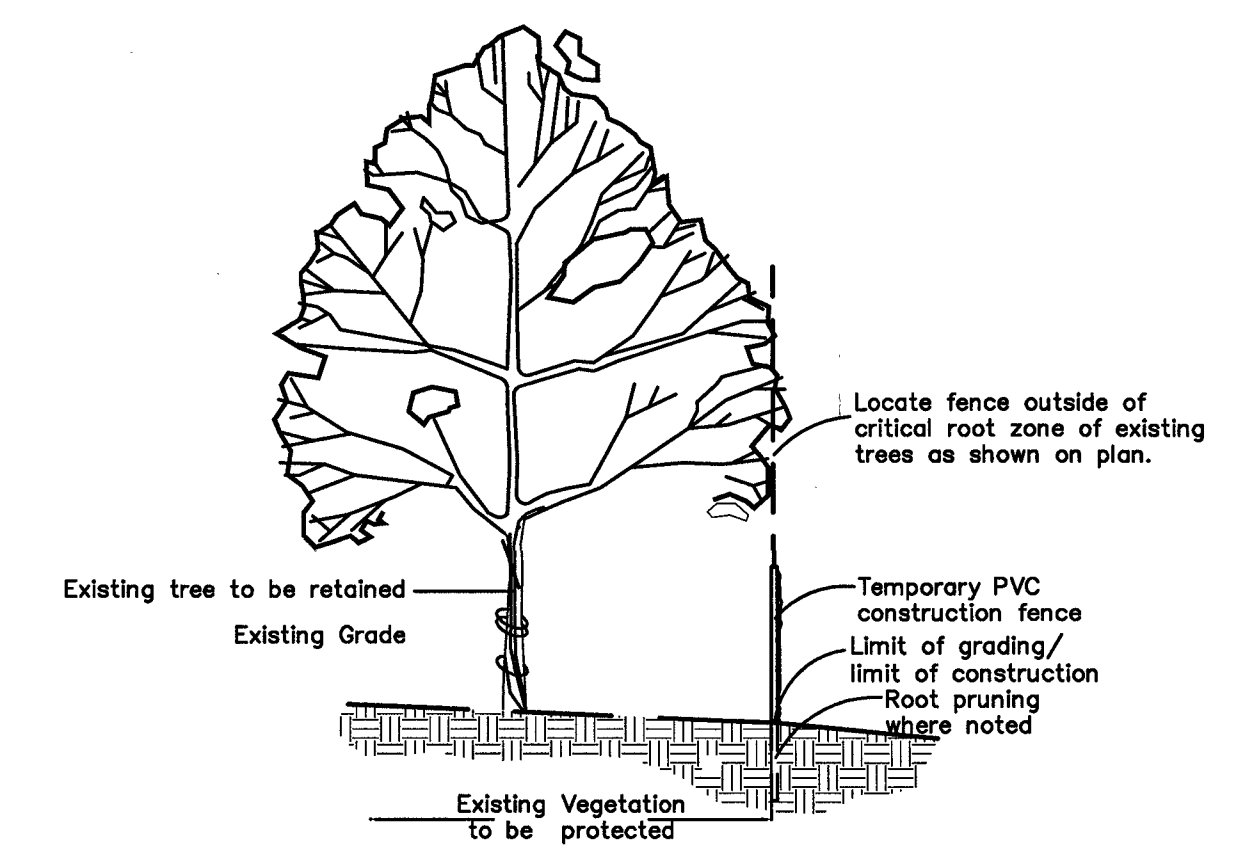
TREE STAND DELINEATION:

Justus Post Road 5-27-2014					
No.	Common Name	DBH of Trunk (in.)	Canopy Area (sf.)	Condition Rating (1-5 Scale)	Condition Comment
1	Austrian Pine	16"	300	3	
2	Red Maple	10"	87	2	
3	Honeylocust	24"	1,110	3	
4	Green Ash	14"	48	2	
5	Green Ash	10"	205	3	
6	Green Ash	12"	170	2	
7	Green Ash	14"	495	2	
8	Sugar Maple	14"	1,000	1	sunscald dieback
9	Green Ash	18"	250	2	
10	Green Ash	18"	400	2	
11	Red Maple	12"	190	3	
12	Red Maple	10"	90	1	50% top dead, severe sunscald/borers
13	Red Maple	8"	80	2	severe sunscald/borers
14	White Pine	18"	170	2	in decline
15	White Pine	16"	140	3	
16	White Pine	16"	150	3	double leader
17	White Pine	16"	170	3	
18	Red Maple	10"	160	3	
19	White Pine	10"	190	3	
20	Red Maple	8"	150	3	
21	Green Ash	14"	590	1	50% dead- in decline
22	Green Ash	18"	1,050	3	
23	Green Ash	20"	1,070	3	
24	Pin Oak	16"	700	3	
25	Pin Oak	18"	1,000	3	
26	Sugar Maple	24"	1,250	1	50% dead; sun scald/borers
27	Green Ash	20"	680	3	
28	Hawthorn	4"	48	3	
29	Colorado Spruce	8"	54	3	
30	Austrian Pine	8"	110	2	
31	Green Ash	20"	740	3	
32	Green Ash	18"	600	2	
33	Green Ash	18"	670	3	
34	Green Ash	20"	760	2	
35	Green Ash	18"	580	3	
36	Crabapple	8"	160	1	50% dead
37	Green Ash	12"	450	2	
38	Green Ash	18"	450	1	severe decline
39	Honeylocust	12"	250	3	
40	Honeylocust	12"	250	3	
41	Green Ash	12"	300	2	in decline
42	Green Ash	16"	1,000	3	
43	Green Ash	24"	1,250	3	
44	Green Ash	10"	250	2	
45	Red Maple	12"	200	3	
46	Red Maple	8"	100	2	sun scald
47	Red Maple	8"	60	2	25% dieback
48	Green Ash	20"	1,000	3	

Total Canopy Area: 21,177 sf.

Tree Stand Delineation
 SCALE 1" = 30'-0"

- LEGEND:
- | Symbol | Description |
|--------|--------------------------|
| ⊕ | Existing Individual Tree |
| • | Existing Off-Site Tree |



TREE PROTECTION DETAIL
 n.t.s.

Tree Stand Delineation Plan Prepared under direction of: Douglas DeLong
 Certified Arborist MW- 4826A
Douglas A. DeLong

Revisions:

Date	Description	No.
4/6/15	On-site only	1

Drawn: LWH
 Checked: JAS

loomisAssociates
 landscaperarchitects/planners
 2050 S. Kirkwood Blvd., Suite 105
 Chesterfield, Missouri 63005-1194
 Phone: 636.861.1100
 Email: info@loomisassociates.com

Loomis Associates Inc.
 Missouri State Certificate of Authority # LAC #00019

Sheet Title:	Tree Stand Delineation
Sheet No.:	TSD
Date:	6/6/14
Job #:	568.016

16300 Justus Post Road
 Chesterfield, MO