



VIII.A

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

Planning Commission Vote Report

Subject: Ordinance Amendment Vote Report

Meeting Date: July 14, 2014

From: Jonathan Raiche, Senior Planner

Location: North of US Highway 40/Interstate 64 and immediately east of its intersection with Boones Crossing

Petition: **P.Z. 01-2014 Chesterfield Valley NE Interchange (CVPBA III)**

Proposal Summary

Stock & Associates Consulting Engineers, Inc., on behalf of CVPBA III, LLC, has submitted a request for an ordinance amendment to reduce structure setbacks for Lot 1 along the northern boundary from 160 feet to 140 feet, along the eastern boundary from 105 feet to 70 feet, and along the western boundary from 135 feet to 65 feet; to provide development criteria and accommodate for three (3) total lots rather than the two (2) currently allowed; and to consider a second access point on North Outer 40 Road as right-in only.

Site History

The subject site was incorporated into the City of Chesterfield under an “NU” Non-Urban District from St. Louis County. The zoning was first amended through a site-specific ordinance in 2006 to a “PC” Planned Commercial District. Also in 2006, the City of Chesterfield approved a Site Development Plan to develop two (2) office buildings on the site. The only existing structure on the site was constructed in 2007 as an office building with a financial office component. In 2008, the City approved an Amended Site Development Plan to modify the landscaping, lighting, and monument sign location for the site.

The most recent ordinance amendment, Ordinance 2715, occurred in 2012 which modified the language to specify and permit an accessory activity to the currently permitted “Office, medical” land use. The ordinance amendment was approved and permitted patients to remain on the premises overnight for a period not to exceed seventy-two (72) hours with a limit on the amount of floor space to be dedicated to this activity.

Surrounding Land Use and Zoning

The land use and zoning for the properties surrounding this parcel and shown in Figure 1 below are as follows:

- North:** The property to the north across North Outer 40 Road is the Chesterfield Outlets commercial subdivision zoned “PC” Planned Commercial District and an area with no subdivision zoned “FPNU”, Floodplain Non-Urban District. Current uses on these properties include retail and vacant/undeveloped land.
- South:** The properties to the south across Interstate 64 are the Chesterfield Commons North and McBride & Son Commercial Subdivisions zoned “C-8” and “PC” Planned Commercial Districts. Current uses include mixed office/retail/restaurant.
- East:** The property to the east is the Chesterfield Outlets commercial development zoned “PC” Planned Commercial District. Current uses include retail at the Taubman Prestige Outlets.
- West:** The property to the west is the Chesterfield Valley Medical Building 2 commercial development and is zoned “PC” Planned Commercial District. Current uses on this property include medical offices.



Figure 1

Comprehensive Plan Analysis

As shown in Figure 2 below, the subject site is located within the Mixed Commercial Use land use designation. The Comprehensive Plan defines Mixed Commercial Use as “Appropriate uses in this designation would be retail and office. Depending on location, some areas may combine warehousing and distribution with the office development”. The current request does not include any change of permitted uses and the current permitted uses are consistent with the Mixed Commercial Use area as described in the City’s Comprehensive Plan. The changes requested to the development criteria would allow for a continuation of the quality development that currently surrounds the site with no negative impacts on the City’s vision for this area or on neighboring properties.

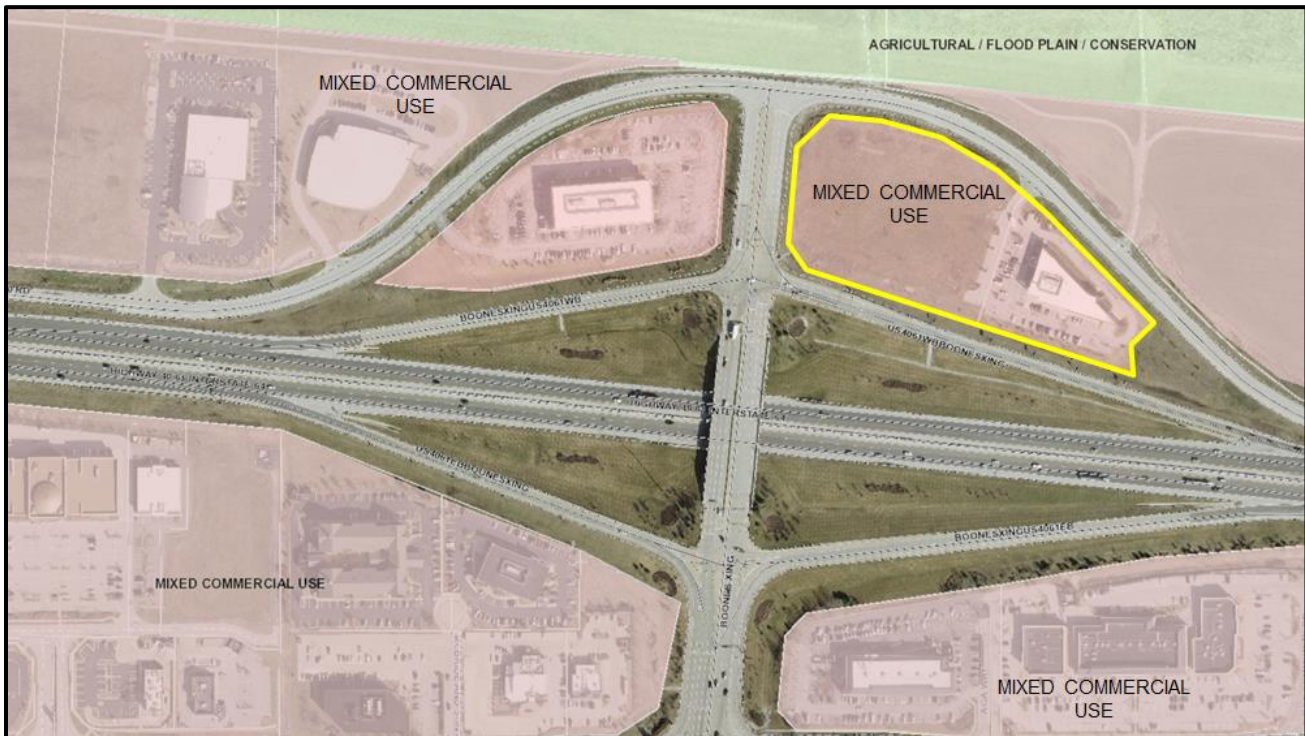
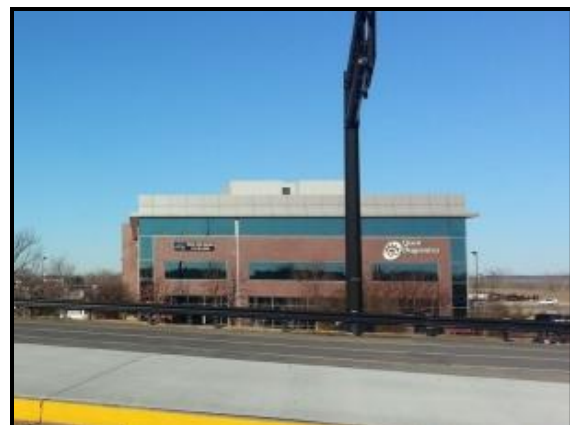


Figure 2

Photos of existing buildings in and near the Chesterfield Valley NE Interchange Development



Cornerstone Mortgage on Site



Quest Diagnostic Building to West

Staff Analysis

Access Management

The previous and current ordinance governing this site (Ordinance 2274 and Ordinance 2715 respectively) limit access to this site to one (1) entrance. The ordinance amendment request in 2006 did include a second access point to North Outer 40 Road at the time of the public hearing, but this second access point was ultimately removed from the request by the Petitioner. During the 2012 amendment (Ordinance 2715), the ordinance included the following section regarding Access Management, “Access to this development from North Outer 40 Road shall be restricted to one (1) commercial entrance located to provide required sight distance and constructed to Saint Louis County standards as directed by the Saint Louis County Department of Highways and Traffic”.

The Petitioner has provided clarification that they have once again made this request to allow an additional curb cut due to recent improvements to expand North Outer 40 Road to a four (4) lane road. Since the public hearing, St Louis County has advised that they will allow a right-in only access with the requirement that a right turn deceleration lane be constructed. While past ordinances have limited direct access for the site to North Outer 40 Road to one (1) entrance, the current proposal as drafted meets the City’s Access Management standards. The Petitioner adjusted the proposal to provide more adequate spacing between the proposed and existing drive as well as providing a deceleration lane for the right-in only access point. The current design does address traffic concerns that Staff had originally expressed and Staff does not oppose the request as presented.

Number of Structures

The current governing ordinance is written to accommodate the development of this site into two (2) lots with one (1) structure on each lot. The Attachment A as drafted allows for three (3) lots with one (1) structure on each as requested by the Petitioner. The previous forty-five (45) foot maximum height requirement and the existing floor area requirements of an 89,000 sq. ft. maximum with a maximum FAR of 0.55 have been incorporated in the proposed Attachment A despite the requested addition of an extra structure. Due to the fact that the above mentioned development standards are still required for this site, Staff does not have concerns with the permitting of one additional structure in the development.

Setback Reductions

As mentioned in the Summary section, there are three structure setback reductions included in this request. These are summarized in the table below:

<u>Boundary</u>	<u>Existing</u>	<u>Proposed</u>
North	160’	140’
East	105’	70’
West	135’	65’
South	85’	85’

Although some of the proposed structure setbacks appear to be large reductions, these proposed setbacks are consistent with surrounding developments. Staff feels that this request would maintain the existing character of the immediate area through consistent open space. There are no concerns for intensity of development or safety related items in relation to the requested change.

The existing ordinance (Ordinance 2715) for this property can be found at the following location:
<http://www.chesterfield.mo.us/webcontent/ordinances/2012/ord2715.pdf> .

Issues

The Planning Commission, with input from the public, identified multiple issues at the February 24, 2014 Public Hearing on this petition. The Petitioner has submitted a formal response to each of these items which is attached to the Planning Commission packet for review. Additional information from Staff on some of these issues is provided below.

- **Right-in only access drive on North Outer 40 Road**

The request as presented adheres to the requirements of the City's Access Management standards. Staff has reviewed the proposal and the comments provided by St Louis County's Department of Highways & Traffic which has required the addition of a deceleration lane to mitigate interruption to the eastbound traffic on North Outer 40 Road. As mentioned in the Staff Analysis section, with these improvements provided by the Petitioner, Staff does not oppose the request.

- **Clarification on reason for setback reductions**

As mentioned in the Staff Analysis section, the structure setback reduction request is consistent with neighboring developments. The developer advised that these requested structure setbacks would allow for development flexibility on Lot 1. It is also worth noting that the existing setback requirements for this development were a direct result of the limits of the previously approved structure that was proposed during the original zoning and site development process for this property in 2006. To help illustrate how the current setbacks reflect the previously proposed building, a copy of the 2006 Preliminary Plan is attached. These setbacks were not required by code or by City Staff and thus Staff has no concerns with the requested amendments.

- **Multiple owners affected**

Since the previous amendments to this site, there has been a change in ownership for Lot 2. Although the Petitioner is seeking changes that focus on Lot 1, attempts were made to inform the owner of Lot 2 of this request and obtain their signature on the application. Despite their efforts, the Petitioner was unable to obtain consent from the Lot 2 property owner. Efforts were made by the Petitioner and Staff as the current planned district ordinance is the governing ordinance for the entire district which includes both Lot 1 and Lot 2. While these attempts were unsuccessful, consent of all owners is not a code or state statute requirement; therefore, the Petitioner is permitted to be on the agenda for vote.

Request

Staff has reviewed the request for an ordinance amendment by Stock & Associates Consulting Engineers, Inc. for the Chesterfield Valley NE Interchange (CVPBA III) development and has found that all of the requests are compliant with the City of Chesterfield Code. Staff has prepared an Attachment A reflecting this request for consideration by the Planning Commission. The original Greenspace Easement Agreement, which was a requirement of the Attachment A in 2005, is included as an exhibit to the prepared Attachment A. Staff requests action on PZ 01-2014 Chesterfield Valley NE Interchange (CVPBA III).

Attachments

1. Response to Issues Letter
2. 2006 Preliminary Plan
3. Attachment A
4. Greenspace Easement Agreement
5. Preliminary Plan
6. Tree Stand Delineation Plan

cc: Aimee Nassif, Planning and Development Services Director

RECEIVED
City of Chesterfield

MAY 12 2014

Department of Public Services

STOCK & ASSOCIATES
Consulting Engineers, Inc.

May 12, 2014

Via Hand Delivery and E-Mail JRaiche@chesterfield.mo.us (w/pdf)

City of Chesterfield
690 Chesterfield Parkway W
Chesterfield, MO 63017-0760

Attention: Mr. Jonathan D. Raiche, AICP, Senior Planner

Re: (P.Z. 01-2014) Chesterfield Valley NE Interchange (CVPBA III)
Responses to City "Issues" Letter dated 3/3/14
(Stock Project No. 212-4959.1)

Dear Mr. Raiche:

Pursuant to your Department Letter dated March 3, 2014, we are pleased to offer the following responses to Issues 1.) thru 4.), and Comments 1). and 2). on the Preliminary Plan:

- 1. The Preliminary Plan received 2/18/14 depicts a proposed right-in access from North Outer 40 Rd. Research into the project history indicates a consistent desire to minimize curb cuts and direct access to north Outer 40 in this area of Chesterfield. This is verified in that both previous ordinances governing this site (Ord. 2274 and Ord. 2715) limit access to this site to one entrance. Additionally, current placement of the proposed right-in access does not meet the recommended spacing for a Major Arterial as set forth in the City access management standards. Please remove the proposed right-in access.*

Response: The "Right-In" only access drive has been reviewed against the City's Access Management Standards Ordinance No. 2103. Its location meets and exceeds the required separation standards. Since the zoning procedures creating Ordinances #2274 and 2715, the North Outer Road has been improved from a two (2) lane road to a four (4)-lane road. The jurisdiction of the road has switched from MoDOT to St. Louis County. Attached is St. Louis County's Conceptual Approval dated 10/14/13. The density of the current proposal with two (2) small buildings vs. one (1) larger building is a condition different than previews zoning procedures.

The “right in” only will include an eleven ft. (11’) wide, one-hundred foot (100’) long deceleration lane.

2. *Provide clarification on why the setbacks are being amended to the extent that is requested.*

Response: The setback adjustments are requested to accommodate two (2) smaller detached buildings than the single three (3)-story building, totaling 62,304 G.S.F. that was previously approved on this site.

- 3.) *Discussion occurred regarding the prohibition of freestanding signs along Interstate 64 and Boone’s Crossing Road. This issue was raised due to the visibility of attached wall signs from these corridors and the desire to minimize visual distractions to drivers.*

Response: All signage shall comply with the City Sign Ordinance. Review of signage would occur with submission of a Site Development Section Plan.

- 4.) *Staff requests information on whether or not the overnight medical stays clause at Section I.A.3 is required for the proposed tenant. If this use is deemed unnecessary for the new tenants, be advised that it will be removed at this time. Enhanced landscaping, deeper and opaque buffers, and increased planting along public right-of-ways, open space/recreational areas, and the overall perimeter to protect and ensure compatibility with adjacent land uses;*

Response: At this time, we do not know who the Tenant may be in the Future Office Building. Therefore, we would like to retain the overnight medical stay clause at Section I.A.3.

Additional Staff Comments on the Preliminary Plan are as follows:

1. *The conceptual building location on Lot 1A appears to encroach onto the Permanent Slope Easement dedicated to the State of Missouri. Please clarify.*

Response: The proposed “Dash Building Outline” does not encroach within the MoDOT “P.S.E.”. The line on the drawing is Contour Elevation 468.

2. *Depict all necessary cross access easements to ensure permanent cross access between all parcels of this development and to the existing access drive.*

Response: Existing cross access easements have been shown, and proposed cross access easements have been shown on the attached Preliminary Plan.

May 12, 2014
CITY OF CHESTERFIELD
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Hopefully these responses adequately address comments raised. Should you have any questions, please do not hesitate to call.

Sincerely,


George Stock

George M. Stock, P.E., President

CC: Mr. Jim Thomas (via E-Mail -w/plan)
Mr. Tim Stock, Executive Vice President

TOTAL SITE AREA: 6.17 ACRES

PARCEL A 4.17 ACRES

BUILDING: AREA:
A MEDICAL OFFICE (3-STORY) 64,125 G.S.F.

PARKING:
 64,125 G.S.F. x .97 (97%) = 62,217 N.S.F. @ 4.5 P.S./1,000 N.S.F. = 280 P.S.

PARKING PROVIDED: 280 P.S.

LOADING SPACES PROVIDED: 2 : 10' X 25'
 1 : 10' X 40'

PARCEL B 2.0 ACRES

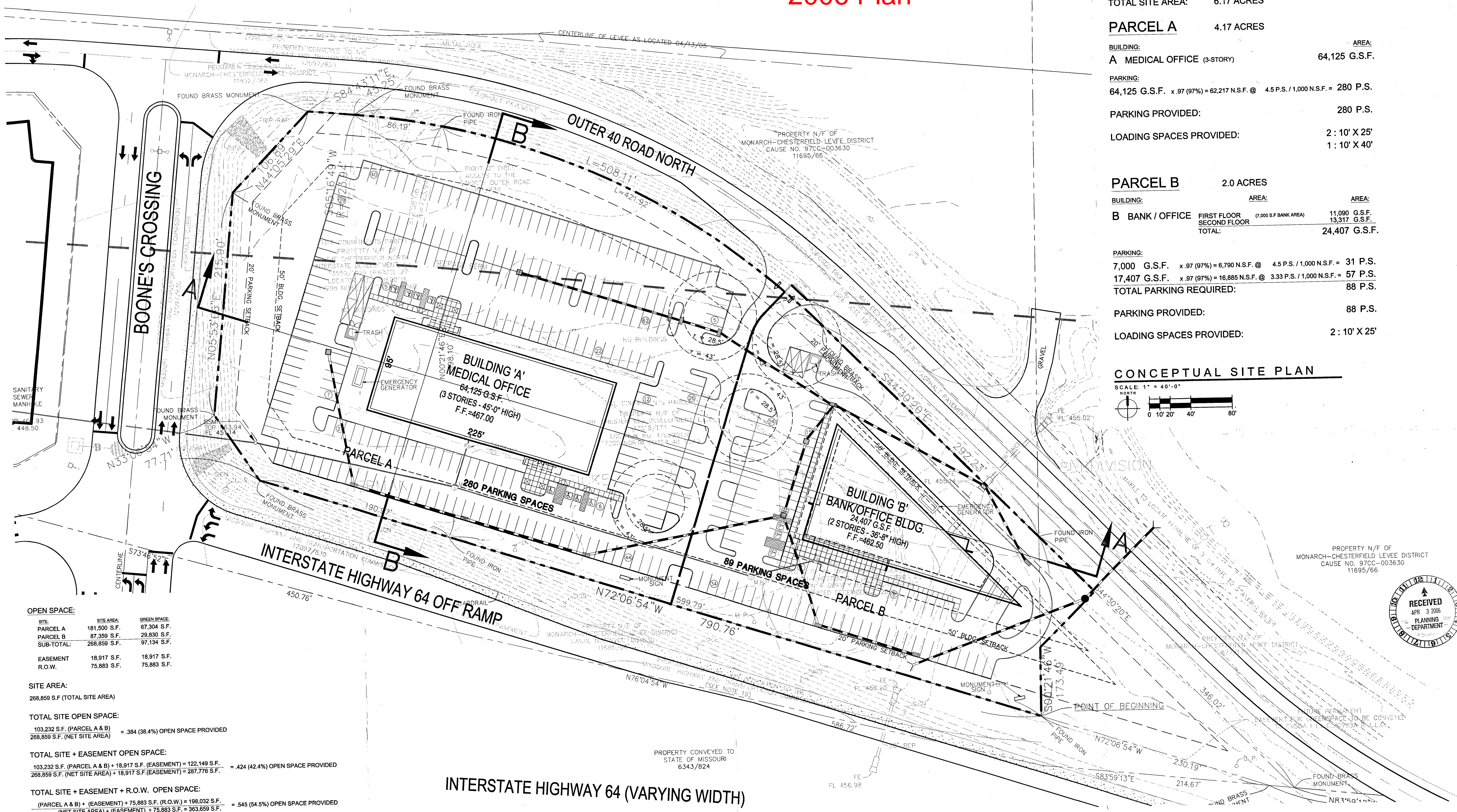
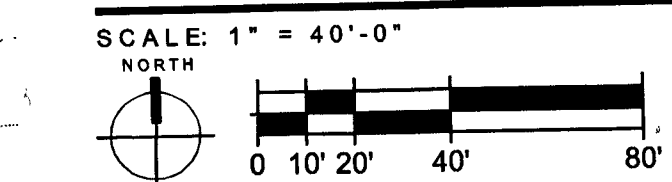
BUILDING: AREA: AREA:
B BANK / OFFICE FIRST FLOOR (7,000 S.F. BANK AREA) 11,090 G.S.F.
 SECOND FLOOR 13,317 G.S.F.
TOTAL: 24,407 G.S.F.

PARKING:
 7,000 G.S.F. x .97 (97%) = 6,790 N.S.F. @ 4.5 P.S./1,000 N.S.F. = 31 P.S.
 17,407 G.S.F. x .97 (97%) = 16,885 N.S.F. @ 3.33 P.S./1,000 N.S.F. = 57 P.S.
TOTAL PARKING REQUIRED: 88 P.S.

PARKING PROVIDED: 88 P.S.

LOADING SPACES PROVIDED: 2 : 10' X 25'

CONCEPTUAL SITE PLAN



OPEN SPACE:

SITE	SITE AREA	GREEN SPACE
PARCEL A	181,500 S.F.	67,304 S.F.
PARCEL B	87,359 S.F.	29,830 S.F.
SUB-TOTAL:	268,859 S.F.	97,134 S.F.
EASEMENT	18,917 S.F.	18,917 S.F.
R.O.W.	75,883 S.F.	75,883 S.F.

SITE AREA:
 268,859 S.F. (TOTAL SITE AREA)

TOTAL SITE OPEN SPACE:
 103,232 S.F. (PARCEL A & B) = 384 (38.4%) OPEN SPACE PROVIDED
 268,859 S.F. (NET SITE AREA)

TOTAL SITE + EASEMENT OPEN SPACE:
 103,232 S.F. (PARCEL A & B) + 18,917 S.F. (EASEMENT) = 122,149 S.F. = 424 (42.4%) OPEN SPACE PROVIDED
 268,859 S.F. (NET SITE AREA) + 18,917 S.F. (EASEMENT) = 287,776 S.F.

TOTAL SITE + EASEMENT + R.O.W. OPEN SPACE:
 (PARCEL A & B) + (EASEMENT) + 75,883 S.F. (R.O.W.) = 198,032 S.F. = 545 (54.5%) OPEN SPACE PROVIDED
 (NET SITE AREA) + (EASEMENT) + 75,883 S.F. = 363,659 S.F.

INTERSTATE HIGHWAY 64 (VARYING WIDTH)

N. E. INTERCHANGE SITE

CHESTERFIELD,
 03-103

MISSOURI
 03-09-06

DEVELOPED BY:
 CVBBA I, LLC
 CVPBA III, LLC



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. Financial Institution, drive-thru
 - b. Office, dental
 - c. Office, general
 - d. Office, medical
2. Hours of Operation.
 - a. Hours of operation for this "PC" District shall not be restricted.
3. Accessory uses for the above referenced permitted uses shall be as follows:
 - a. Medical office, with overnight stays for observational purposes, not to exceed seventy-two (72) hours in duration. Overnight stays shall be restricted to not more than five percent (5%) of the floor area utilized for medical offices.
4. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City of Chesterfield's Unified Development Code Article 6.

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

1. Floor Area
 - a. Total building floor area shall not exceed 89,000 square feet.
2. Height
 - a. The maximum building height on Lots 1-A and 1-B, exclusive of roof screening, shall not exceed forty-five (45) feet.
 - b. The maximum building height on Lot 2, exclusive of roof screening, shall not exceed thirty-seven (37) feet.

3. Building Requirements

- a. A minimum of forty percent (40%) open space is required for this development. Open space shall be calculated using the permanent Levee District easement on the parcel.
- b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. Structure Setbacks

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

Lot 1-A

- a. One hundred and forty (140) feet from the right-of-way of North Outer Forty Road on the northern boundary of the "PC" Planned Commercial District.
- b. Eight-five (85) feet from the southern boundary of the "PC" Planned Commercial District.
- c. Zero (0) feet from the eastern boundary of Lot 1-A.
- d. Sixty-five (65) feet from the western boundary of the "PC" Planned Commercial District.

Lot 1-B

- a. One hundred and forty (140) feet from the right-of-way of North Outer Forty Road on the northern boundary of the "PC" Planned Commercial District.
- b. Eight-five (85) feet from the southern boundary of the "PC" Planned Commercial District.
- c. Seventy (70) feet from the eastern boundary of Lot 1-B.
- d. Zero (0) feet from the western boundary of the "PC" Planned Commercial District.

Lot 2

- a. Forty-five (45) feet from the right-of-way of North Outer Forty Road on the northern boundary of the "PC" Planned Commercial District.
- b. Eight-five (85) feet from the southern boundary of the "PC" Planned Commercial District.
- c. Thirty-five (35) feet from the eastern boundary of the "PC" Planned Commercial District.
- d. Ninety-five (95) feet from the western boundary of Lot 2.

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. Twenty (20) feet from the right-of-way of North Outer Forty Road.
- b. Twenty (20) feet from the southern boundary of the "PC" Planned Commercial District.
- c. Five (5) feet from the eastern boundary of the "PC" Planned Commercial District.
- d. Twenty (20) feet from the western 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. 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.
 - b. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.
 - 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 Preservation and Landscape Requirements of the City of Chesterfield Unified Development Code.
2. Developer will integrate landscape and maintain the area described as the Monarch-Chesterfield Levee District Greenspace Easement per the Greenspace Easement Document dated September 16, 2005.

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 of Chesterfield Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. No signage of any kind shall be permitted with regards to an accessory land use.
3. No freestanding signage will be permitted along the Boone's Crossing and Interstate 64 corridors.
4. Landscaping and Ornamental Entrance Monument or Identification Signage 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 and approved 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 developer shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

I. ACCESS/ACCESS MANAGEMENT

1. Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance Number 2103 and as may be amended from time to time.
2. Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access between all parcels of this development and to each access drive.

3. Access to this development from North Outer 40 shall be restricted to the one (1) existing full access commercial entrance located approximately 675 feet east of the intersection with Boone's Crossing and one (1) right-in only access entrance to serve Lots 1A and 1B. A deceleration lane must be constructed in conjunction with the right-in only access and must have final design of the deceleration lane and access approved by St Louis County's Department of Highways and Traffic and the City of Chesterfield. All entrances must be constructed to standards as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
4. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Highways and Traffic.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. Roads shall be kept clear of mud and debris at all times.
2. Any work within St. Louis County and/or MoDOT right-of-way will require permits from St. Louis County and/or MoDOT.
3. Provide additional right-of-way and improve North Outer 40, including all storm drainage facilities, as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
4. The developer is advised that utility companies will require compensation for relocation of their facilities within 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.

K. TRAFFIC STUDY

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

L. MONARCH-CHESTERFIELD LEVEE DISTRICT/HOWARD BEND LEVEE DISTRICT

Adhere to the restrictions and provisions provided for in the Greenspace Easement Document dated September 16, 2005 and provided by the Monarch-Chesterfield Levee District.

M. 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 plan, sign package or any amendments thereto.

N. STORM WATER

1. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
2. Locations of the site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
3. 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.

4. Storm water quantity management, channel protection, and water quality improvements shall be provided as required by the Metropolitan St. Louis Sewer District, MoDOT, St. Louis County, the Monarch Chesterfield Levee District, and the City of Chesterfield. The location and types of storm water management facilities shall be identified on all Site Development and Improvement Plans.
5. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. The adequacy and condition of the existing downstream system(s) shall be verified and upgraded as necessary.
6. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as approved by the City of Chesterfield.

O. SANITARY SEWER

1. Sanitary sewers shall be as approved by the Metropolitan St. Louis Sewer District and the City of Chesterfield.
2. This project is in the Caulks Creek Surcharge Area and may be subject to a surcharge that will be collected by the Metropolitan St. Louis Sewer District prior to plan approval.

P. GEOTECHNICAL REPORT

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

Q. 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 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 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 St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

B. 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 and the Missouri Department of Transportation, Metropolitan St. Louis Sewer District (MSD), and St. Louis County Department of Highways and Traffic.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

C. 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, lot dimensions, lot 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, significant natural features, such as wooded areas and rock formations, and other karst features 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 Unified Development 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, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Highways and Traffic, and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

A. ROADS

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-of-way acquisition, and major roadway construction in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Highways and Traffic. The amount of the developer's contribution to this fund shall be computed based on the following:

1. The developer shall be required to contribute to the Chesterfield Valley Trust Fund (Ord. 556). Traffic generation assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. The roadway improvement contribution shall be based on 95% of the building square footage being assessed at the rates below. The amount of the developer's contribution to this fund shall be computed based on the following:

Type of Development	Required Contribution
Commercial	\$2.46/SF
Office	\$1.71/SF
Industrial:	\$5,925.99/Acre

2. The balance of the roadway improvement contribution shall be based on 5% of the building square footage for the accessory use of limited overnight stays being assessed against required parking spaces at the rates below. This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

Type of Development	Required Contribution
Medical Office	\$1,934.32/required parking space
General Office	\$ 644.74/required parking space
Loading Space	\$3,165.27/required parking space

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

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

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

3. 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.
4. Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

B. WATER MAIN

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$777.97 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before St. Louis County approval of the Site Development Plan unless otherwise directed by the Saint Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, Saint Louis County.

C. STORMWATER

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,468.31 per acre for the total area as approved on the Site Development Plan. The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the Treasurer, Saint Louis County.

D. SANITARY SEWER

The sanitary sewer contribution is collected as the Caulks Creek surcharge fee. The surcharge will be collected prior to formal MSD plan approval. The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan St. Louis Sewer District as required by the District.

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. VERIFICATION PRIOR TO OCCUPANCY PERMITS

Prior to issuance of any occupancy permit, all required road improvements and right-of-way dedication shall be completed.

VIII. GENERAL DEVELOPMENT CONDITIONS

If cut and fill operations occur during a season not favorable for immediate establishment of permanent ground cover, a fast germinating annual such as rye grasses and sudan grasses shall be utilized to retard erosions.

IX. 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.



Space Above for Recorder's Use Only

DOCUMENT COVER SHEET

TITLE OF DOCUMENT: Greenspace Easement

DATE OF DOCUMENT: September 16, 2005

GRANTOR(S): **Monarch-Chesterfield Levee District**
Mailing Address: c/o Husch & Eppenberger, LLC
190 Carondelet Plaza, Suite 600
Clayton MO 63105

GRANTEE(S): **THF Chesterfield Development, L.L.C.**
Mailing Address: **THF Chesterfield North Interstate Development, L.L.C.**
2127 Innerbelt Business Center Drive, Suite 200
St. Louis, Missouri 63114

PROPERTY ADDRESS: _____

LOCATOR/PARCEL NO. _____

LEGAL DESCRIPTION: See Exhibit A on page 3

REF. BOOK & PAGE: NA

A

GREENSPACE EASEMENT AGREEMENT

THIS GREENSPACE EASEMENT AGREEMENT is made as of the 16th day of September, 2005, by and between THF CHESTERFIELD DEVELOPMENT, L.L.C., a Missouri limited liability company, THF CHESTERFIELD NORTH INTERSTATE DEVELOPMENT, L.L.C., a Missouri limited liability company (collectively "THF"), and MONARCH-CHESTERFIELD LEVEE DISTRICT, a statutory levee district ("MCLD").

RECITALS:

This Agreement is entered into upon the basis of the following facts, understandings and intentions of the parties hereto:

1. THF is the owner of the parcel of land situated in St. Louis County, Missouri, being more particularly described on Exhibit A attached hereto, and which is identified as the "THF Tract" on the site plan (the "Site Plan") attached hereto as Exhibit C.
2. MCLD is the owner of the parcel of land situated immediately adjacent to the THF Tract, being more particularly described on Exhibit B attached hereto, and which is identified as the "MCLD Tract" on the Site Plan.
3. MCLD is the owner of additional land situated near the MCLD Tract, being more particularly described on Exhibit D attached hereto, and which is identified as the "Additional MCLD Tract" on the Site Plan.
4. THF desires to obtain from MCLD an easement over the MCLD Tract for greenspace and to grant to MCLD, in a separate instrument dated as of the date hereof, an easement over the THF Tract for utilities.
5. MCLD desires to obtain from THF an easement over the THF Tract for utilities in a separate instrument dated as of the date hereof, and to grant to THF an easement over the MCLD Tract for greenspace.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, THF and MCLD (singularly a "Party" and collectively "Parties") agree and covenant as follows:

SECTION I. GRANT OF EASEMENTS

MCLD hereby grants, bargains, sells and conveys to THF a non-exclusive perpetual easement and right of way, in common with MCLD and others entitled to use the same, over, upon and across the MCLD Tract for the purpose of greenspace, reserving unto MCLD the right to utilize the MCLD Tract to provide utilities to the Additional MCLD Tract regardless of whether such use conflicts with the easement granted to THF herein, and reserving unto MCLD all rights in the MCLD Tract that do not conflict with the easement granted to THF herein. The easement established herein shall be appurtenant to and for the benefit of the THF Tract.

In addition, MCLD agrees to convey to THF (at no charge to THF) such portion of the MCLD Tract as is reasonably necessary for THF to construct the pavement shown on the attached Site Plan (the "Pavement Property"). The conveyance of the Pavement Property shall be conditioned upon THF obtaining a boundary adjustment from the City of Chesterfield such that the Pavement Property is added to and becomes a part of the THF Property. MCLD agrees to cooperate with THF, at no cost to MCLD, in connection with the obtainment of such boundary adjustment. The conveyance shall take place within ten (10) days of the completion of such boundary adjustment.

At any time after the date hereof, THF and its agents, employees, contractors, designees and representatives shall have the right, privilege and license of entering upon the MCLD Tract for the purpose of performing a survey and conducting a phase one environmental assessment of the MCLD Tract. If the phase one environmental assessment identifies the need for further testing of the MCLD Tract, THF shall seek MCLD's consent prior to conducting such further testing. THF agrees to restore any damage done to the MCLD Tract by THF or anyone acting in THF's behalf in connection with such entry onto the MCLD Tract. THF agrees to indemnify and hold MCLD harmless from and against all loss, cost, liability, and expense suffered by MCLD as a result of the entry onto the MCLD Tract by THF, its agents, employees, contractors, designees and representatives.

SECTION 2. THF MAINTENANCE AND OTHER OBLIGATIONS

A. THF shall cause the MCLD Tract to be seeded and/or landscaped in accordance with landscaping plans approved by MCLD. THF shall maintain and keep the MCLD Tract (other than MCLD's utility improvements and any damage to the MCLD Tract caused by MCLD's construction, repair, maintenance and replacement of such utility improvements) in good and sightly condition and repair at THF's sole cost and expense ("THF's Maintenance Obligations"). If THF does not timely perform THF's Maintenance Obligations, upon thirty (30) days advance notice by MCLD (or such lesser period as is reasonable in the case of an emergency), then MCLD shall have the right, but not the obligation, in its sole discretion, to perform such unperformed THF's Maintenance Obligations or remove any such improperly maintained improvements which are part of THF's Maintenance Obligations, as applicable, at THF's cost, to be immediately reimbursed by THF to MCLD. MCLD shall have no obligation to restore any THF improvement, grass or landscaping damaged by MCLD's use of the MCLD Tract.

B. At THF's sole cost and expense, THF shall at all times comply with laws of any governmental agency or political subdivision having jurisdiction over the work being performed on the MCLD Tract by THF, including but not limited to, all applicable state, federal, St. Louis County and City of Chesterfield rules and regulations.

C. THF shall ensure that any contractor or subcontractor performing work on THF's behalf on the MCLD Tract (collectively, the "Contractor") shall purchase and maintain, from a company or companies authorized to do business in Missouri, insurance in such amounts and coverages as required by law or customary in the construction industry, whichever is greater. With the exception of Workers' Compensation, the Contractor's insurance coverage required by

this paragraph shall name MCLD as an additional insured and shall not be canceled or allowed to expire without thirty (30) days prior written notice to MCLD. MCLD shall be provided copies of all such insurance certificates prior to THF or any Contractor accessing the MCLD Tract.

**SECTION 3.
MISCELLANEOUS**

In the event of a condemnation of all or a part of the MCLD Tract, the award or purchase price paid for such "taking" shall be paid to MCLD and THF hereby releases and waives any right to receive or claim any portion of such award or purchase price paid for such "taking. "

The provisions of this Agreement shall be binding upon and inure to the benefit of the Parties hereto and the successors and assigns of each Party who become owners, respectively, of the respective Tracts; provided, however, that any liability or obligation of a Party hereunder as to future events shall terminate upon the transfer of such ownership interest and the assumption in writing by the transferee of the obligations set forth on the transferring Party.

All notices, demands and requests required or desired to be given under this Agreement must be in writing and shall be deemed to have been given as of the date such writing is (i) delivered to the Party intended, (ii) delivered to the then current address of the Party intended, or (iii) rejected at the then current address of the Party intended, provided such writing was sent prepaid. The initial address of each signatory hereto is:

THF: THF Chesterfield Development, L.L.C.
THF Chesterfield North Interstate Development, L.L.C.
2127 Innerbelt Business Center Drive, Suite 200
St. Louis, Missouri 63114
Attention: Michael H. Staenberg

With a copy to: Sonnenschein Nath & Rosenthal
One Metropolitan Square, Suite 3000
St. Louis, Missouri 63102
Attention: Robert J. Jakubeck, Esq.

MCLD: c/o David R. Human, Esq.
Husch & Eppenberger, LLC
190 Carondelet Plaza, Suite 600
St. Louis, Missouri 63105

Upon at least ten (10) days' notice prior written notice, each Party shall have the right to change its address to any other address within the United States of America.

Except to the extent caused by the negligence or wilful misconduct of MCLD, THF shall defend, protect, indemnify and hold harmless MCLD from and against all claims or demands, including any actions or proceedings brought thereon, and all costs, expenses and liabilities of any kind relating thereto, including reasonable attorney's fees and cost of suit, arising out of or

resulting from the negligence or wilful misconduct of THF in the exercise of any of its rights and duties contained herein.

(Remainder of this page intentionally blank. Signatures on following pages.)

IN WITNESS WHEREOF, the Parties have caused these presents to be executed on the date of their respective acknowledgments shown below to be effective as of the day and year first above written.

"THF"
THF CHESTERFIELD NORTH
INTERSTATE DEVELOPMENT, L.L.C., a
Missouri limited liability company

By _____
Michael H. Staenberg, Manager

STATE OF Missouri §
County OF St. Louis § ss.
§

On September 24, 2005, before me Kimberly A. Thomas, personally appeared Michael H. Staenberg, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kimberly A. Thomas
Notary Public
Kimberly A. Thomas
(Printed name)

My Commission Expires: 2/4/2007

KIMBERLY A THOMAS
Notary Public - Notary Seal
STATE OF MISSOURI
JEFFERSON COUNTY
MY COMMISSION EXP. FEB. 4, 2007

IN WITNESS WHEREOF, the Parties have caused these presents to be executed on the date of their respective acknowledgments shown below to be effective as of the day and year first above written.

"MCLD"

MONARCH-CHESTERFIELD LEVEE DISTRICT

By: Earl R Hoffmann
Name: Earl R Hoffmann
Title: President

STATE OF Missouri §
County OF St. Louis § ss.
§

On May 9th, 2005, before me Cindy L Kinney, personally appeared Earl R Hoffmann, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Cindy L Kinney
Notary Public
Cindy L Kinney
(Printed name)

My Commission Expires: 5/23/08



CINDY L. KINNEY
Jefferson County
My Commission Expires
May 23, 2008

Exhibit A

October 3, 2003

EJK

North East Interchange
5259-97

A tract of land being part of Lots 5, 6 and 7 of the Herman Ficke Estate Subdivision, in U.S. Survey 2031, Township 45 North - Range 4 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the intersection of the North right of way line of Interstate Highway 64, varying width, as widened by deed recorded in Book 12097 page 830 of the St. Louis County Records, with the East line of property described in deed to the St. Louis County Water Company, recorded in Book 7892 page 1636 of the St. Louis County Records, said East line being the East line of said Lot 5 of the Herman Ficke Estate Subdivision; thence Westwardly along said North right of way line of Interstate Highway 64, varying width, North 72 degrees 06 minutes 54 seconds West 190.97 feet and North 33 degrees 06 minutes 54 seconds West 77.71 feet to the East line of Boones Crossing 150 feet wide; thence Northwardly along said East line North 05 degrees 53 minutes 06 seconds East 215.90 feet and North 44 degrees 05 minutes 29 seconds East 106.89 feet to the South line of the Relocated North Outer Roadway, varying width; thence Eastwardly along said South line of the Relocated North Outer-Roadway, South 84 degrees 43 minutes 11 seconds East 45.25 feet and along a curve to the right, whose radius point bears South 05 degrees 16 minutes 49 seconds West 723.94 feet from the last mentioned point, a distance of 508.11 feet to a point; thence South 44 degrees 30 minutes 20 seconds East 292.23 feet to the West line of property described in deed to Monarch-Chesterfield Levee District by instrument recorded in Book 10877 Page 1753 of the St. Louis County Records; thence South 00 degrees 21 minutes 46 seconds 173.49 feet along said West line to a point; thence North 72 degrees 06 minutes 54 seconds West 599.79 feet to the point of beginning and containing 6.107 acres.

Exhibit B

May 5, 2005

JB

Re: Monarch-Chesterfield
Levee District
Property Description

A tract of land being part of Lot 6 of the "Herman Ficke Estate Subdivision", in U.S. Survey 2031, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as:

Beginning at the intersection of the West line of property conveyed to the Monarch-Chesterfield Levee District by deed recorded book 10877 page 1753 of the St. Louis County Records with the South line of property conveyed to THF Chesterfield Development, L.L.C. by deed recorded in book 12816 page 174 of the St. Louis County Records; thence along said West line of property conveyed to the Monarch-Chesterfield Levee District North 00 degrees 21 minutes 46 seconds East 173.49 feet to the proposed South right of way line of Relocated North Outer Roadway, varying width; thence along said proposed South right of way line of Relocated North Outer Roadway, varying width, South 44 degrees 30 minutes 20 seconds East 346.02 feet to the North right of way line of Interstate Highway 64, varying width; thence along said North right of way line of Interstate Highway 64, varying width, North 83 degrees 59 minutes 12 seconds West 24.72 feet to the intersection of said North right of way line of Interstate Highway 64, varying width, with the proposed North right of way line of Interstate Highway 64, varying width; thence along said proposed North right of way line of Interstate Highway 64, varying width, North 72 degrees 06 minutes 54 seconds West 230.19 feet to the point of beginning and containing 0.500 Acres according to calculations by EFK+Moen, L.L.C. during May, 2005.

Christopher Ferrante, P.L.S.
MO P.L.S. No. 2494

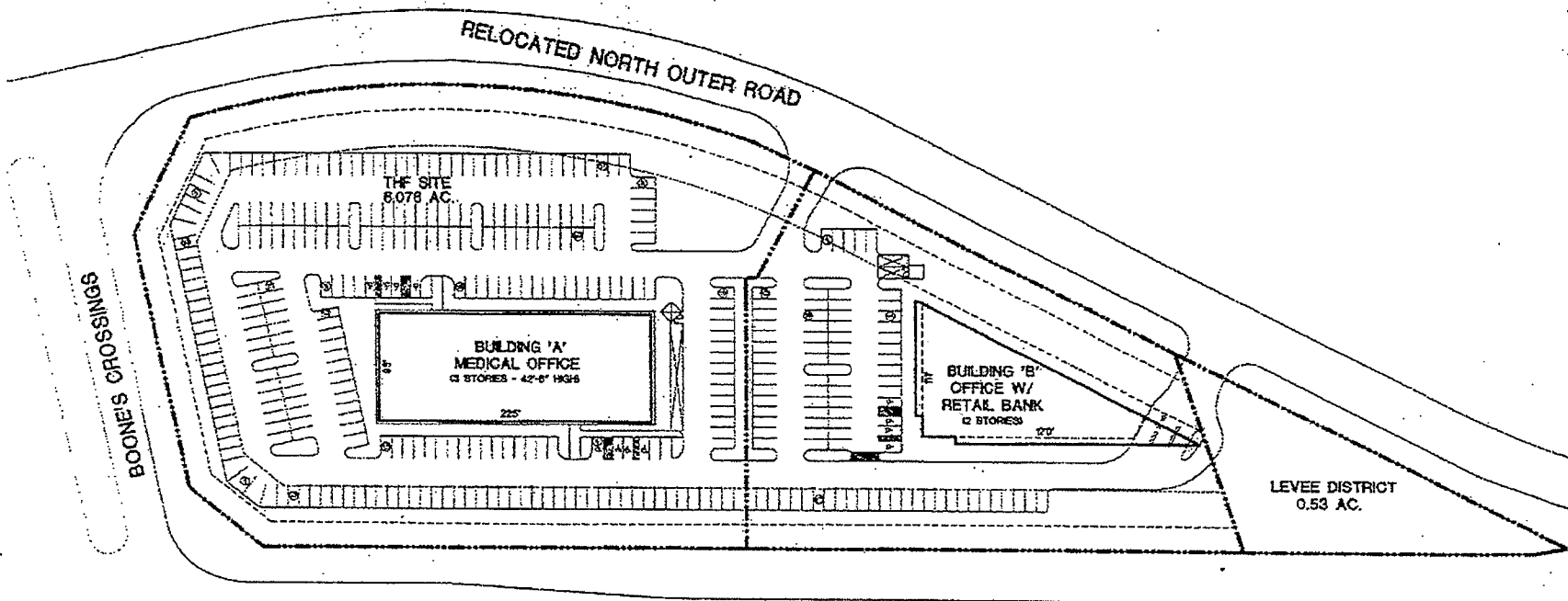
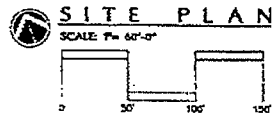


Exhibit C



PROJECT DATA

BUILDING B	
PARCEL	2.02 ACRES
BUILDING AREA	
FIRST FLOOR	11,426 G.S.F.
SECOND FLOOR	13,375 G.S.F.
TOTAL	24,801 G.S.F.
PARKING	
FLOOR AREA	23,705 S.F.
PARKING REQUIRED:	
1,200 SF. @ 4.5 P.S. / 1,000 SF.	
10,705 SF. @ 3.52 P.S. / 1,000 SF.	30 P.S.
PARKING PROVIDED:	
1,075 P.S. / 1,000 SF.	30 P.S.
OPEN AREA (ACR. W)	35 ACRES (40,233 S.F.)



N.E. INTERCHANGE SITE

CHESTERFIELD,
03-103

MISSOURI
02-23-05

PSP 2.4B

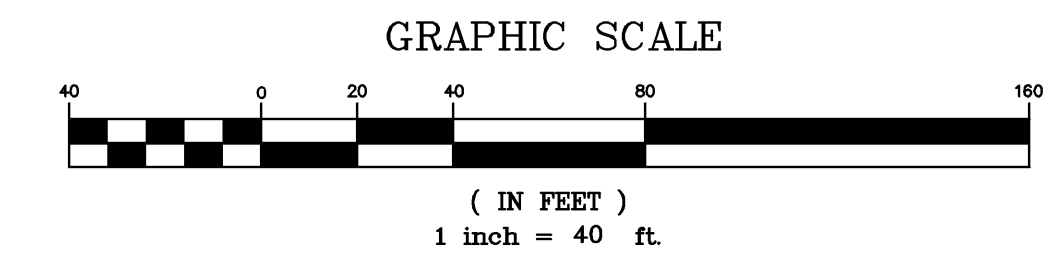
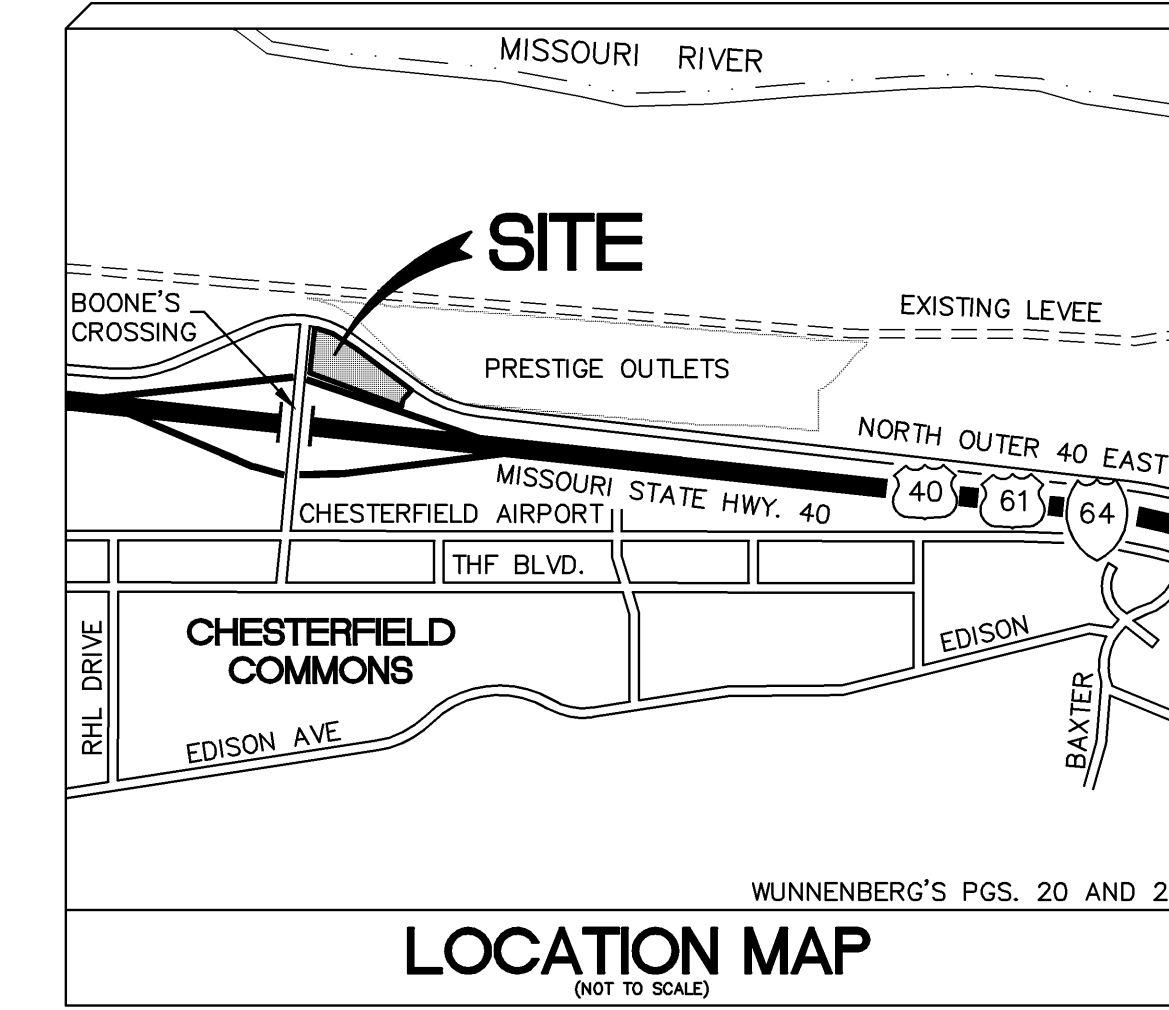
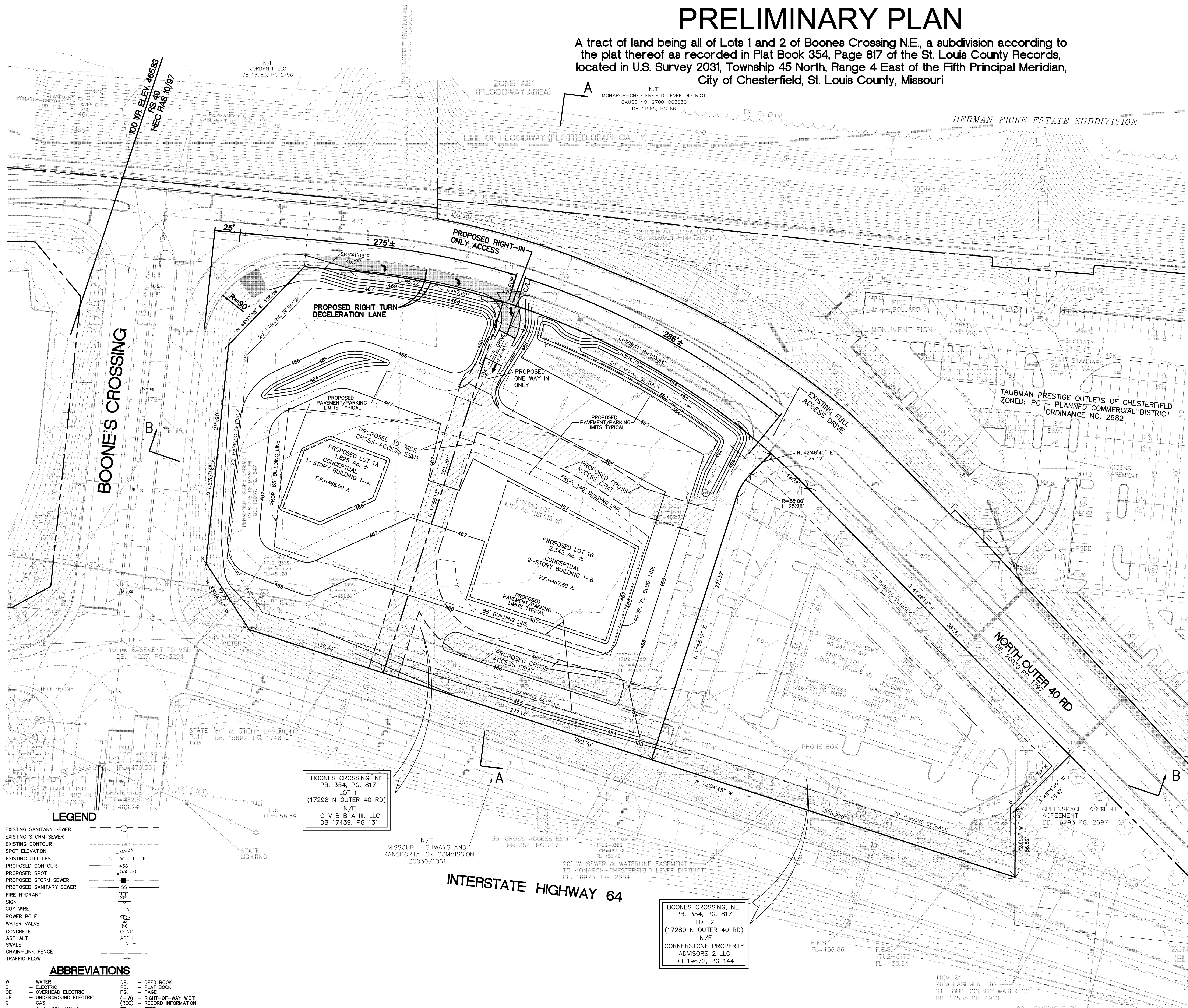
3211 Maryland
St. Louis, Missouri
© Ecoform
Scale 3/00
03/104
2005

Exhibit D

The area south of the Monarch-Chesterfield Levee on tracts of land having St. Louis County Tax Assessor locator numbers: 17U640103, 17T430037, 17T440036, 17T530049, 17T530050

PRELIMINARY PLAN

A tract of land being all of Lots 1 and 2 of Boones Crossing N.E., a subdivision according to the plat thereof as recorded in Plat Book 354, Page 817 of the St. Louis County Records, located in U.S. Survey 2031, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri



PROPERTY DESCRIPTION

A tract of land being all of Lots 1 and 2 of Boones Crossing N.E., a subdivision according to the plat thereof as recorded in Plat Book 354, Page 817 of the St. Louis County Records, located in U.S. Survey 2031, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the southeast corner of above said Lot 2, said point also being located on a northern right-of-way line of Interstate Highway 64, variable width; thence along said right-of-way line, North 72 degrees 04 minutes 48 seconds West (North 72 degrees 06 minutes 54 seconds West), 790.76 feet to the eastern right-of-way line of Boones Crossing, variable width; thence along said right-of-way line the following courses and distances: North 33 degrees 04 minutes 48 seconds West (North 33 degrees 06 minutes 54 seconds West), 77.71 feet; North 05 degrees 55 minutes 12 seconds East (North 05 degrees 53 minutes 06 seconds East), 215.90 feet and North 44 degrees 07 minutes 35 seconds East (North 44 degrees 05 minutes 29 seconds East), 108.89 feet to the southern right-of-way line of North Outer Forty, variable width; thence along said southern right-of-way line the following courses and distances: South 84 degrees 41 minutes 05 seconds East (South 84 degrees 43 minutes 11 seconds East), 45.25 feet to the beginning of a non-tangent curve to the right having a radius of 723.94 feet along said curve with an arc length of 508.11 feet, and a chord which bears South 64 degrees 34 minutes 39 seconds East, 497.75 feet to a point of tangency and South 44 degrees 28 minutes 14 seconds East (South 44 degrees 30 minutes 20 seconds East), 367.61 feet to the northeast corner of above said Lot 2; thence along the eastern line of said Lot 2; South 45 degrees 11 minutes 49 seconds West (South 45 degrees 09 minutes 43 seconds West), 75.47 feet and South 00 degrees 23 minutes 52 seconds West (South 00 degrees 21 minutes 46 seconds West), 66.52 feet to the Point of Beginning and containing 268,857 square feet or 6.172 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on December 4, 2013.

Note: Bearings in parenthesis are record bearings as shown on the record plat recorded in Plat Book 354, page 817. The basis of bearings for this description is the Record Plat recorded in Plat Book 360, Page 137-138.

GENERAL NOTES

- BOUNDARY AND TOPOGRAPHIC SURVEY BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC AND RECORD DRAWINGS.
- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED. IF ACTUAL LOCATIONS VARY PER CONTRACTOR INVESTIGATION, ADJUSTMENTS OR PLAN MODIFICATIONS MAY BE REQUIRED.
- NO GRADE SHALL EXCEED 3:1 SLOPE.
- GRADING AND STORM WATER PER M.S.D., MODOOT, ST. LOUIS COUNTY, THE CITY OF CHESTERFIELD AND THE MONARCH-CHESTERFIELD LEVEE DISTRICT.
- STORMWATER SHALL BE DISCHARGED AT ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS. SITE DRAINS TO MASTER DRAINAGE CHANNEL 9 EAST SIDE OF PROPERTY.
- NO STEP ALLOWED AT ACCESSIBLE ENTRANCE DOORS.
- ALL UTILITIES WILL BE INSTALLED UNDERGROUND.
- APPROVAL OF SIGN LOCATIONS DOES NOT CONSTITUTE SIGN APPROVAL. SIGN APPROVAL WILL BE THROUGH A SEPARATE SIGN PACKAGE APPLICATION.
- BASIS OF BEARINGS ADAPTED FROM PLAT BOOK 357 PGS. 3 & 4.

SITE INFORMATION:

TOTAL SITE = 6.172 Acres ±
 ZONING = PC PLANNED COMMERCIAL (ORD. #2715)
 CITY = CHESTERFIELD, MISSOURI
 SITE ZIP CODE = 63005
 SITE ADDRESS INFO = 17298 NORTH OUTER 40 ROAD
 OWNER = CVBBA III, L.L.C.
 WUNNENBERG'S = PGS. 20 AND 21
 SEWER DISTRICT = METROPOLITAN ST. LOUIS SEWER DISTRICT
 FLOOD MAP PANEL = CALKINS CREEK, MISSOURI RIVER
 FIRM 29189C01014, LOMR 4/17/00
 LOMR = PENDING
 FIRE DISTRICT = MONARCH FIRE PROTECTION DIST. 13725 OLIVE BLVD. CHESTERFIELD, MO 63017
 GAS SERVICE = MISSOURI AMERICAN WATER COMPANY
 ELECTRIC SERVICE = AMEREN MISSOURI

BENCHMARK

#12-166
 ELEV. = 458.86
 "STANDARD ALUMINUM DISK", STAMPED SL-32, 1990. DISK IS SET IN BETWEEN THE HWY 1-64 NORTH OUTER ROAD AND THE WEST BOUND HWY 1-64; 19' SOUTH OF THE CENTERLINE OF THE NORTH BOUND LANE HWY. 1-64, APPROXIMATELY 0.5 MILES EAST OF THE INTERSECTION OF BOONES CROSSING ROAD AND NORTH OUTER ROAD, (SL-32 WAS RESET FROM UNDERGROUND POSITION. THIS IS A NEW ELEVATION SET IN JULY 2002.) AS SHOWN HEREON

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

DANIEL EHLMANN, MISSOURI L.S. NO. 2215

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. AND THE UNDERSIGNED ENGINEER HAVE NO RESPONSIBILITY FOR SERVICES PROVIDED BY OTHERS TO IMPLEMENT THE IMPROVEMENTS SHOWN ON THIS PLAN AND ALL OTHER DRAWINGS WHERE THE UNDERSIGNED ENGINEER'S SEAL APPEARS. THE CONSTRUCTION MEANS AND METHODS ARE THE SOLE RESPONSIBILITY OF THE OWNER AND CONTRACTOR. STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS NO RESPONSIBILITY TO VERIFY FINAL IMPROVEMENTS AS SHOWN ON THIS PLAN UNLESS SPECIFICALLY ENGAGED AND AUTHORIZED TO DO SO BY THE OWNER OR CONTRACTOR.



MISSOURI ONE-CALL: 1-800-344-7483
 CITY OF CHESTERFIELD: (636) 281-2858
 ST. LOUIS COUNTY: SIGNALS & LIGHTING: (314) 615-0215

UTILITY NOTE

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND INFORMATION, AND THEREFORE DO NOT NECESSARILY REFLECT THE ACTUAL LOCATION, DEPTH, TYPE, NUMBER OR LOCATION OF THESE FACILITIES, STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UTILITIES, STRUCTURES AND UTILITIES, OTHER THAN THOSE SHOWN ON THESE PLANS. THE UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES SHALL BE LOCATED AND DEPTH VERIFIED PRIOR TO CONSTRUCTION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319 RSMo.

LEGEND

- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING CONTOUR
- SPOT ELEVATION
- EXISTING UTILITIES
- PROPOSED CONTOUR
- PROPOSED SPOT
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- FIRE HYDRANT
- SIGN
- GUY WIRE
- POWER POLE
- WATER VALVE
- CONCRETE
- ASPHALT
- SWALE
- CHAIN-LINK FENCE
- TRAFFIC FLOW

ABBREVIATIONS

- W - WATER
- E - ELECTRIC
- OE - OVERHEAD ELECTRIC
- UE - UNDERGROUND ELECTRIC
- G - GAS
- TC - TELEPHONE CABLE
- T.B.R. - TO BE REMOVED
- T.B.R.-R. - TO BE REMOVED AND REPLACED
- U.P. - USE IN PLACE
- T.B.A. - TO BE ADJUSTED
- FG - FINISHED GRADE
- BW - BOTTOM OF WALL
- P.W.M. - PAVEMENT
- ASPH - ASPHALT
- CNC - CONCRETE
- GRND - GROUND
- FG - FINISHED GRADE
- FIN - FINISHED FLOOR
- TYP - TYPICAL
- P.S.D.E. - PERMANENT SIGHT DISTANCE ESMT.
- DB - DEED BOOK
- PG - PAGE
- C.W. - RIGHT-OF-WAY WIDTH
- REC - RECORD INFORMATION
- FT - FEET
- N/F - NOW OR FORMERLY
- C.O. - CLEANOUT
- M.H. - MANHOLE
- ALL - AREA INLET
- CI - CURB INLET
- GI - GRATE INLET
- Y.D. - YARD DRAIN
- P.V.C. - POLYVINYL CHLORIDE PIPE
- R.C.P. - REINFORCED CONCRETE PIPE
- V.C.P. - VITRIFIED CLAY PIPE
- FL - FLOWLINE
- ELEV - ELEVATION
- PROP - PROPOSED
- TYP - TYPICAL
- EXIST - EXISTING
- EX - EXISTING

PREPARED FOR:

BENDER, WELTMAN, THOMAS, PERRY & COMPANY
 JIM THOMAS
 1067 N. MASON ROAD, SUITE 7
 ST. LOUIS, MO 63141

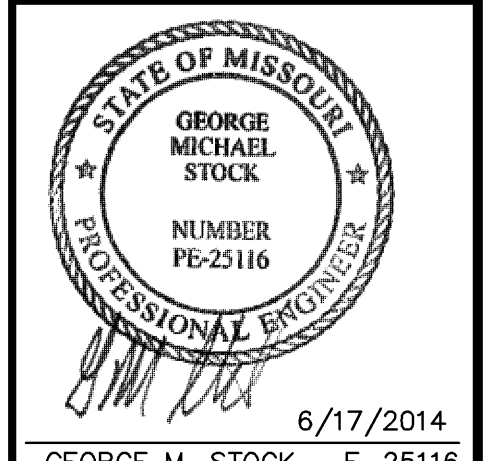
FIRM 29189C01014
 LOMR 4/17/00 (465.00)
 REVISED LOMR
 EFFECTIVE JULY 6, 2012

SUBJECT PROPERTY LIES WITHIN FLOOD ZONES "SHADED X" (AREA PROTECTED FROM THE ONE-PERCENT (1%) CHANCE (100-YEAR) FLOOD BY LEVEE, DIKE OR FAILURE OR OVER TOPPING DURING LARGER FLOODS) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM. FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI AND INCORPORATED AREAS. THE MAP IS IDENTIFIED AS MAP NO. 28189C040 H, WITH AN EFFECTIVE DATE OF AUGUST 2, 1995 REVISED TO REFLECT LOMR DATED APRIL 17, 2000 AND REVISED TO REFLECT THE LOMR DATED JULY 6, 2012.

100 YR. H.W. ELEV. - MO RIVER: 465.71 ((466.00)) - HEC RAS MODEL 10/97
 500 YR. H.W. ELEV. - MO RIVER: 468.00 (MILE 40) - FROM UPPER MISSISSIPPI (FLOW FREQUENCY STUDY- BY THE U.S. ARMY CORP. OF ENGINEERS, DATED MARCH 2004)

PREPARED BY:
STOCK & ASSOCIATES
 Consulting Engineers, Inc.
 257 Chesterfield Business Parkway
 St. Louis, MO 63005
 PH: (636) 530-9100
 FAX: (636) 530-9130
 e-mail: general@stockassoc.com
 Web: www.stockassoc.com

PRELIMINARY PLAN
CHESTERFIELD VALLEY NE INTERCHANGE
BUILDING 1-A AND 1-B
 17298 NORTH OUTER 40
 CHESTERFIELD, MISSOURI 63005



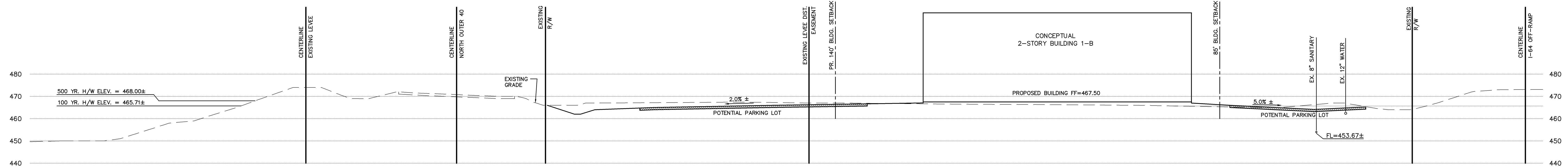
6/17/2014
 GEORGE M. STOCK E-25116
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 000996

REVISIONS:

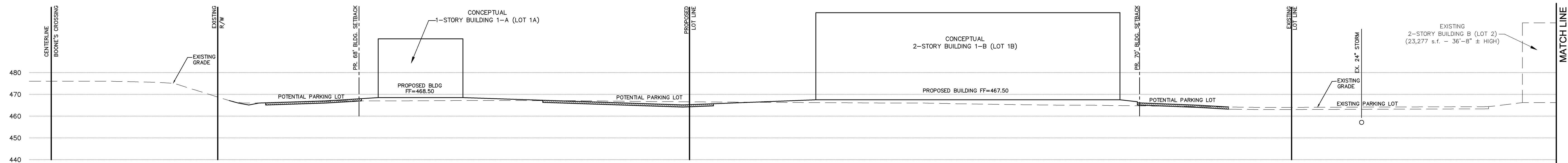
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1	12/27/13	PER CITY COMMENTS
2	1/28/14	PER CITY COMMENTS
3	2/18/14	PER CITY COMMENTS
4	4/3/14	REMOVED RIGHT IN ACCESS
5	5/12/14	ADDED RIGHT IN ACCESS
6	5/28/14	REV. PER CITY COMMENTS
7	6/17/14	REV. PER CITY COMMENTS

DRAWN BY: T.P.S.
 CHECKED BY: G.M.S.
 DATE: 12/19/13
 SHEET NO.: P-23738
 BASE MAP: 17U,17T
 SHEET TITLE: PRELIMINARY PLAN

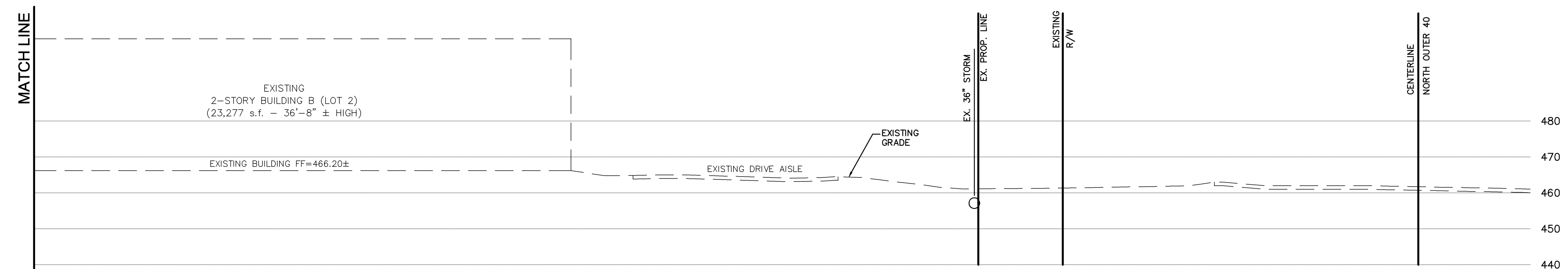
SHEET NO.:
C1.1



SITE SECTION A-A
SCALE: 1"=20'



SITE SECTION B-B
SCALE: 1"=20'



SITE SECTION B-B
SCALE: 1"=20'

PREPARED BY:
STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005
PH: (636) 530-9100
FAX: (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com

PRELIMINARY PLAN
CHESTERFIELD VALLEY NE INTERCHANGE
BUILDING 1-A AND 1-B
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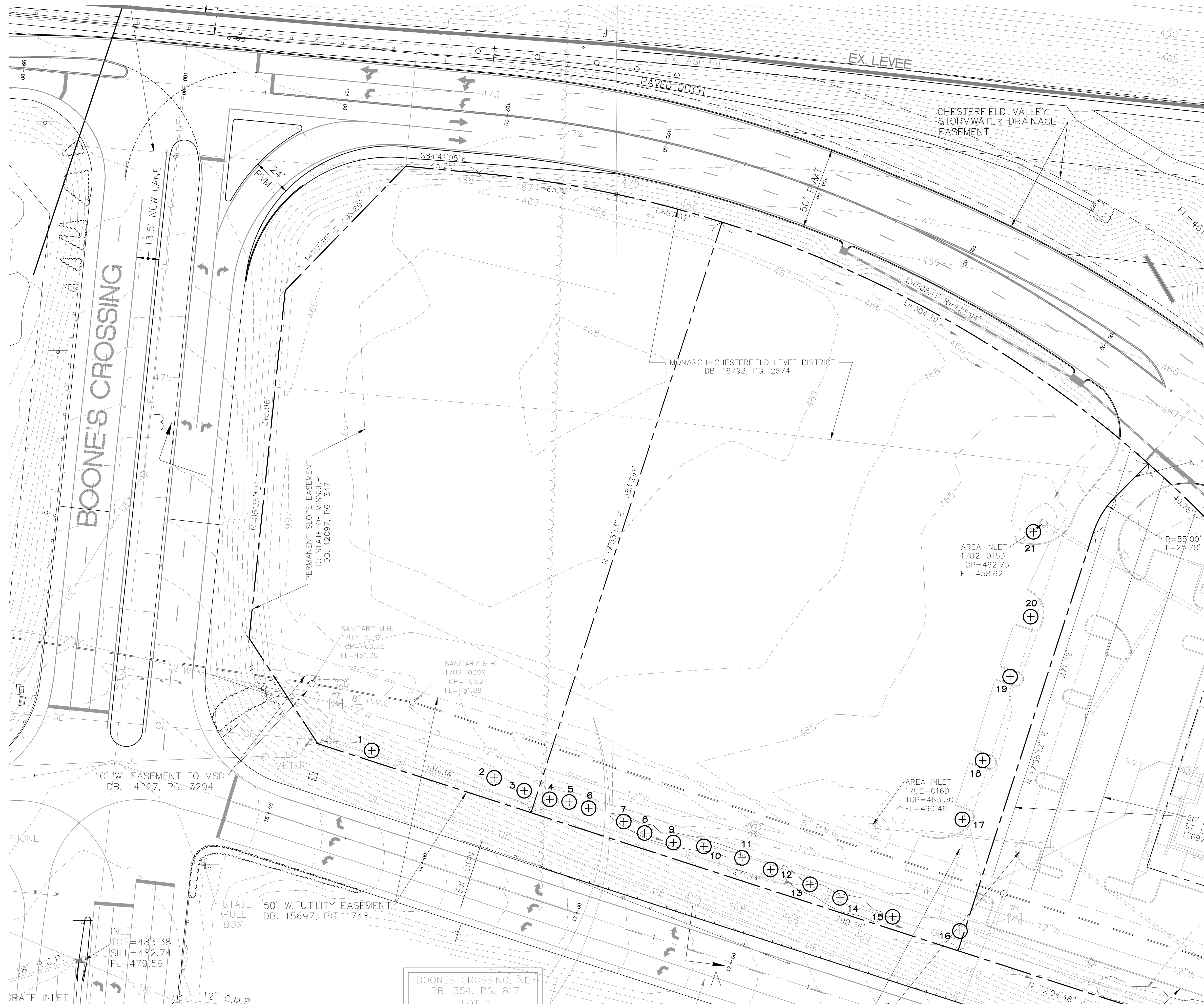
REVISIONS:

1	12/27/13 PER CITY COMMENTS
2	1/28/14 PER CITY COMMENTS
3	2/19/14 PER CITY COMMENTS
4	4/3/14 REMOVED RIGHT IN ACCESS
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6	5/28/14 REV. PER CITY COMMENTS
7	6/17/14 REV. PER CITY COMMENTS

DRAWN BY:	CHECKED BY:
T.P.S.	G.M.S.
DATE:	JOB NO.:
12/19/13	212-4959.1
USD # NO.:	BASE MAP:
P-27378	17U,17I

SHEET TITLE:
PRELIMINARY SITE SECTIONS

SHEET NO.:
C1.2

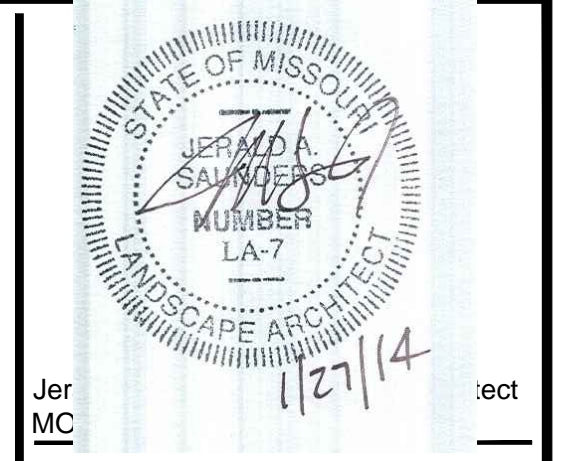


Tree Stand Delineation
SCALE 1" = 30'-0"

No.	Tree Name	Size	Rating	Comment
1	Mulberry	8"	3	
2	Redbud	3"	3	
3	Redbud	3"	2	
4	Redbud	3"	3	
5	Kwanzan Cherry	2"	0	Dead
6	Kwanzan Cherry	2"	1	
7	Kwanzan Cherry	3"	1	
8	Bradford Pear	4"	3	
9	Kwanzan Cherry	3"	2	
10	Kwanzan Cherry	4"	3	
11	Bradford Pear	4"	3	
12	Flowering Crab	2"	3	
13	Redbud	3"	3	
14	Redbud	3"	3	
15	White Pine	2.5"	3	
16	Redbud	2.5"	2	
17	Red Maple	5.5"	4	
18	Red Maple	5.5"	4	
19	Red Maple	5.5"	2	
20	Red Maple	5.5"	3	
21	Cherry	3"	1	

LEGEND:
Symbol Description
6 ⊕ Existing Individual Tree

ZONING DESIGNATION:
Present Zoning: "PC" (Planned Commercial)
Total Site Area: 6.172 Acres ±
Floodplain Map Number: 29189C0140H



Jer MC
Consultants:

Chesterfield Valley NE Interchange Building A-1 and A-2

Chesterfield, MO 63005

Revisions:

Date	Description	No.

Drawn: LWH
Checked: JAS

Loomis Associates
Landscape Architects/Planners
2000 N. Lindbergh Blvd., Suite 100
Chesterfield, Missouri 63005-1024
636.251.8668 Fax: 636.251.0274
loomis@loomisassociates.com
Loomis Associates Inc.
Missouri State Certificate of Authority #: LAC #000019

Sheet Title: **Tree Stand Delineation**

Sheet No: **TSD**

Date: 1/27/14
Job #: 813.035

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