

III.A.

Memorandum Department of Planning & Public Works



To: Planning and Public Works Committee

From: Mara M. Perry, Senior Planner

Date: 7/19/2010

RE: **P.Z. 03-2010 Suburbia Gardens (40-Timberlake SE, LLC)**: A request for a new public hearing for two additional uses for a change of zoning from "FPNU" Flood Plain Non-Urban District to a "PC" Planned Commercial District for an 8.7 acre tract of land located on the southeast corner of the intersection of S. Outer 40 and Timberlake Manor Parkway. (19R540055)

Summary

Stock and Associates, on behalf of 40-Timberlake SE, LLC, is requesting a change of zoning from "FPNU" Flood Plain Non-Urban District to a "PC" Planned Commercial District for an 8.7 acre tract of land located on the southeast corner of the intersection of South Outer 40 Road and Timberlake Manor Parkway. The site is currently the location of the Kirkwood Material and Supply plant nursery. Public Hearing was held on April 26, 2010. A second Public Hearing was held on June 28, 2010 to add two additional uses to the list of requested uses.

At the July 12, 2010 meeting of the Planning Commission, a recommendation for approval of the above-referenced matter was approved by a vote of 7-0.

Attached please find a copy of staff's report, the Attachment A, letter from a resident, response letter from the petitioner and the Preliminary Plan.

Respectfully submitted,

Mara M. Perry, AICP
Senior Planner

Cc: Michael G. Herring, City Administrator
Rob Heggie, City Attorney
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director



VIII.A.

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Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

Planning Commission Vote Report

Subject: Rezoning Vote Report

Meeting Date: July 12, 2010

From: Mara M. Perry, AICP, Senior Planner

Location: Southeast corner of the intersection of South Outer 40 Road and Timberlake Manor Parkway. (19R540055)

Petition: **P.Z. 03-2010 Suburbia Gardens (40-Timberlake SE, LLC)**

Proposal Summary

Stock and Associates, on behalf of 40-Timberlake SE, LLC, is requesting a change of zoning from “FPNU” Flood Plain Non-Urban District to a “PC” Planned Commercial District for an 8.7 acre tract of land located on the southeast corner of the intersection of South Outer 40 Road and Timberlake Manor Parkway.

The City’s Comprehensive Land Use Plan designates this area as residential. It should be noted the requested change of zoning to a Planned Commercial District is inconsistent with the Land Use Plan.

Site Area History

The subject tract was zoned prior to the incorporation of the City of Chesterfield to the “NU” and “FPNU” Non-Urban and Flood Plain Non-Urban Districts by St. Louis County. An existing plant nursery center, Suburbia Gardens, was the former owner and occupant of the site. St. Louis County records show the existing structure on the site was built in 1969.

Zoning Analysis

The surrounding properties to the south and east of the subject site are residential. A religious institution which is also zoned residential is located to the west of the subject site. The south side of the highway was primarily developed over the 1970s and 1980s with mainly residential uses.

Two developments further to the east along South Outer 40 Road are zoned Planned Commercial and contain office and medical office buildings. Developments across the highway facing North Outer 40 Road are primarily commercially zoned with some existing “non-urban” zoning. Over the years, there has been some precedent for office and nursing home type uses facing Interstate 64-Highway 40 on the north side of the highway.

Surrounding Land Use and Zoning

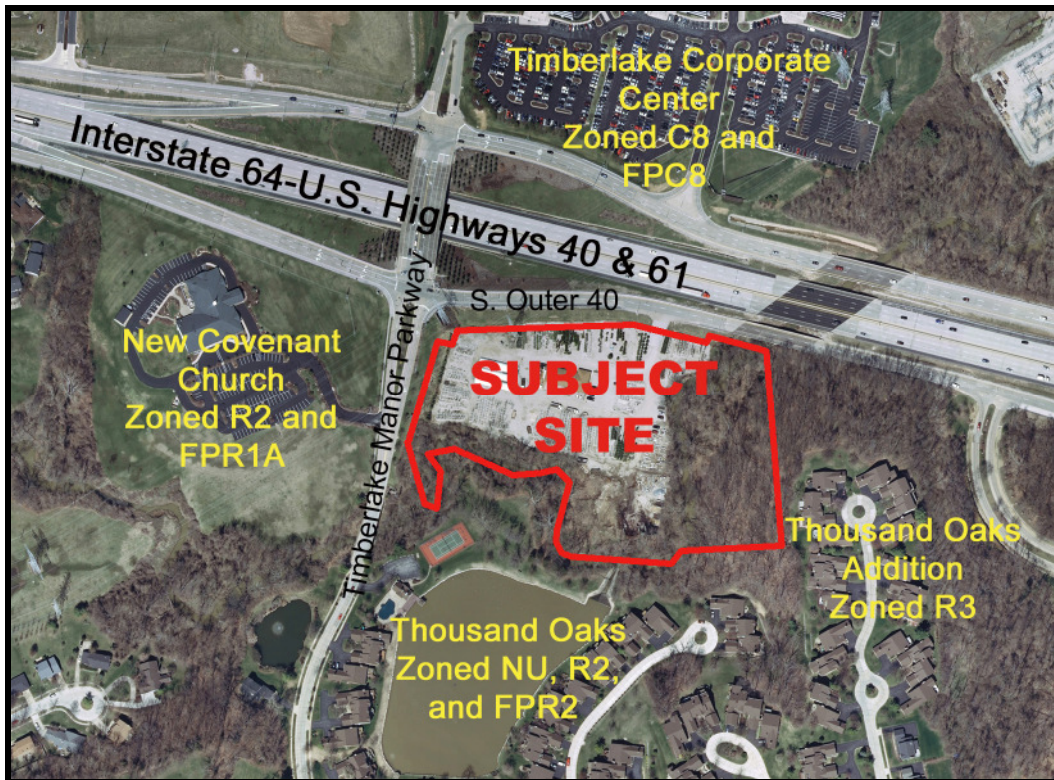
The land use and zoning for the properties surrounding this parcel are as follows:

North: The property to the north across Interstate 64-U.S. Highways 40 & 61 is Timberlake Corporate Center zoned "C8" and "FPC8" Planned Commercial District and Flood Plain Planned Commercial District.

South: The property to the south is Thousand Oaks zoned "NU" Non-Urban District, "R2" Residence District, and "FPR2" Flood Plain Residence District.

East: The property to the east is Thousand Oaks Addition zoned "R3" Residence District.

West: The property to the west is New Covenant Church zoned "R2" Residence District and "FPR2" Flood Plain Residence District.



View looking north down Timberlake Manor Parkway. View looking into the site from Timberlake Manor Parkway



View looking west along S. Outer 40 Road

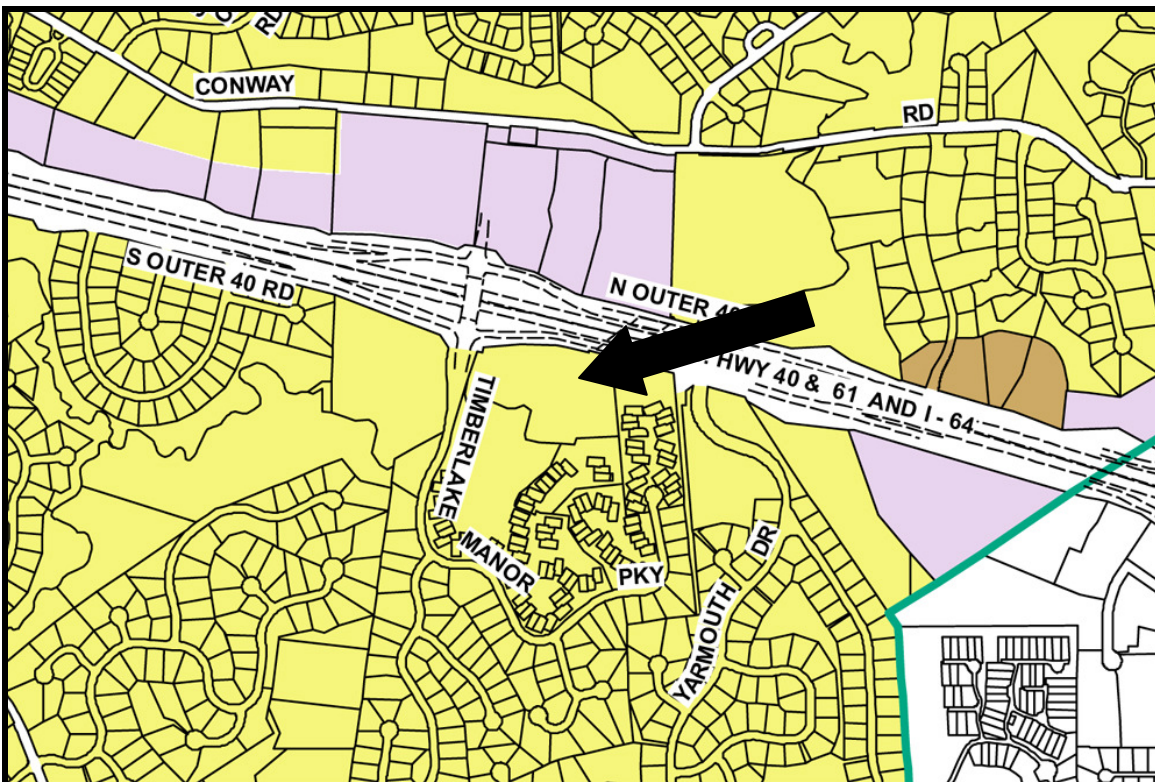


View from the entrance to the site looking east along South Outer 40 Road

Comprehensive Plan Analysis

The City of Chesterfield Comprehensive Plan Land Use Map delineates the subject site within the Residential Single Family use designation. The proposed Planned Commercial District zoning is inconsistent with the Comprehensive Plan.

This subject site is not located in any sub-area identified by the Comprehensive Plan; therefore there are no additional development guidelines for this site.



Issues

A Public Hearing was held on April 26, 2010 and there were ten speakers on this matter in addition to the Petitioner. At that time several issues were identified. Those issues were reviewed at an Issues meeting held on June 28, 2010.

A second Public Hearing was held on June 28, 2010 to add two additional uses to the list of requested uses. There were two speakers on this matter in addition to the Petitioner. At that time two issues were identified.

Below are the issues that Staff was asked to respond to:

There was a concern about the two new uses being requested becoming a more intensive retail use in the future. Staff has put restrictions in the Attachment A that will limit this use to only a Plant Nursery and with restrictions on the type of items that can be stored outdoors on the site. Questions were also asked about creating time limits on this use. An Attachment A can not provide temporary limitations or time limits on a use.

Staff has worked with the petitioner and the Attachment A has been amended under section II. Time Period for Submittal of Site Development Concept Plans and Site Development Plans (see page 7 of the Attachment A). The time limit has been extended an additional 6 months.

A letter was received by Staff regarding issues with this petition. A copy of the letter was sent to the petitioner for their response and has been attached. The letter addresses three issues. The first is a concern about the nursing home use and the traffic, noise and lighting issues that it could cause. The City of Chesterfield Code allows for a nursing home use to be permitted in all residential districts with a conditional use permit. The second issue was regarding additional tree buffers on the site. This would need to be reviewed during site plan review to determine what locations will allow for potential new tree buffer. The last issue was a concern with potential flooding of adjacent properties. The Attachment A includes requirements addressing Stormwater and Sanitary Sewer requirements for the site.

Staff has no outstanding issues on this Change of Zoning petition.

Request

Staff has reviewed the Ordinance Amendment request and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield. Staff requests action on the Change of Zoning for P.Z. 03-2010 Suburbia Gardens (40 Timberlake-SE, LLC).

Respectfully submitted,



Mara M. Perry, AICP
Senior Planner

Attachments

1. Attachment A
2. Letter from Carol F. Jones dated 6/30/10
3. Preliminary Plan
4. Tree Stand Delineation

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. Administrative office for educational or religious facility
 - b. Cafeterias for employees and guests only
 - c. Church and other place of worship
 - d. Coffee shop
 - e. Day care center, adult
 - f. Day care center, child
 - g. Educational facility - vocational school
 - h. Educational facility – college/university
 - i. Financial institution
 - j. Nursing home
 - k. Office, dental
 - l. Office, general
 - m. Office, medical
 - n. Park
 - o. Parking area, including garage, for automobiles
 - p. Professional and technical service facility
 - q. Research facility

- r. Retail Sales Establishment – Neighborhood
 - s. Retail Sales, Outdoor
2. The above uses in the “PC” Planned Commercial District shall be restricted as follows:
- a. Use “r” above shall be limited to a plant nursery.
 - b. Use “s” above shall be limited to plants and landscaping supplies.
3. Hours of Operation.
- a. Uses “d”, “i”, “k”, “l”, “m”, “p” and “q” listed above will be subject to hours of operation from 6:00 AM to 8:00 PM Monday through Friday and 8:00 AM to 3:00 PM Saturday.
 - b. Uses “r” and “s” listed above will be subject to hours of operation from 7:00 AM to 6:00 PM Monday through Saturday and 8:00 AM to 5:00 PM Sunday.
 - c. All other uses shall have unrestricted hours of operation.

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

- 1. Height
 - a. The maximum height of the building, exclusive of roof screening, shall not exceed sixty (60) feet from the required flood elevation.
- 2. Building Requirements
 - a. The site shall be limited to a single structure and a one level parking structure.
 - b. A minimum of sixty-three percent (63%) openspace is required for this development.
 - c. This development shall have a maximum F.A.R. of 0.17.

C. SETBACKS

- 1. Structure Setbacks

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

 - a. Thirty (30) feet from the right-of-way of South Outer 40 Road.

- b. Thirty (30) feet from the western boundary of the "PC" Planned Commercial District.
 - c. Ten (10) feet from the fifty (50) foot Stream Buffer setback on the southern and western side of the development as shown on the attached preliminary plan.
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. Thirty (30) feet from the right-of-way of South Outer 40 Road.
- b. Thirty (30) feet from the western boundary of the "PC" Planned Commercial District.
- c. Ten (10) feet from the fifty (50) foot Stream Buffer setback on the southern and western side of the development as shown on the attached preliminary plan.

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. 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.
 - c. No construction related parking shall be permitted within the South Outer Forty or the Timberlake Manor Parkway right of way.
- 3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

F. SIGN REQUIREMENTS

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

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. All light standards located in the parking lot or on the parking structure, other than those for security purposes, will be turned off by 9:00 PM, seven (7) days a week.

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. Access to South Outer Forty shall be limited to one drive approach. Location of the entrance shall be as directed by the Department of Planning and Public Works and the Missouri Department of Transportation. No direct access to Timberlake Manor Parkway will be permitted.
2. Ingress and egress must conform to Missouri Department of Transportation's (MoDOT) Access Management Guidelines and must be reviewed and approved by MoDOT. Any changes to the entrance geometrics and drainage design shall be in accordance with the MoDOT standards and shall be reviewed and approved by MoDOT.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide any additional right-of-way and construct any improvements to Timberlake Manor Parkway, as required by the Missouri Department of Transportation and the City of Chesterfield.
2. Any work within MoDOT's right of way will require a MoDOT permit.
3. The proposed development will likely increase the need for improvements to Timberlake Manor Parkway and Highway 64/40. In accordance with Ordinance No. 1652, the developer shall make contributions to the Highway 40 Road Trust Fund.
4. Provide any additional right-of-way and construct any improvements to South Outer Forty, as required by the Missouri Department of Transportation and the City of Chesterfield.
5. The City of Chesterfield has adopted a citywide Bikeable Walkable Community Master Plan that was approved by City Council on 3/15/2010 by Resolution 302. Easements and Sidewalk/Trail improvements may be required at the time of development, as directed by the City of Chesterfield.

K. TRAFFIC STUDY

Provide a traffic study as directed by the City of Chesterfield and/or Missouri Department of Transportation. The scope of the study shall include internal and external circulation and site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required. Due to the density being greater than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

Depending on the magnitude of the development a comprehensive traffic impact study could be required to assess the impacts of the proposed development on the access points to the State highway system. Prior to the traffic study the Missouri Department of Transportation Permit Specialist needs to be contacted to set up a scoping meeting. Roadway improvements may be required to support the proposed development.

L. POWER OF REVIEW

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

review and approval of the Site Development Plan. The City Council will then take appropriate action relative to the proposal.

M. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system. Wetland mitigation will not be allowable within the detention basin.
2. Detention/retention and channel protection measures are to be provided in each watershed such that the release rates will not exceed the allowable release rates for the post developed peak flow of the 2-year and 100-year, 24 hour storm event 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. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right of way.
4. MoDOT request that all drainage detention storage facilities be placed outside of the Structure and Parking setbacks, or fifteen (15) feet from the new or existing right of way line, whichever is greater.
5. All detention design must be in accordance with City of Chesterfield criteria and the site shall be considered undeveloped.
6. Treatment for water quality and channel protection, in accordance with MSD regulations dated February 2006, shall be required.
7. A flood plain study will be required. The Metropolitan Sewer District will not approve the flood plain study until a conditional letter of map revision (CLOMR) is provided by FEMA to the municipality.
8. Formal plan submittal and approval will be required by the Metropolitan Sewer District prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

N. SANITARY SEWER

An identified MSD design project "Creve Coeur Creek Trunk Sewer Sanitary Relief (Phase IV 2003063D)" is proposed within the immediate vicinity. Onsite easements will be required as part of the Metropolitan Sewer District's formal plan review. Encroachments over easements will not be allowed.

O. GEOTECHNICAL REPORT

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

P. MISCELLANEOUS

1. All utilities will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code shall be required where applicable.

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

- A. The developer shall submit a concept plan within twenty-four (24) 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 twenty-four (24) months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide openspace 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 two (2) feet, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTION

The developer shall be required to contribute to the Route 40 (I-64) Corridor Trust Fund (No. 533). 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.

This contribution shall not exceed an amount established by multiplying the required number of parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
TGA Category	Contribution
General Office	\$ 583.66
General Retail	\$1,751.08
Loading Space	\$2,865.42

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

If types of development proposed differ from those listed, rates shall be provided by the St. 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.

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.

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.

The amount of these required contributions if not submitted by January 1, 2011, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.

VI. RECORDING

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

VII. ENFORCEMENT

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

14623 Mallard Lake Drive
Chesterfield, MO 63017
June 28, 2010

Ms. Mara M. Perry, AICP
Senior Planner - City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017-0760



Dear Ms. Perry and To Whom It May Concern:

SUBJECT: P.Z. 03-2010 Suburbia Gardens (40-Timberlake SE, LLC)

As we discussed at this evening's Planning Commission Meeting, I have a few more concerns I would like to re-emphasize with regard to the list of issues you raised:

LIST OF USES – and resulting traffic, noise, lighting issues

As a resident of The Townes of Thousand Oaks and an owner of a townhome which is on the lake only a few properties away from the proposed development, I would like to ask the Planning Commission to seriously consider restricting the use of the subject land.

My request is to deny approval of any type of 24-hour business; specifically a nursing home. I acknowledge it is true that all emergency situations (regardless of type of building) will require ambulances. However, it is reasonable to assume that a nursing home population of individuals who are elderly, sick and unable to care for themselves has an increased likelihood of need for ambulance traffic, and/or family visitors during emergency situations producing noise at all hours of the day or night.

Additionally, shift changes at 7 AM, 11 PM etc. will further increase the incidence of noise and traffic next to, what once was, a quiet group of homes on a tranquil lake.

Further, the need to keep lighting at a fairly bright level for the security of workers during shift changes will, no doubt, impact the homes surrounding the lake in the early morning and late night hours.

TREE BUFFER

To provide maximum visual screening of/from the proposed building and to ensure privacy of homeowners' decks and interiors as well as provide increased noised reduction, it is requested the Planning Commission seek the developer's agreement to increase the number of trees along the southern border existing tree line.

FLOOD CONCERNS

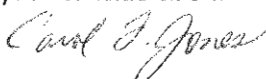
I understand FEMA and MSD will conduct studies to project the *likelihood* of adverse impact on surrounding properties. I did not hear the words "*guarantee no adverse impact*". Therefore, my hope is that the Planning Commission will think about:

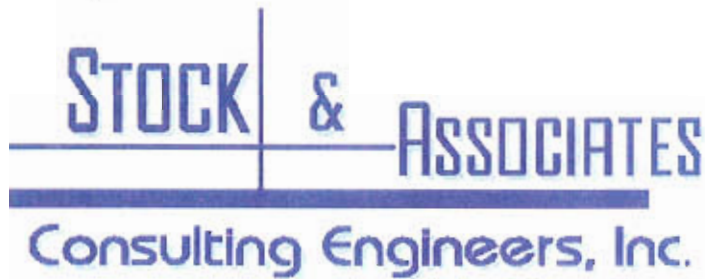
- the amount of water that will be displaced when 3.87 acres of flood plain (land which regularly floods) is developed; water which a retention pond cannot possibly, totally, absorb,
- MSD back ups which occurred despite a flood plain being in place and before development of 3.87 acres
- MSD improvements which scheduled for completion in 5 years; 3 years after the development commences;

and very carefully consider whether or not it seems reasonable to approve the rezoning.

It is entirely possible, despite best efforts and intentions, the homes surrounding the lake might suffer further MSD sewer line back ups and/or flood resulting in significant expense and destruction of property.

Thank you for your consideration.

Carol F. Jones 



July 12, 2010

Via E-Mail (mperry@chesterfield.mo.us) & Hand Delivery

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Attention: Honorable Chairman Grissom and Members of the Planning Commission
c/o Ms. Mara Perry, AICP, Senior Planner

RE: P.Z. 03-2010 Suburbia Gardens (40-Timberlake SE, LLC)
(Stock Project No. 209-4481)

All:

On behalf of "40-Timberlake SE, LLC", Owner and Petitioner of P.Z. 03-2010, we respectfully offer the following information.

We are in receipt of a letter written to Ms. Mara Perry dated 6/28/10 from Ms. Carol Jones, Resident at 14623 Mallard Lake Drive. (See attached drawings for home location.)

Ms. Jones has raised three (3) concerns, which we will attempt to respond to.

First, "Nursing Home Use". We disagree that a nursing home provides the potential of increased noise and light intrusion. Should a "nursing home project" move forward, that project will have to go thru a "Detail Site Plan and Architectural Review" process with the City, and address "all" potential issues. However, we believe that this zoning request has set forth specific performance criteria relative to site design, density, open space and buffer setbacks to prevent any future development issues as described from Ms. Jones' letter.

Secondly, "Tree Buffer". The intent of development of this property is to preserve as much of the trees and vegetation along the south and east borders of the property. There will be no disturbance of the creek, with the exception of the north and west bank of the creek to remove the illegal berm constructed. This area will then be restored as a "Riparian Corridor".

Future Development will be responsible for the design and approval of a detail landscape plan. That plan will be designed based on the proposed use, layout, and buffering needs of the project from the residents.

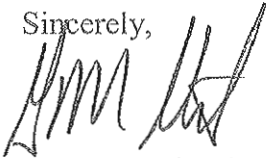
257 CHESTERFIELD BUSINESS PARKWAY • ST. LOUIS, MO 63005 • (636) 530-9100
Fax (636) 530-9130 • E-MAIL ADDRESS: general@stockassoc.com

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CITY OF CHESTERFIELD
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Thirdly, "Flood Concerns". We will continue to work with the City, The Metropolitan St. Louis Sewer District to seek approvals and sponsorship for a submittal to FEMA as part of a "CLOMR" – Conditional Letter of Map Revision Application.

Hopefully, the above satisfactorily addresses these concerns.

Sincerely,



George M. Stock., P.E.
President

Enclosures

CC: 40-Timberlake SE, LLC, (c/o Troy Pohlman-via E-mail)
Councilman Casey – Via E-Mail
Councilman Logan – Via E-Mail



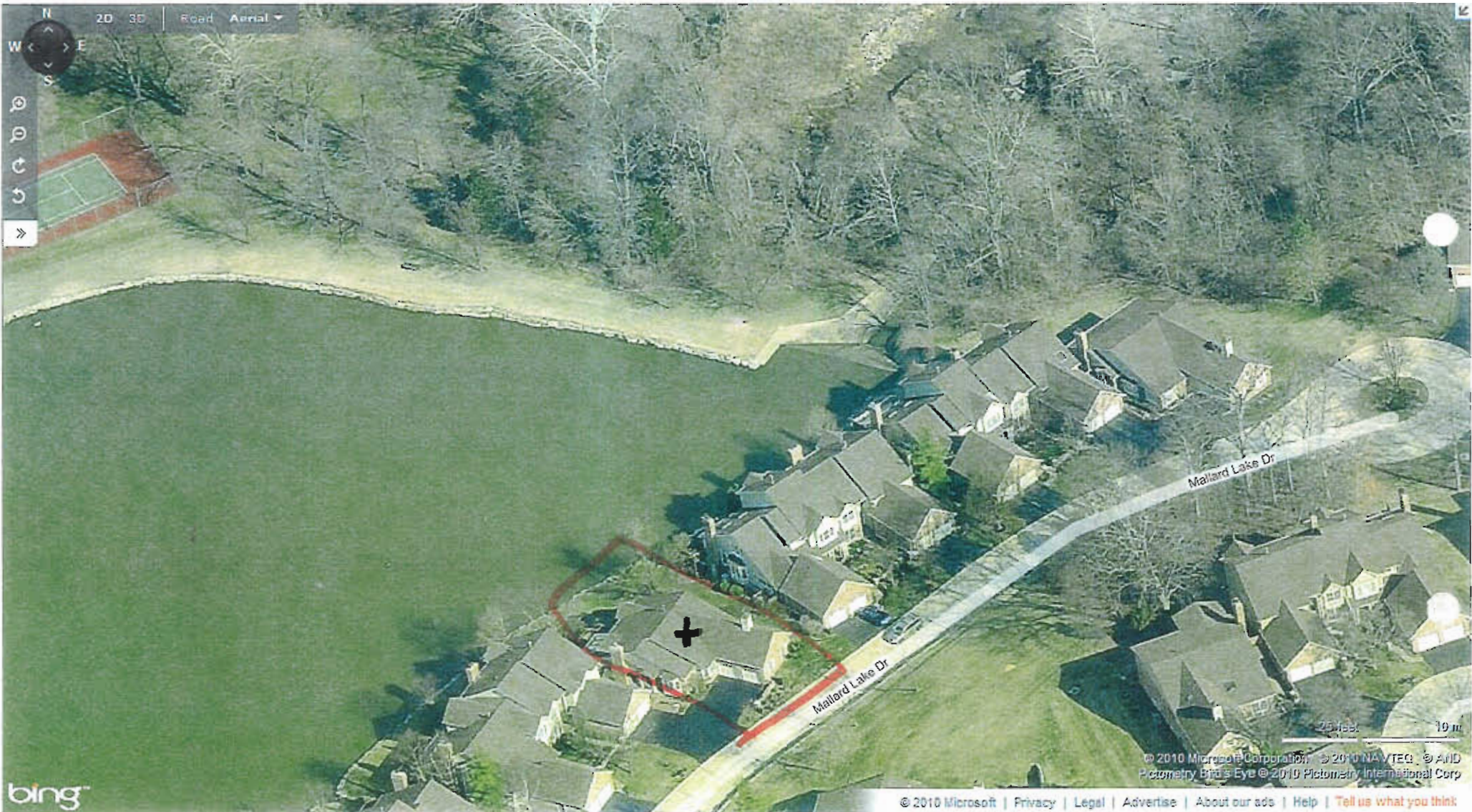
2D 3D Road Aerial

Mallard Lake Dr

Timberlake Manor Ct

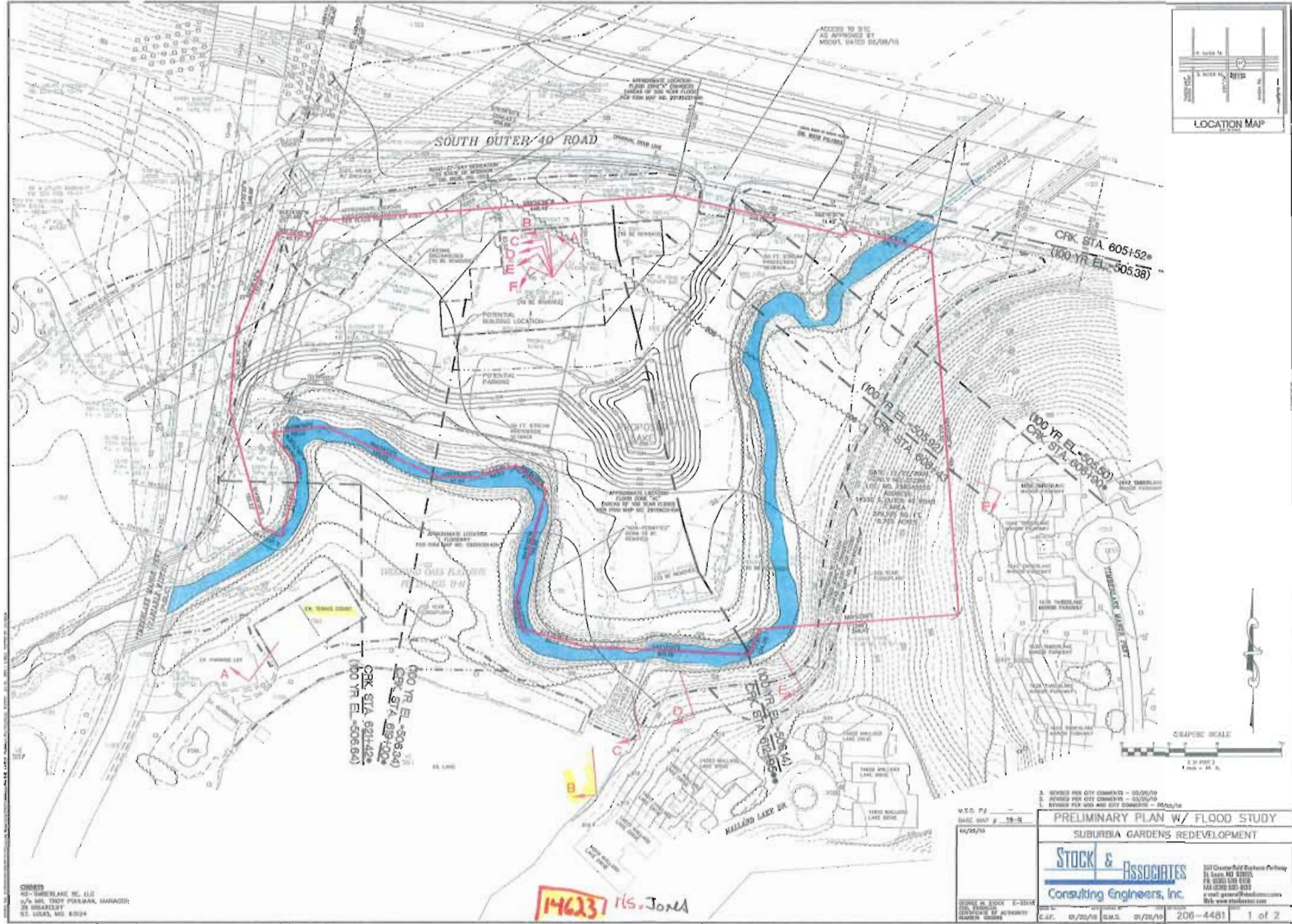
Mallard Lake Dr

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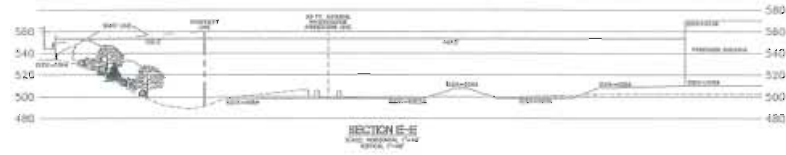
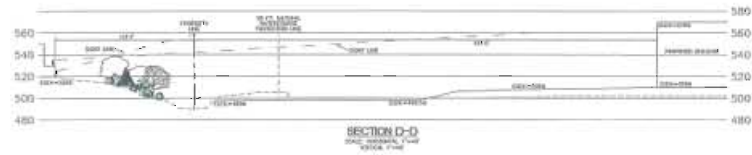
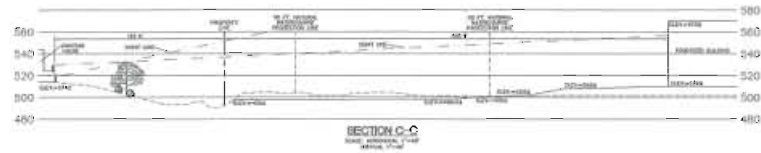
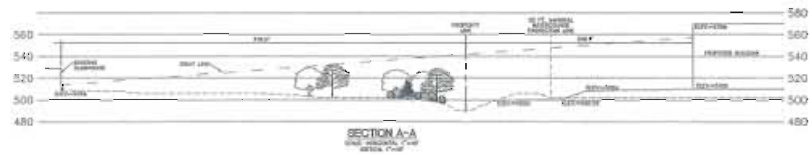
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3. REVIEW PER CITY COMMENTS - 02/20/10 2. REVIEW PER CITY COMMENTS - 02/20/10 1. REVIEW PER USER AND CITY COMMENTS - 02/20/10	
PRELIMINARY PLAN W/ FLOOD STUDY SUBURBIA GARDENS REDEVELOPMENT	
Stock & Associates Consulting Engineers, Inc.	
333 Overhill Parkway Ft. Lauderdale, FL 33309 Tel: 954.586.5000 Fax: 954.586.5001 e-mail: gerald@stockandassociates.com Web: www.stockandassociates.com	
DATE: 01/20/10 DRAWN BY: J. JONES CHECKED BY: J. JONES PROJECT NO.: 206-4481	SHEET NO.: 1 TOTAL SHEETS: 2 DATE: 01/20/10 TIME: 01/20/10 206-4481 1 of 2

CADD
 40-THURBANE RE. 110
 1/4 MI. WEST FOREMAN, ANNANDALE
 28 BIRCHLEY
 ST. LOUIS, MO 63044

146231 Hs. Jona



M.S.D. 74
DATE: MAY 4, 2010
SHEET: 18-B

• REVIEW FOR CITY COMMENTS - 05/10/10
• REVIEW FOR WPD AND CITY COMMENTS - 05/10/10

PRELIMINARY PLAN SECTIONS
SUBURBIA GARDENS REDEVELOPMENT

STONK & ASSOCIATES
Consulting Engineers, Inc.

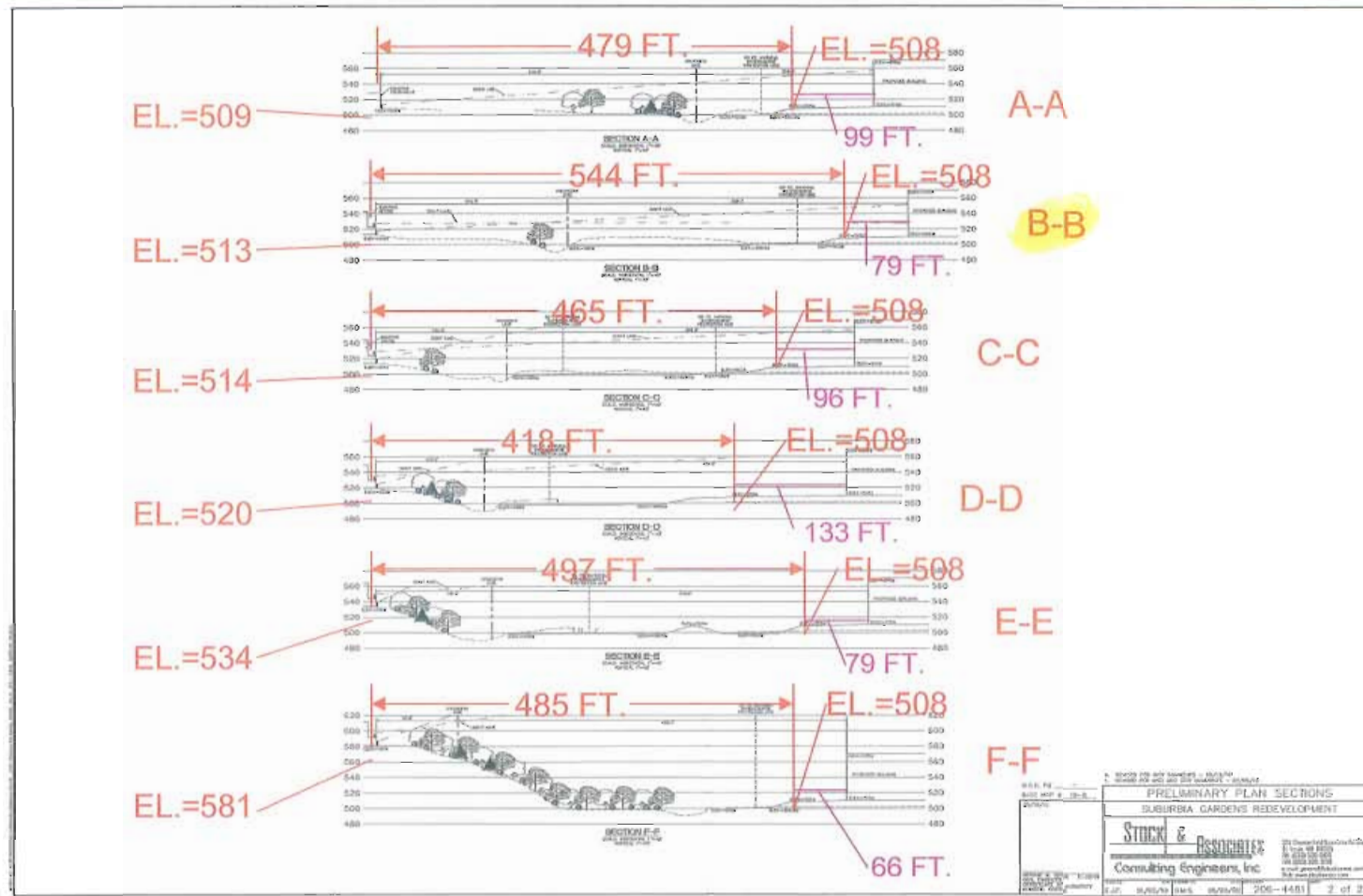
333 Channahon Business Parkway
St. Louis, MO 63103
PH: (314) 526-8020
FAX: (314) 526-8028
e-mail: gregor@stonk.com
Web: www.stonk.com

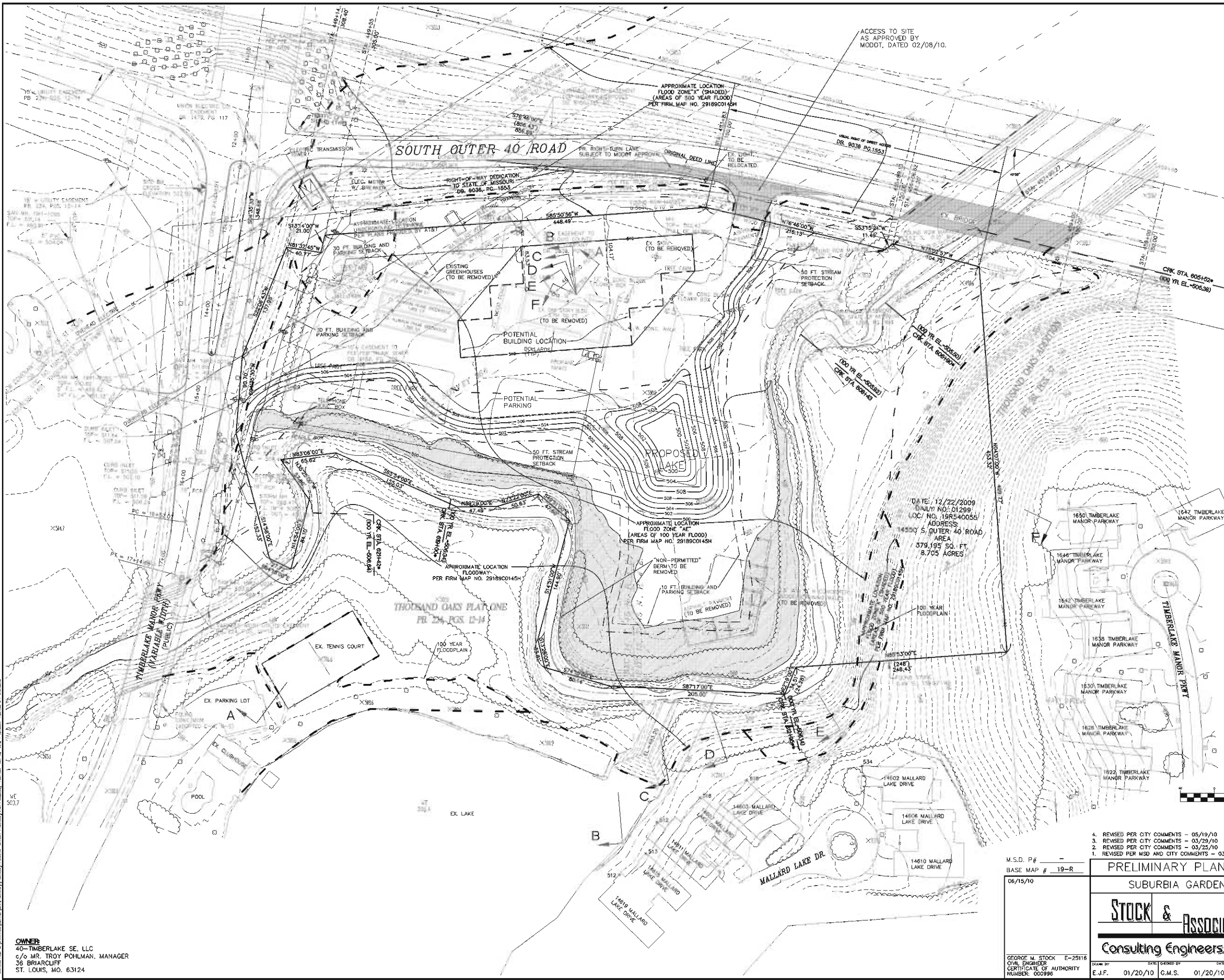
DESIGNED BY: J. J. JONES
CHECKED BY: J. J. JONES
DATE: 05/20/10

PROJECT NO.: 206-4481

2 of 2

SUBURBIA GARDENS REDEVELOPMENT PRELIMINARY PLAN SECTIONS





OWNER:
 40-TIMBERLAKE SE, LLC
 c/o MR. TROY POHLMAN, MANAGER
 38 BRIARCLIFF
 ST. LOUIS, MO. 63124

- 4. REVISED PER CITY COMMENTS - 05/19/10
- 3. REVISED PER CITY COMMENTS - 03/29/10
- 2. REVISED PER CITY COMMENTS - 03/25/10
- 1. REVISED PER MSD AND CITY COMMENTS - 03/05/10

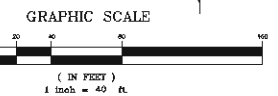
M.S.D. P# -
 BASE MAP # 19-R
 06/15/10

PRELIMINARY PLAN W/ FLOOD STUDY
 SUBURBIA GARDENS REDEVELOPMENT

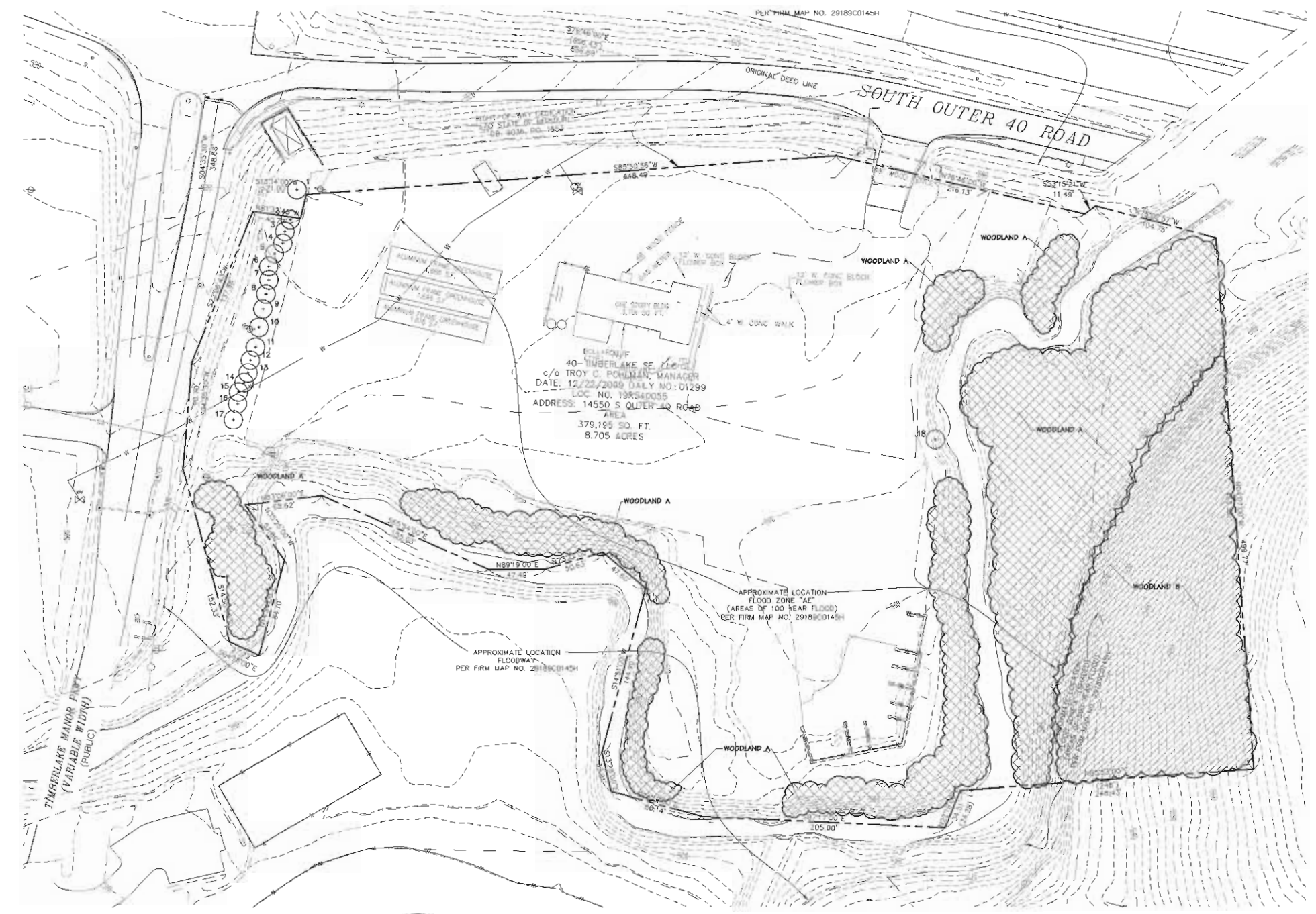
STOCK & ASSOCIATES
 Consulting Engineers, Inc.

257 Chesterfield Business Parkway
 St. Louis, MO 63005
 PH (636) 530-3100
 FAX (636) 530-3130
 e-mail: general@stockassoc.com
 Web: www.stockassoc.com

Drawn by: E.J.F. DATE DESIGNED BY: G.M.S. DATE FOR NUMBER: 01/20/10 01/20/10 206-4481 1 of 2



**FORMER SUBURBIA GARDENS
STOCK AND ASSOCIATES**
 CHESTERFIELD, MISSOURI



TREE STAND DELINEATION
SCALE 1"=40'

Existing Tree List					
	Type	Size	Condition	Area-S.F.	Adtl. Comments
1	Spruce	4"	Fair		Off Property
2	Austrian Pine	6"	Fair	113	
3	Red Maple	3"	Poor	30	
4	Arborvitae	3"	Fair	20	Deer damage to trunk
5	Spruce	4"	Fair	30	
6	Arborvitae	2"	Poor	18	
7	Colorado Spruce	4"	Poor	28	
8	Austrian Pine	6"	Poor	90	
9	Colorado Spruce	3"	Poor	28	
10	Austrian Pine	6"	Poor	90	
11	Austrian Pine	6"	Poor	90	
12	Austrian Pine	4"	Poor	39	
13	Austrian Pine	6"	Poor	90	
14	Austrian Pine	6"	Poor	100	
15	Austrian Pine	6"	Poor	113	
16	Box Elder	10"	Fair	120	
17	Austrian Pine	6"	Poor	113	
18	Silver Maple	18"	Fair	260	
			Total	1369	

Tree Stand Delineation Narrative
Mar. 16, 2010

Woodland A: Located along creek at south end of property and along the East side and in flood plain of creek. The dominate species includes the following: Silver Maple, Box Elder, and Sycamore. The overstory canopy are widely spaced tree trunk callipers ranging from 10-40" DBH. The understory is primarily Bush Honeysuckle. While a few trees in this woodland meet the size requirement to be considered a Monarch, there are none that meet the overall standards for Monarch trees.

Woodland B: Located on the East side of the creek on a west facing slope above the 506 contour. The overstory trees include: White Oak, Green Ash, Red Oak, and Black Cherry. The average diameter of the overstory trees are 10" DBH. The understory trees are: Sugar Maple, Redbud, and Bush Honeysuckle. The density of trees is 100/trees per acre. This woodland area will not be disturbed with any proposed construction.

There are no State Champion or Rare Trees on this site.

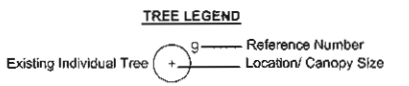
Douglas A. DeLong - Certified Arborist MW-4826A
DeLong Landscape Architecture
7620 West Bruno
St. Louis, MO 63117
(314) 346-4856

WOODLAND A = 1.74 Ac. (75,963 sq. ft.)
WOODLAND B = 0.90 Ac. (39,416 sq. ft.)
INDIVIDUAL TREES = .03 Ac (1,369 sq. ft.)

Total Existing Canopy 2.43 Ac (106,581 sq. ft.)

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

Base Map Provided by: Stock and Associates Inc.



Revisions:

Date	Description	No.

Drawn: JJ
Checked: RG

Ioomis Associates
Landscape Architects/Planners
10000 South Brentwood Blvd.
Suite 100
St. Louis, MO 63126
Phone: (314) 346-4856
Fax: (314) 346-4857
www.ioomis.com

Sheet Title: TREE STAND DELINEATION
Sheet No: TSD

Date: 03/16/10
Job #: 813.017