City of Chesterfield

Memorandum Department of Planning

To: Planning and Public Works Committee

From: Petree Powell, Assistant City Planner

Date: August 10, 2023

RE: PZ -06-2023 Chesterfield Village Mall (TSG Downtown Chesterfield Redevelopment,

LLC)

Proposal Summary

Stock & Associates Consulting Engineers, Inc., on behalf of TSG Downtown Chesterfield Redevelopment, LLC., are requesting a change in zoning to permit construction of a mixed-use development on 96.017 acres that includes portions of Chesterfield Mall and surrounding area. The area borders are south of S. Outer 40 Road, west of Clarkson/MO 340, and north and east of Chesterfield Parkway. It does not include the Dillards/Swift Parcels.



The applicant seeks to change the zoning from "C-8" Planned Commercial District to "PC&R" Planned Commercial and Residential District. The request would allow for residential and commercial uses to create "Downtown Chesterfield". This request was discussed in detail at the Planning Commission Public

Hearing on May 22, 2023. and at the Planning Commission on June 26, 2023 where a recommendation for approval of the above-referenced matter was approved by a vote of 8-0, with one absent.

During the Public Hearing, concerns were raised about density, traffic, open space and lack of certainty under the proposed zoning. Information was provided to the Commission on June 26, 2023 addressing these issues. Following discussion of the issues at the June 26, 2023 meeting, the Planning Commission approved a recommendation of approval for the proposed change in zoning for the site.

On July 20, 2023, The Planning and Public Works Committee met and discussed at length concerns raised during and after the Planning Commission process. To aid in the discussion of each point relating to the proposed Attachment A and possible green sheet amendments, a matrix is attached. The matrix lists each issue/concern and staff's response, in consultation with the Applicant. The matrix does not address the question of residential density since the issue is more complex and has not yet been resolved. Also attached is the revised Preliminary Development Plan that removes the blue dotted lines which had indicated conceptual building lines. It also adds sidewalks/bike paths from the outer ring road to Chesterfield Parkway at Fontaine, Lydia Hill and Vista Place. Sidewalks are to be added from the Grand Staircase to Chesterfield Parkway. The side street shown on the original Preliminary Development Plan on the Sachs Parcel east of Chesterfield Parkway will no longer connect to Park Circle at the Grand Staircase. The only access to this portion of the development will be from Burkhardt. Finally, a notation on the Preliminary Development Plan will be added to Park Area R2 that shall state "Park Area with Amenities and Public Parking Garage Underneath".

Attachments: Revised Preliminary Development Plan Matrix of Green Sheet Amendments 2023-07-20 Letter from Dillards

Green Sheet Amendments

Proposed Attachment.	WHV Sec when	Issue	City Response
Α	applicable		
I.B.2.a		Change "Prioritize" commercial/Retail on streets flanking the Park Area R2 to "Require" or "shall" include	Proposed Language: Ground floor development on the portion of the primary streets that flank Park Area R2, parcels A1, A2, A3, A4 and A6, and on the portion of parcels A5 and A6 that face the Primary Street coming off Clarkson on the Preliminary Development Site Plan shall be a mix of pedestrian-oriented commercial/ retail uses. (hereinafter additions in Bold)
I.B.1 (a)		Reduce FAR for Commercial uses to .75	Add
I.B.2.		Reduce maximum height limit to 200 feet.	Proposed Language: Total building height for any permitted use shall not exceed 200 feet or 15 stories whichever is more , as measured from street elevation.
I.B.4		Open space-"substantially conform" language.	This language allows for minor deviation in the Site Development Concept and Sections plans that may occur due to the project being proposed.
I.B.4		Open Space-add to Preliminary Development Plan language on the plan that states Park Area R2: "Park Area with Amenities and Public Garage Parking Underneath"	Revised Preliminary Development Plan includes this modification.
I.B.4		Open space: add public art to list of required items on the SDCP and/or SDSPs.	Proposed Language: Additional open space including pocket parks, plazas, natural areas, seating areas and location of public art shall be depicted on the SDCP and/or SDSPs.
I.C.3		Dock Loading	Proposed Language: Trash pickup, building receiving and loading, utility and service functions shall be located at the rear of buildings along the outer loop road and off service alleys when feasible.
I.D.		Parking and Loading Requirements should be detailed	In this instance, public parking garages and on-street will satisfy the parking requirements for the ground floor

like included in the Attachment A to Ordinance 3161 Wildhorse Village commercial retail (retail, restaurant, art galleries, entertainment, art or other pedestrian-oriented uses) and for the existing department store (Macy's). The remaining parking requirements are generalized as follows and there is an expectation that one stop parking for multiple uses will reduce the need for higher numbers of parking spaces by category:

Use	Proposed	UDC
Use Retail/Restaurant	Proposed 4.0/1000 GFA (Excluding ground floor retail restaurant which is covered by on street and public parking	UDC 4.5 Retail=Community 4.0 Retail- neighborhood 15.0 Restaurant- fast food 12.0 Restaurant - Sit down
Grocery	garages) 5.0 /1000GFA	4.0 Grocery- community; 3.3 Grocery- Neighborhood; 4.5 Grocery- Supercenter
Office	3.0/ 1000GFA	4.0 Office-dental; 3.3 Office-general; 4.0 Office-medical
Residential	1.5 spaces per unit	1.75 Dwelling- Multi-family; 2.0 Dwelling- Single Family
Hotel	.9 spaces per room	1.2 spaces per unit with 120%

			minimum parking required.
I.I	H.5	Access management: add language that is the same as WHV: "Driveway Access to internal streets shall comply with City Code Section 405.04.100 Driveway Access Location and Design Standards"	Attachment A states that "All provisions of the City of Chesterfield Code shall apply to this development except as specifically modified herein or to be addressed on the Site Development Concept Plan and/or Site Development Section Plans". Additional language is not required here.
I.I	H.6	Access management: add language that is the same as WHV: "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."	Construction parking requirements are set forth in D.7. of the Proposed Attachment A and with the UDC
I.I.	H.9	Access management: add language that is the same as WHV: "Any request to install a gate in this development must be approved by the City of Chesterfield and the agency in control of the right-of-way off of which the entrance is constructed. No gate installation will be permitted on the public right-of-way."	No gated streets will be permitted. All streets will be public upon dedication by the City after a formal development agreement is executed by the City and the Applicant.
I.I.	H.10	Access management: add language that is the same as WHV: "If a gate is installed on a street in the development, the streets within the development or that portion of the development	No gated streets will be permitted. All streets will be public upon dedication and acceptance by the City after a formal development agreement is executed by the City and the Applicant.

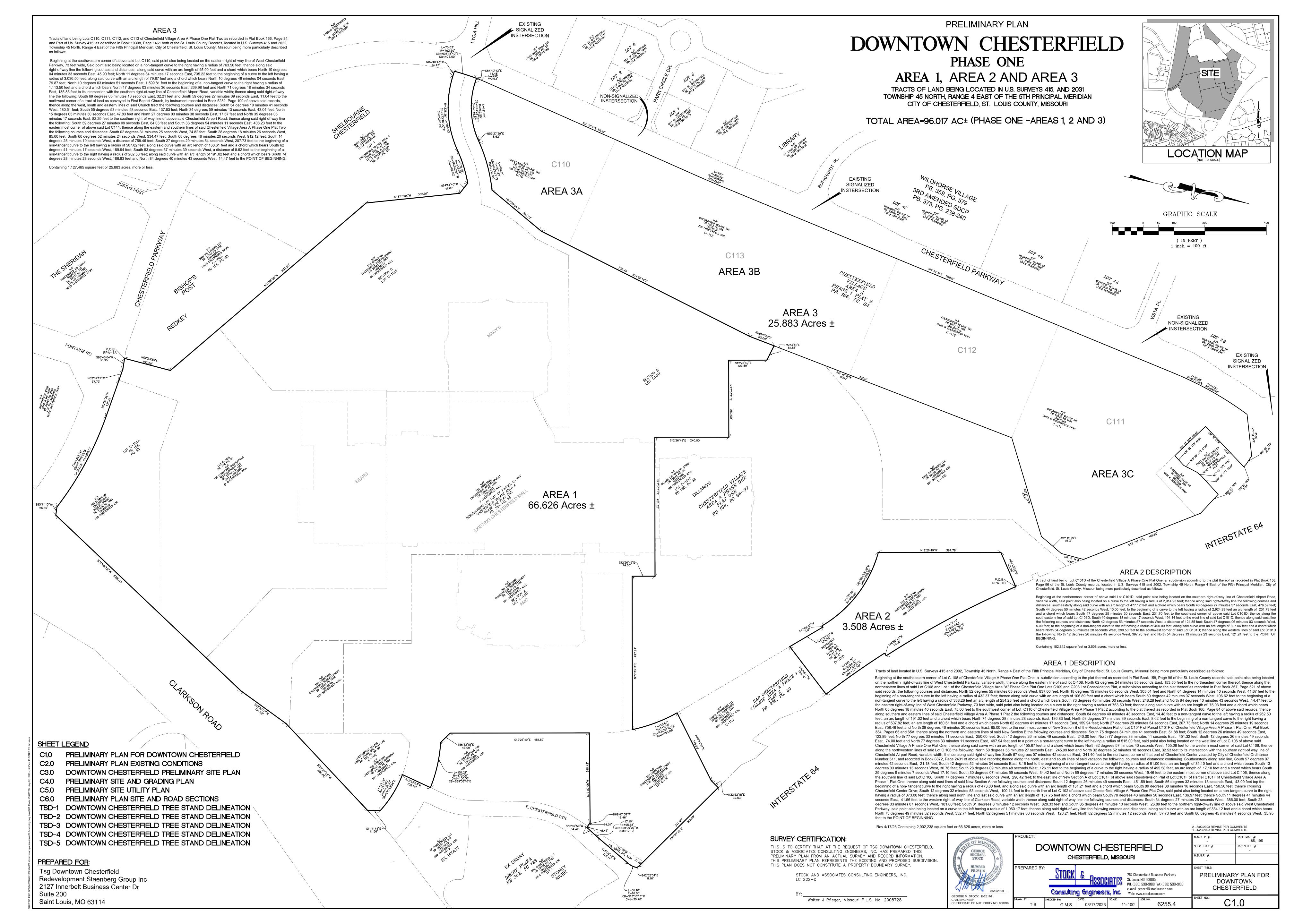
		that is gated shall be private and remain private forever."	
I.		Cross access shall be provided to the adjoining properties as directed by the City of Chesterfield.	Add
J.	I.2	Public/Private Access Road Improvements: add language that is the same as WHV: "The National Association of City Transportation Officials (NACTO) has an Urban Street Design Guide. All intersections of Wildhorse Village shall conform to the principles of NACTO Urban Street Design Guide"	Streets Design and Driveway Access Management within the UDC contain standards for intersections.
J.	I.6	Public Private Access Road Improvements: add language that is the same as WHV: "Internal streets and sidewalks shall be private and remain private forever unless an alternate agreement is reached and executed between the City and Wildhorse Village LP whereby the City accepts the internal streets and/or sidewalk[s] as public. The City is under no obligation to enter into an agreement."	All streets will be public upon dedication and acceptance by the City after a formal development agreement is executed by the City and the Applicant.
J.	I.7	Public/private Access Road Improvements: add language that is the same as WHV: "Provide sidewalks, conforming to the ADA standards, along all frontages of the site and along internal roadways as shown on the	J.1 and 2. Contain this language.

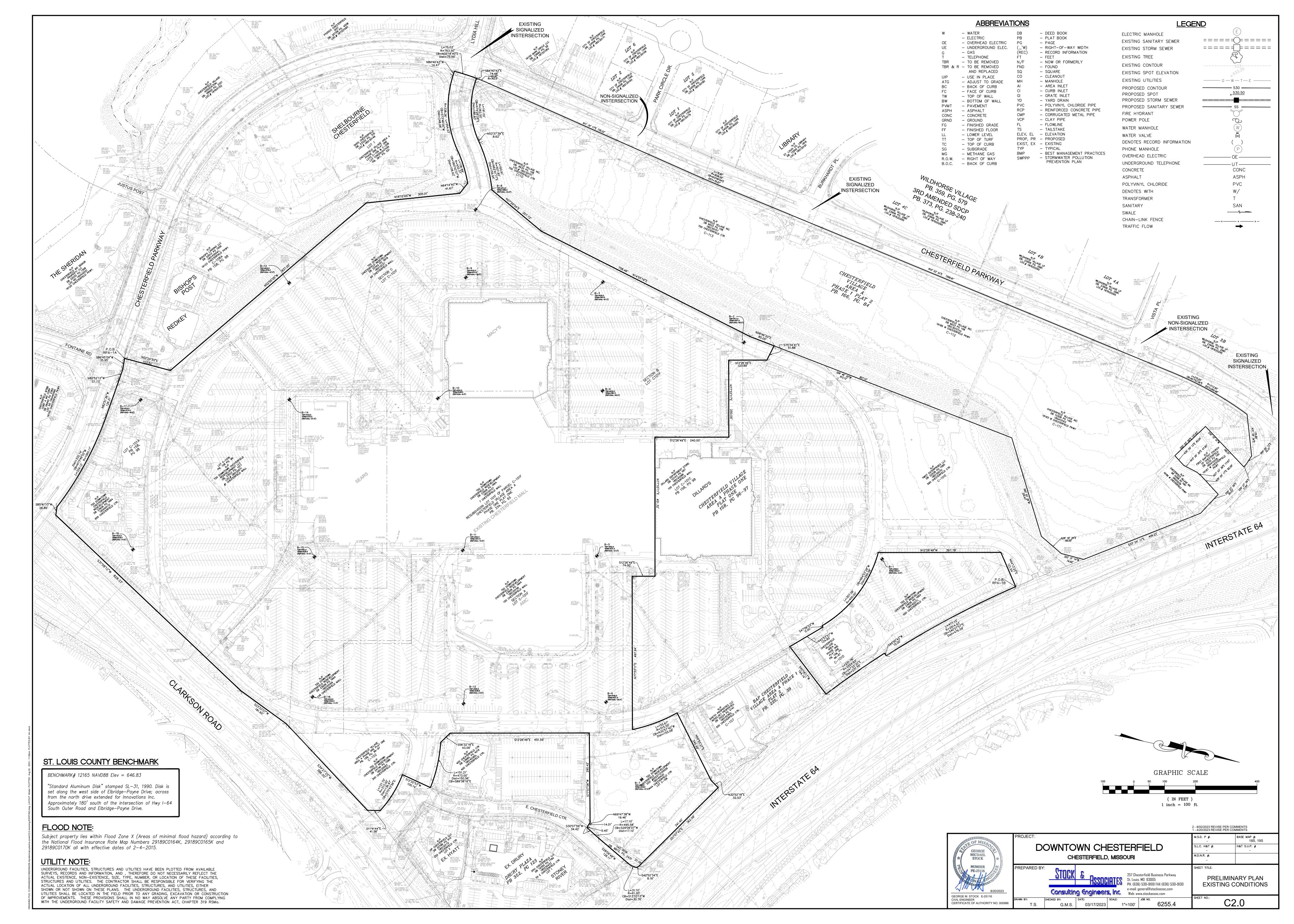
		Preliminary Development Plan. The sidewalk[s] shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within the right-of-way controlled by another agency, if permitted by that agency, or on private property within a sidewalk, maintenance and utility easement dedicated to the City of Chesterfield for public use."	
L.	L.3	Stormwater: add language that is the same as WHV: "Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield."	L.1 and L.2 provides that a formal review, approval and permits by MSD for stormwater discharge are required and these requirements would be addressed upon that review. Additionally, L.2 provides that stormwater management shall comply with the Chesterfield Village Southwest Quadrant Stormwater Management Plan exhibit (MSD P-002807800) as directed by the City of Chesterfield and the Metropolitan Sewer District.
L.	L.4	Stormwater: add language that is the same as WHV: "Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed."	L.1 and L.2 provides that a formal review, approval and permits by MSD for stormwater discharge are required and these requirements would be addressed upon that review. Additionally, L.2 provides that stormwater management shall comply with the Chesterfield Village Southwest Quadrant Stormwater Management Plan exhibit (MSD P-002807800) as directed by the City of Chesterfield and the Metropolitan Sewer District.
L.	L.8	Stormwater: add language that is the same as WHV: Detention may be required for the entire project site 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	L.1 and L.2 provides that a formal review, approval and permits by MSD for stormwater discharge are required and these requirements would be addressed upon that review. Additionally, L.2 provides that stormwater management shall comply with the Chesterfield Village Southwest Quadrant Stormwater Management Plan exhibit (MSD P-002807800) as directed by the City of Chesterfield and the Metropolitan Sewer District.

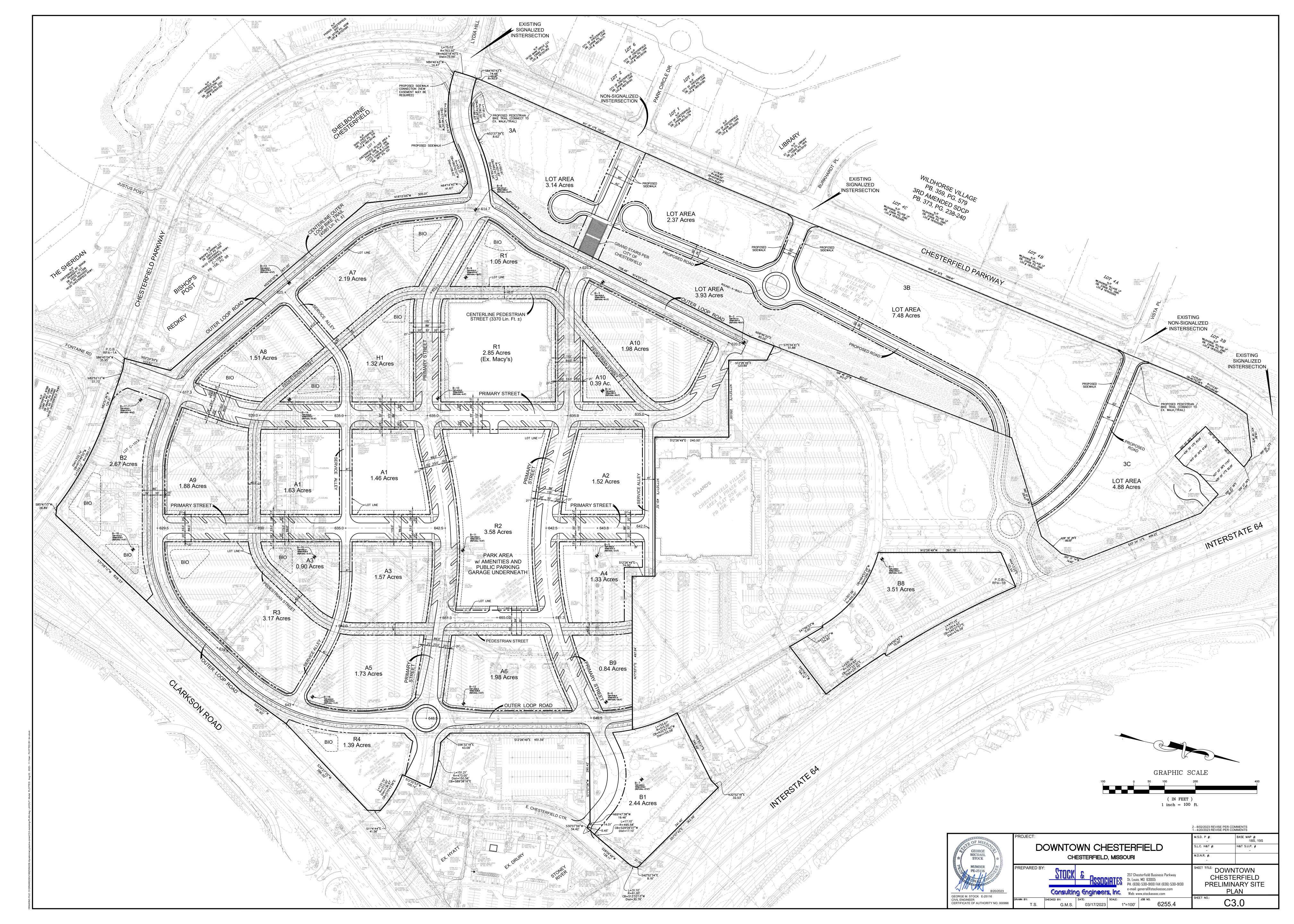
N.		event. Stormwater must be discharged at an adequate natural discharge point. Wetland mitigation will not be allowed within the detention basin." Power of Review to be automatic	Proposed Language: "The City Council shall have automatic power of review of all Site Development Plans, Site Development Concept Plans, and Site Development Section Plans for the subject development. The City Council will then take appropriate action relative to the proposal."
	O.	Supplementation, Modification, or Alteration of a Category Standard add language that is the same as WHV: Upon application from a petitioner, any performance standard provided in this Attachment "A" or required by any other District regulation or Ordinance of the City may be supplemented, modified, or altered in a Site Development Plan or Site Development Section Plan provided such supplement, modification, or alteration will further the purpose and intent of the PC& R District. A public hearing is not required in the process and recommendation by Planning Commission will be forwarded by the City Council for final approval.	Add
P.	P.3.	Miscellaneous: add language that is same as WHV: "Kiosks are allowed in the District provided	Add.

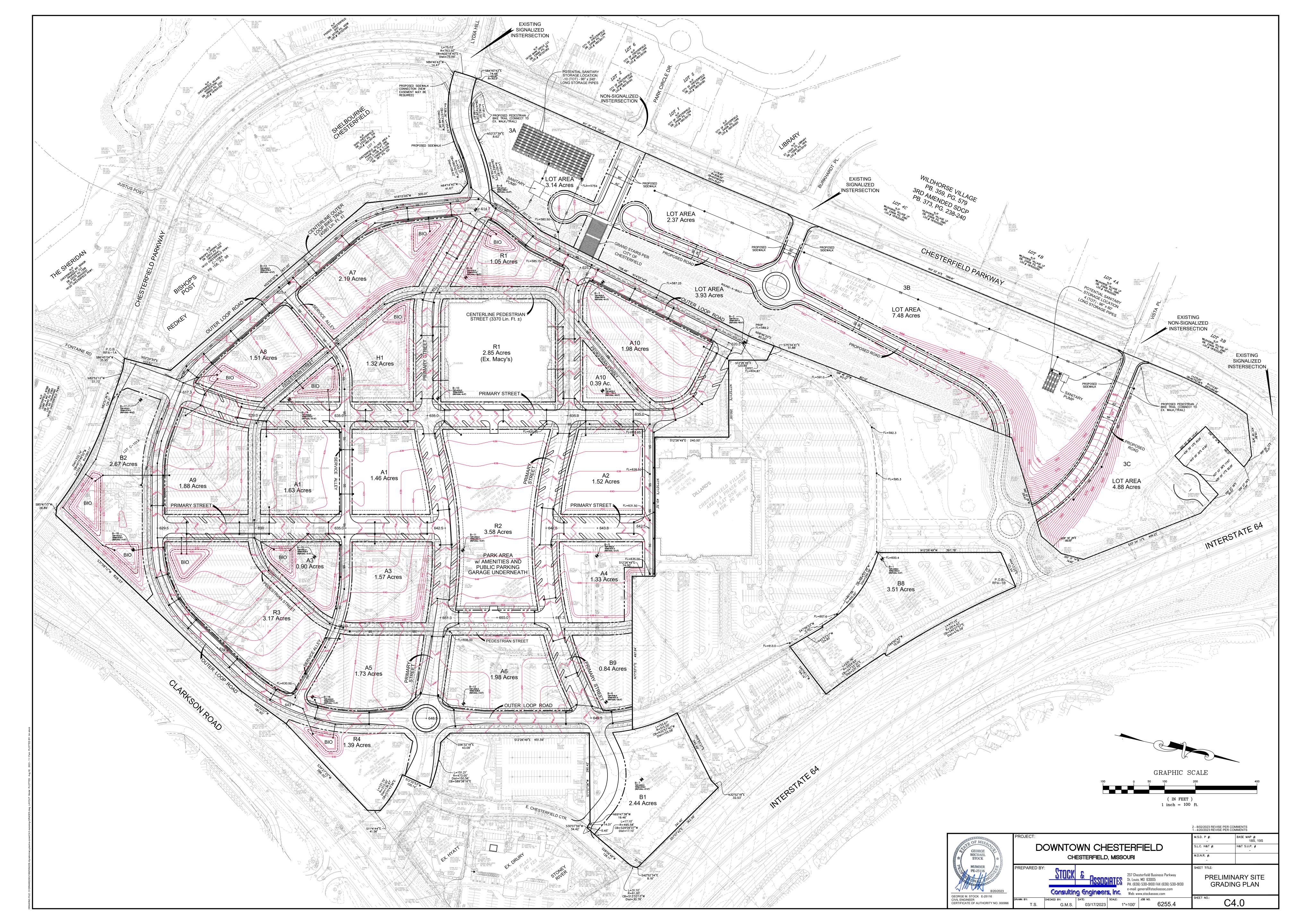
P.	P.4.	they do not impede pedestrian traffic on the sidewalk and meet ADA accessibility requirements. Kiosks can be an arrangement of mobile units [food trucks?], fixed units, or a mixture of both joined together to form a structure not to exceed 100 square feet. Uses within the kiosks will be approved use in this Attachment A. Locations and numbers of kiosks shall be as approved on the Site Development Concept and Site Development Section Plans." Miscellaneous: add language that is the same as WHV: "Loading Docks, overhead doors and service	See I.C.3. regarding location of receiving and loading functions to be located off the outer loop and service alleys.
		entries will be permitted only on the side or rear of a tenant space. Deliveries shall be made on the side or rear of tenant space with the exception of designated street delivery and loading areas as approved on the Site Development Plan or the Site Development Concept and Site Development Section Plans."	
Р.	P.9.	Miscellaneous: Include Public Art requirement.	See I.H.1. Developer is to provide design standards for public spaces and street character in the Site Development Concept Plan and/or Section Plans and this is meant to include a provision for public art as well as other street scape improvements.
II. A. 10		Site Development Concept Plan- provide for ARB review of design standards for all public spaces and street character.	Add.

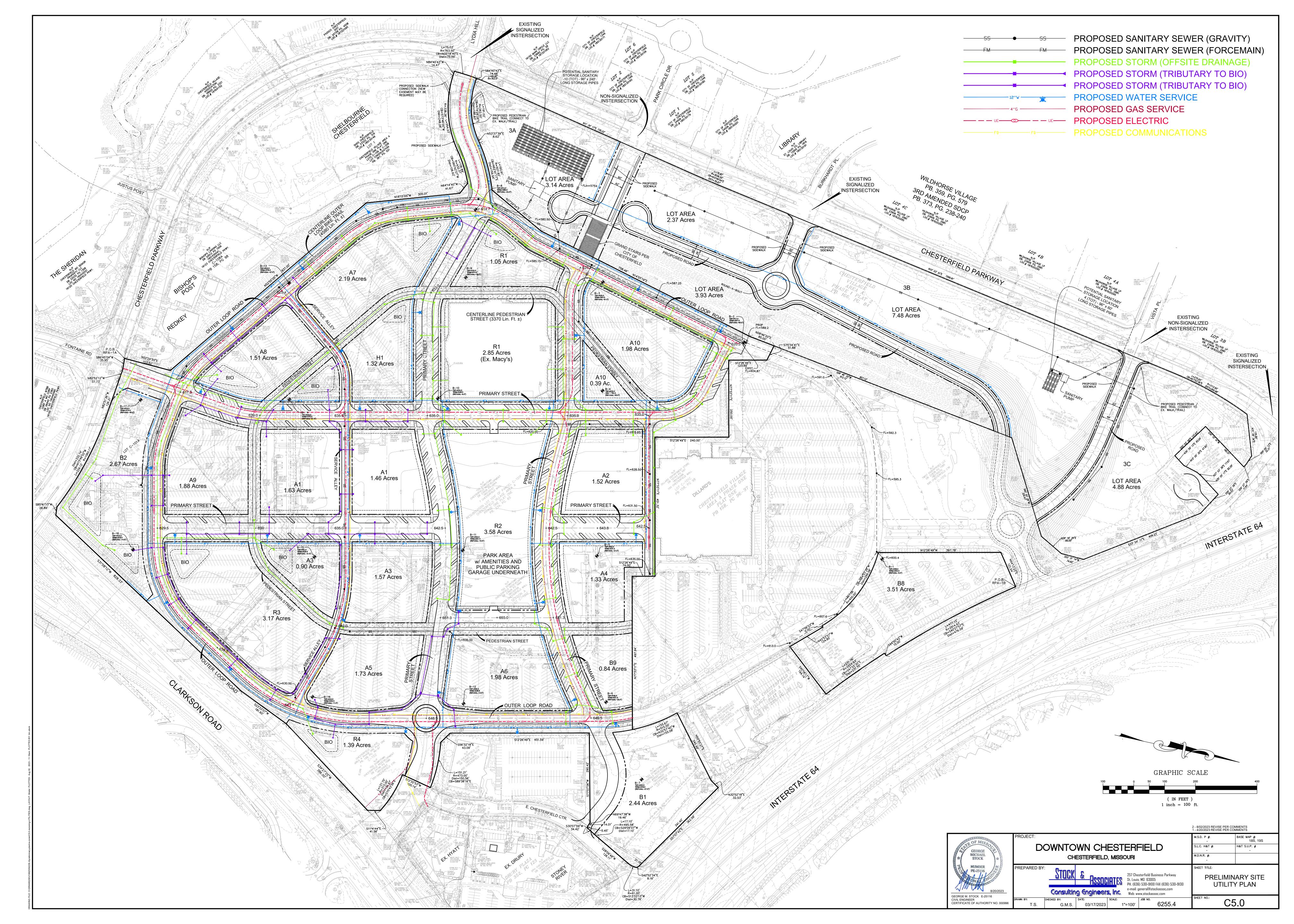
New Note	New Note	Remove blue dotted conceptual/proposed building outlines from PDP.	Revised Preliminary Development Plan includes this modification.
New Note	New Note	Add sidewalks from all locations on Outer Loop Road to Chesterfield Parkway on PDP. (Lydia Hill, Vista Place and Fontaine)	Revised Preliminary Development Plan includes this modification.
New Note	New Note	Add sidewalks from Grand Staircase to Chesterfield Parkway on PDP.	Revised Preliminary Development Plan includes this modification.
New Note	New Note	Add bike path from Outer Loop Road to Chesterfield Parkway at Lydia Hill, Vista Place and Fontaine on PDP.	Revised Preliminary Development Plan includes this modification.
New Note	New Note	Access to the housing development shall only be via the entrance at Burkhardt. No vehicular access will be provided from Park Circle at the Grand Staircase.	Preliminary Development Plan includes this modification.

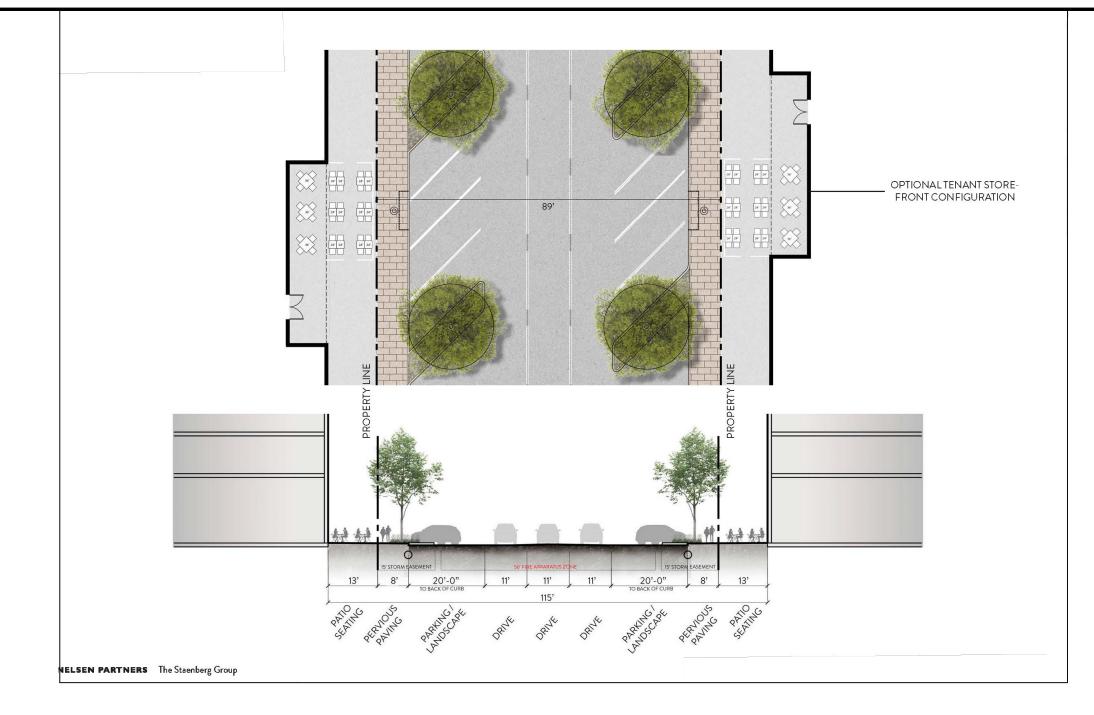


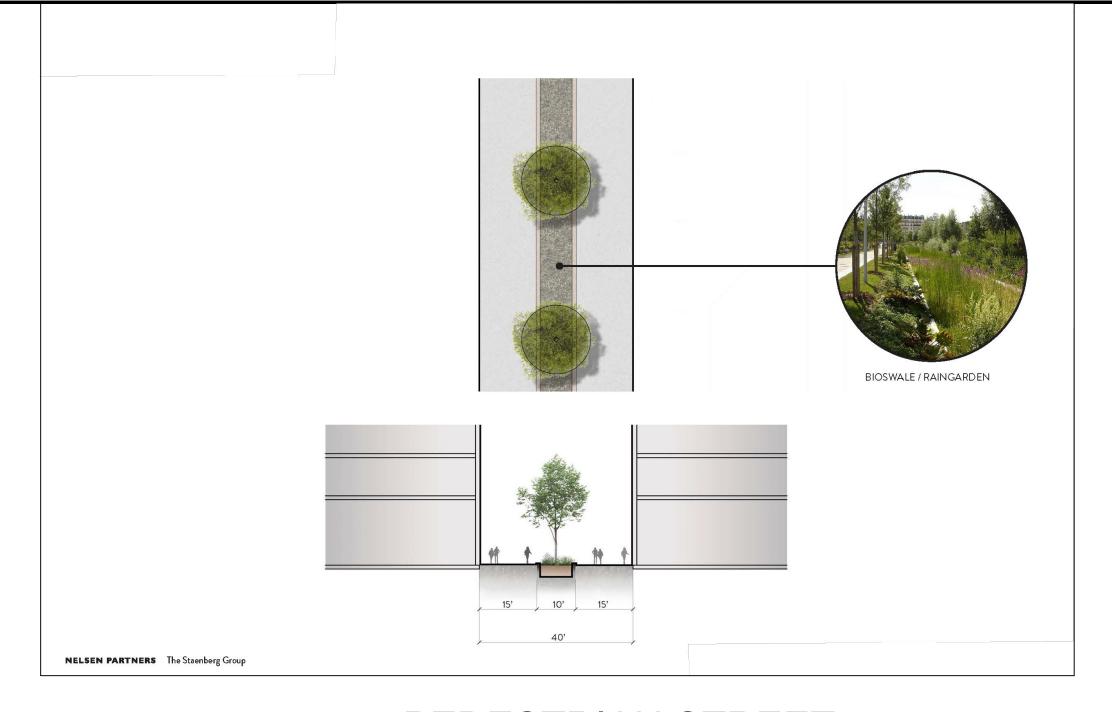




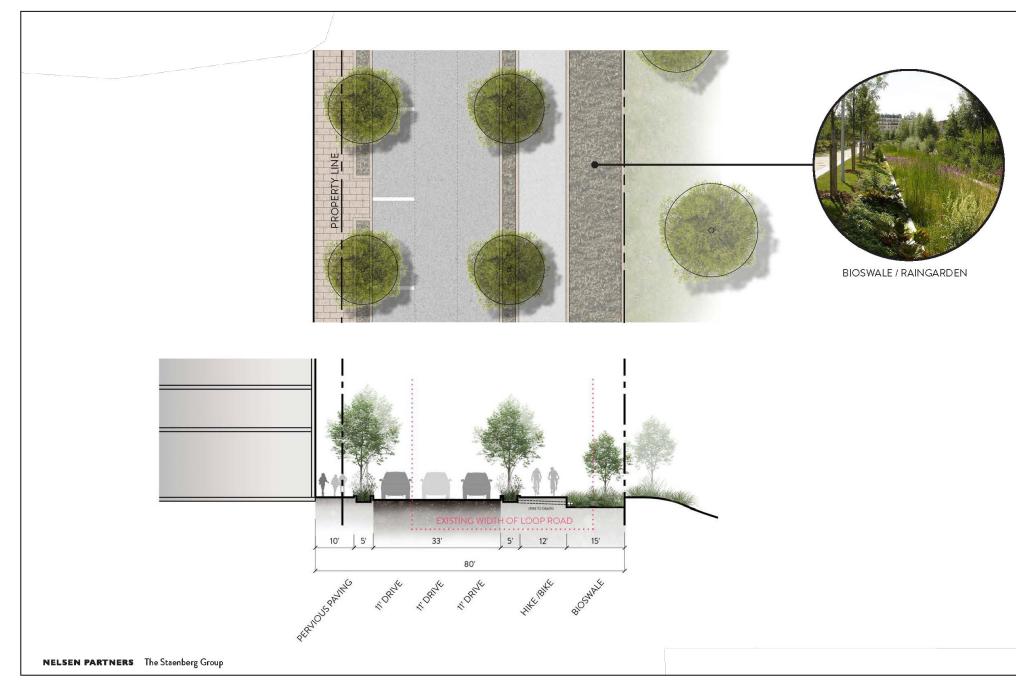








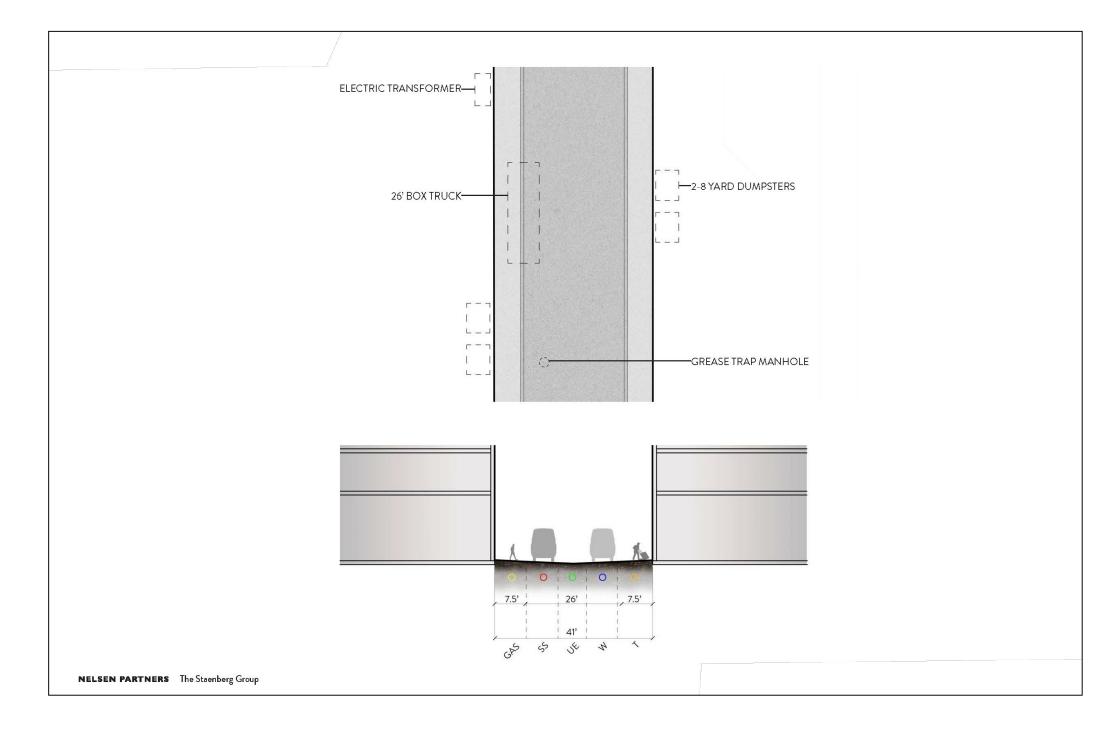
PRIMARY STREET



OUTER LOOP ROAD / HIKE & BIKE TRAIL

(LOOP ROAD)

PEDESTRIAN STREET



SERVICE ALLEY

-160

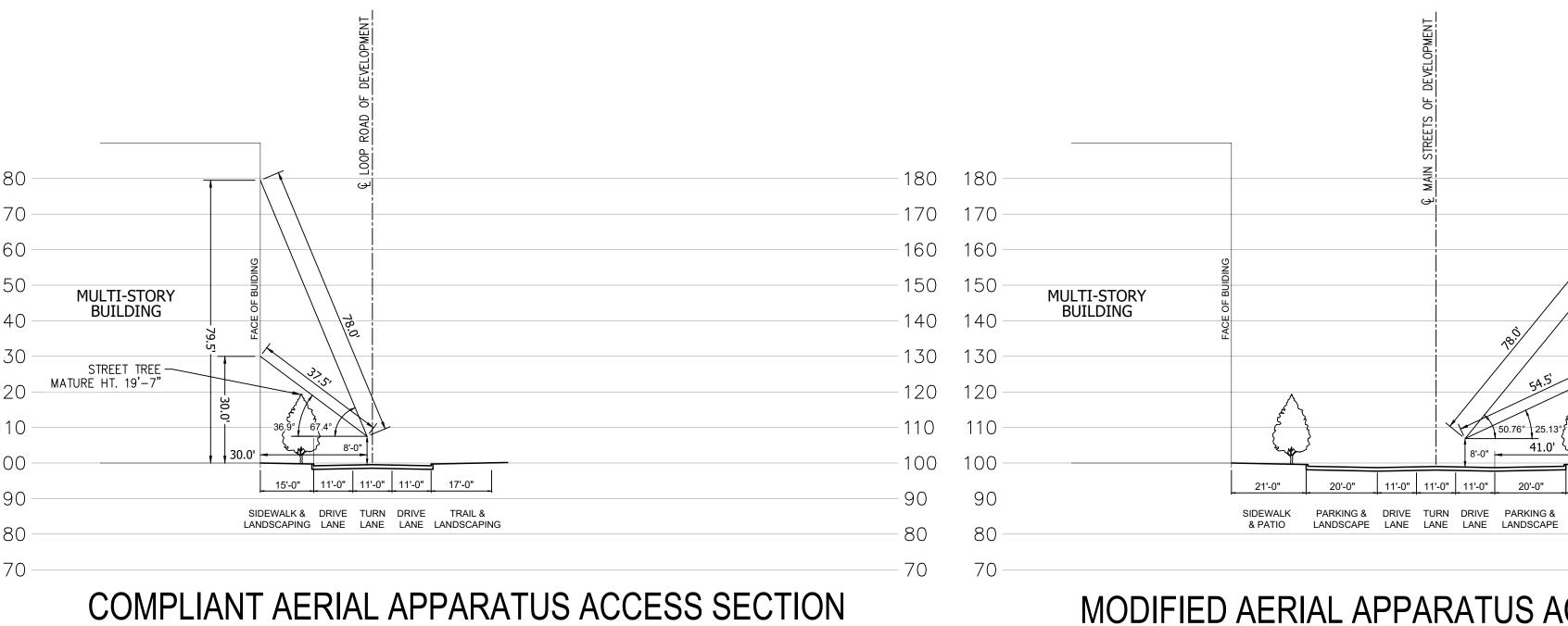
-120

- 110

100

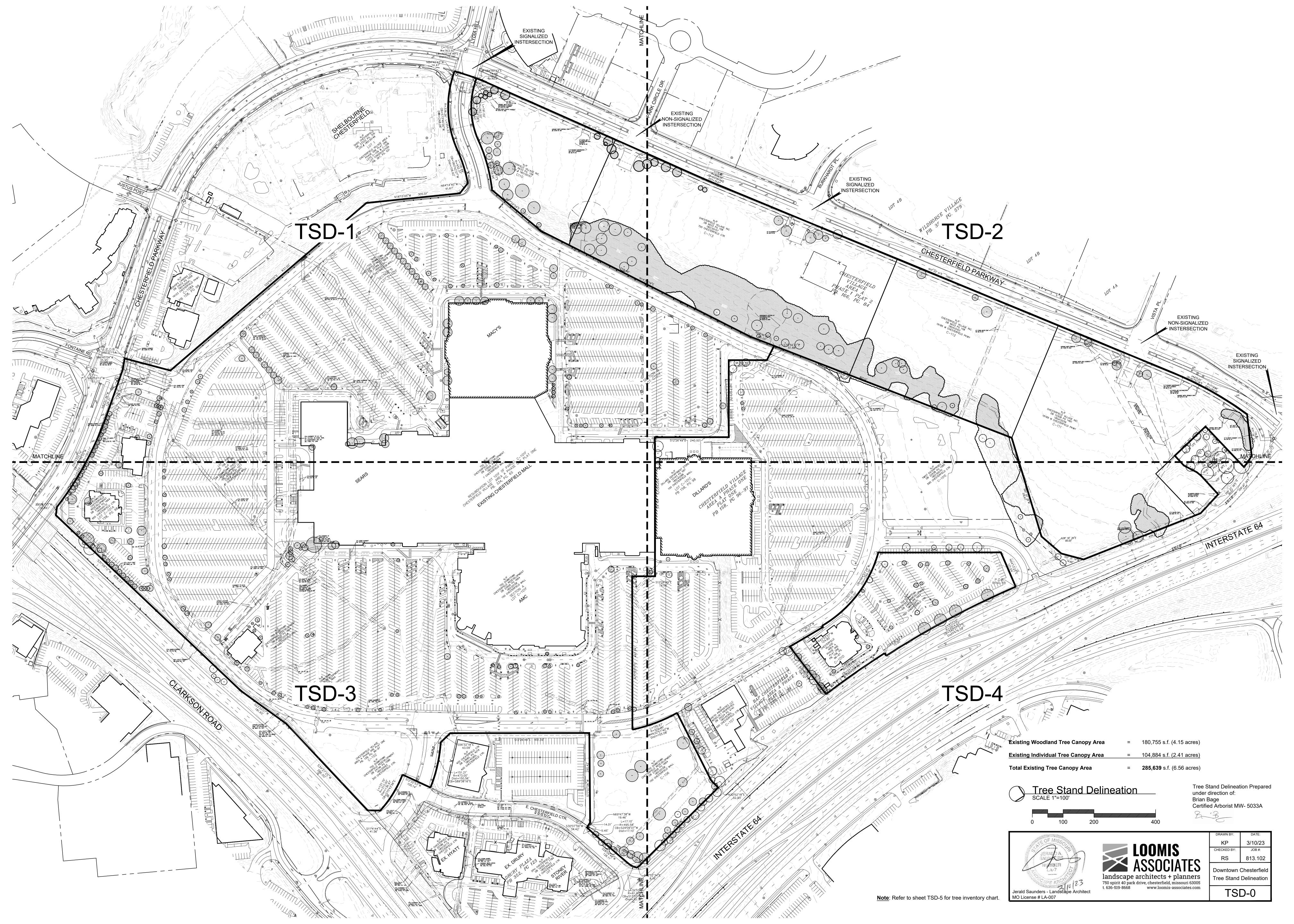
MULTI-STORY BUILDING

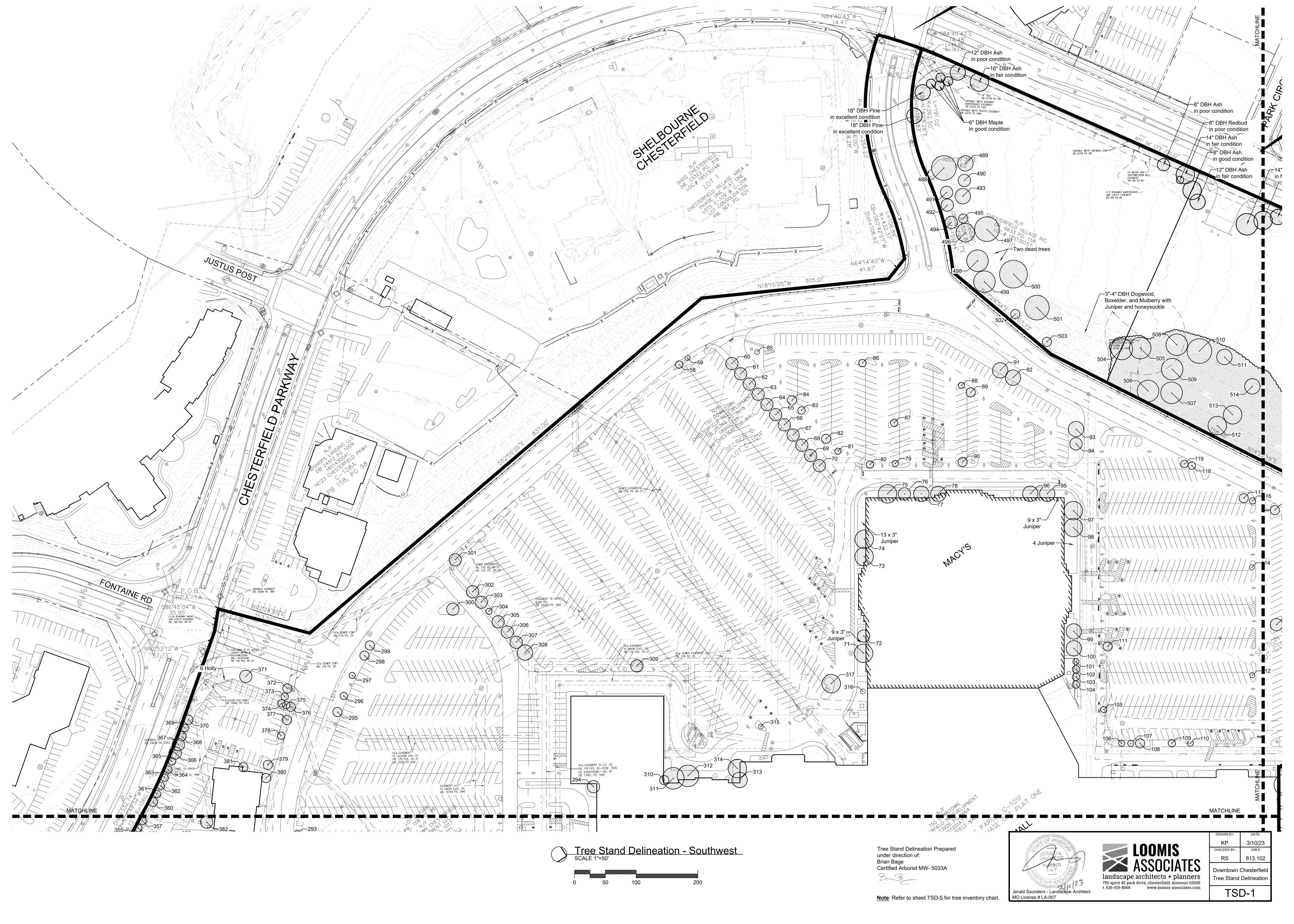
NOTE: SECTIONS PER NELSON PARTNERS MASTER PLAN DATED 02.15.2023

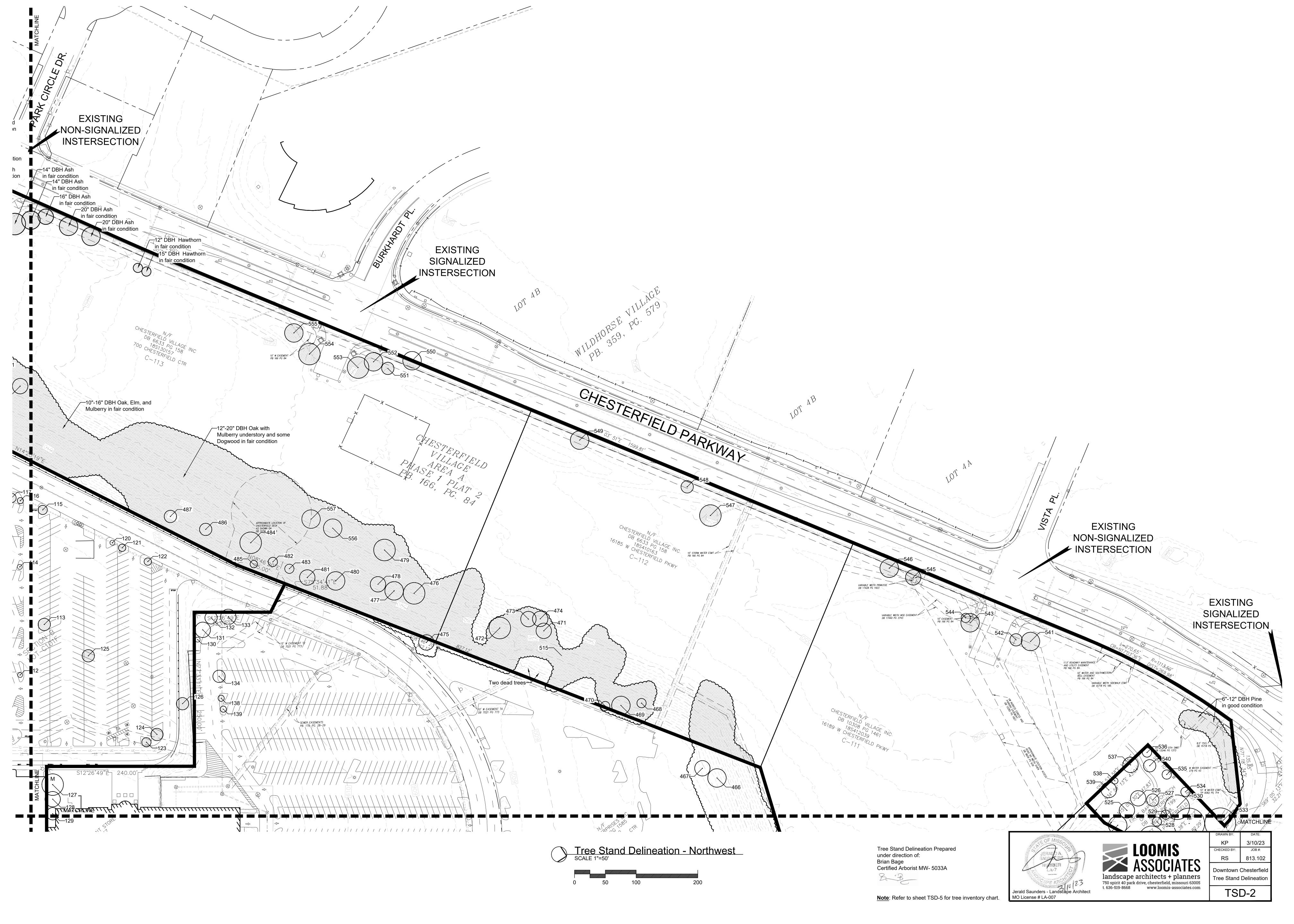


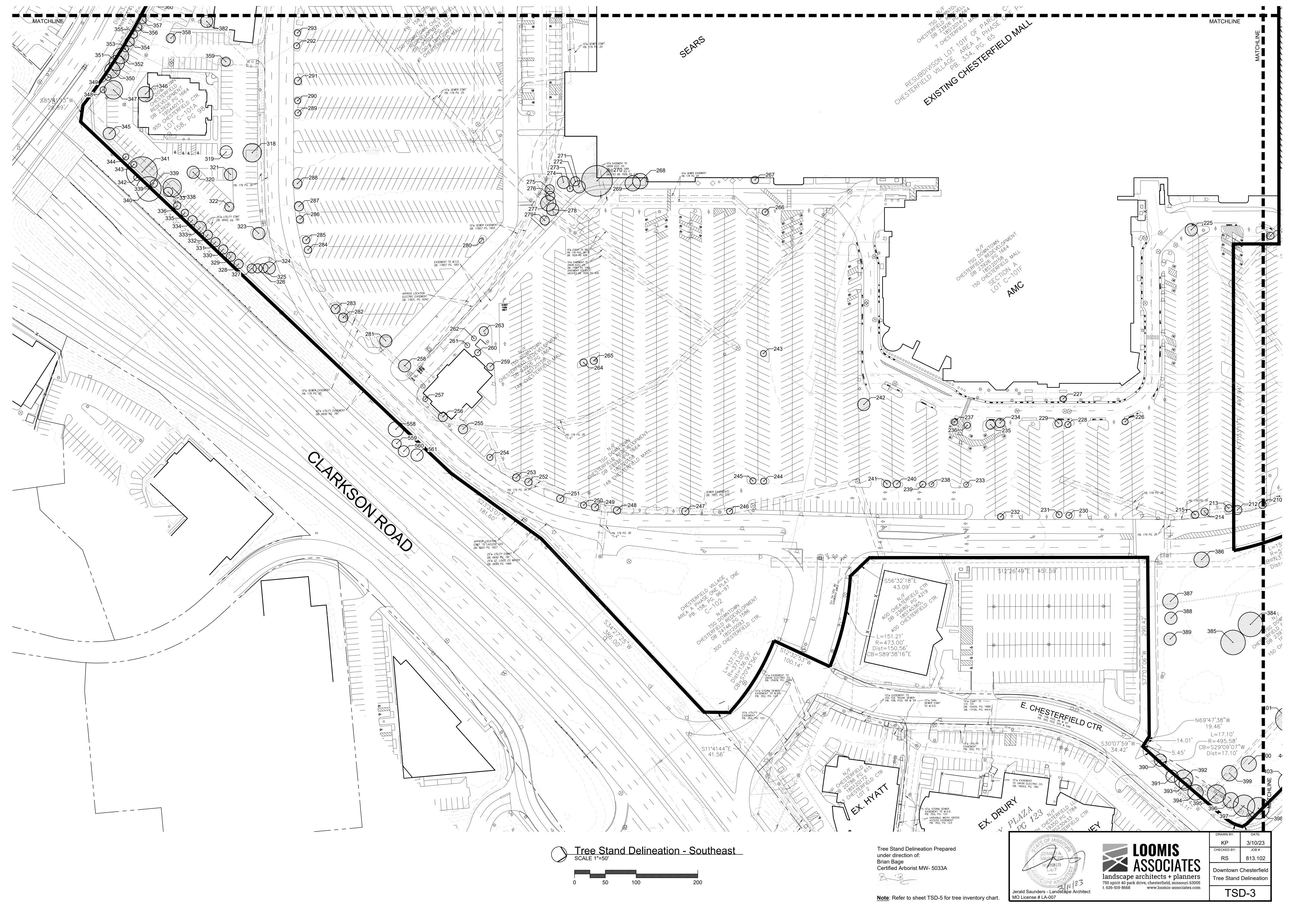
MODIFIED AERIAL APPARATUS ACCESS SECTION (PRIMARY STREETS OF THE DEVELOPMENT)

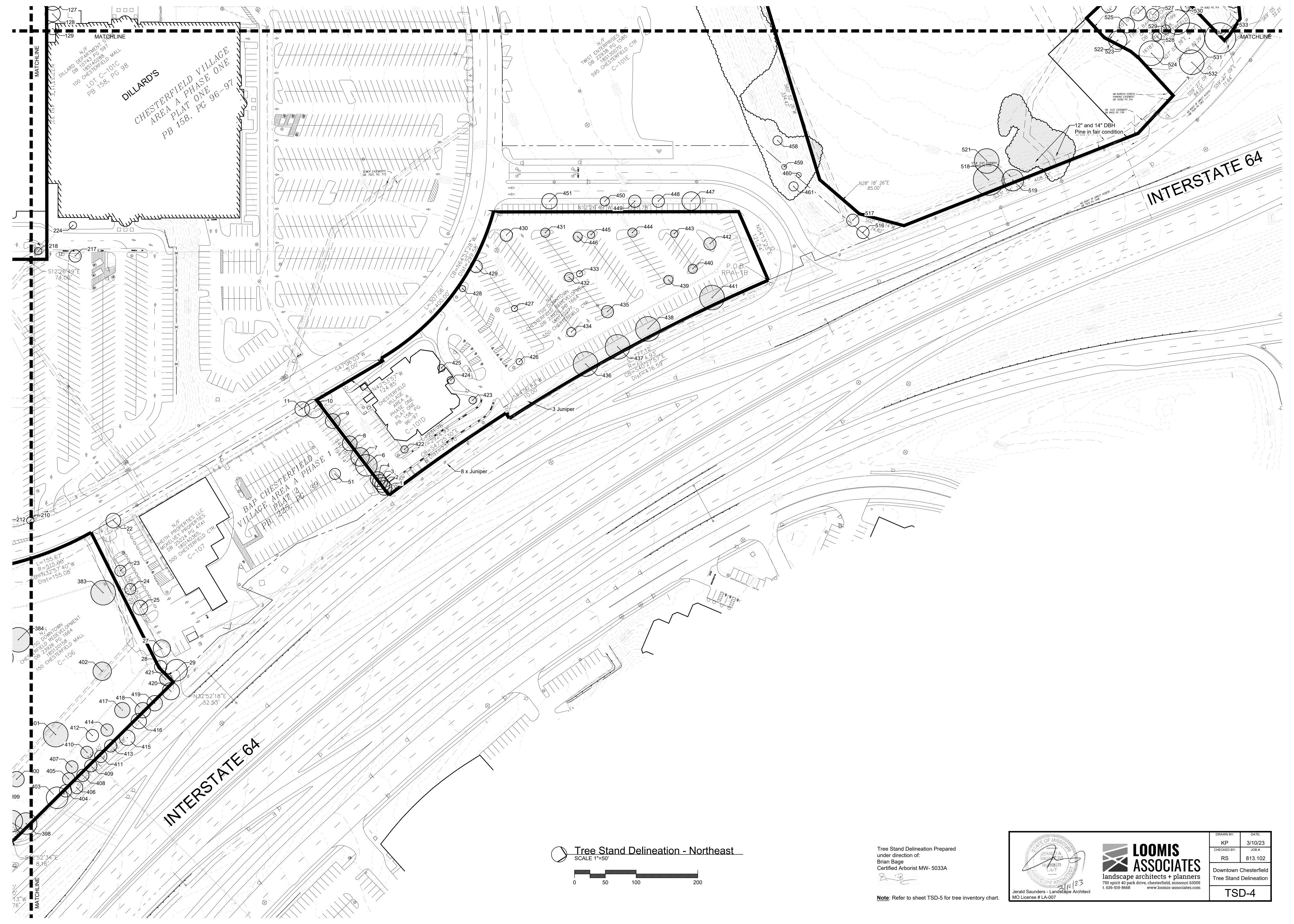












<u>ID</u>	<u>Tree Name</u> Amur Maple	DBH	Canopy Diam. 24	Condition Rating	Comment
2	Amur Maple Amur Maple	10	24	1	
3	Amur Maple	7	24	1	
4	Amur Maple	8	24	1	
7	Ash Ash	15 20	35 30	2 2	
8	Honeylocust	6	24	3	
9	Maple	12	24	2	
10	Maple	20	30	2	
11 22	Maple Redbud	9	24 24	3	
23	Honeylocust	6	18	3	
24	Honeylocust	7	18	3	
25	Honeylocust	8	24	3	
27	Maple	20 7	28	3	
28	Maple Maple	20	20 35	3	
51	Honeylocust	4	18	1	
58	Linden	6	12	1	Trunk damage
59	Cherry	4	8	2	Steel cable embedded
60	Pear Pear	12 8	20 20	2 2	Crown loss
62	Pear	8	20	2	
63	Pear	8	20	2	Dieback
64	Pear	8	20	1	Dieback
65 66	Pear	10	20 20	2 2	
67	Pear Pear	8	<u>20</u> 15	2	
68	Pear	10	20	2	
69	Pear	12	20	2	
70	Pear	12	20	2	
71 72	Ash Ash	14 12	30 20	1	
73	Ash	12	30	1	
74	Ash	16	30	2	
75 76	Ash	12	30	1	Dieback
76 77	Ash Ash	14	20 25	1	
78	Ash	14	25	1	
79	Crabapple	5	10	2	
80	Crabapple	6	12	1	
81	Crabapple Crabapple	5	10 15	2 2	
83	Crabapple	5	12	2	
84	Crabapple	5	15	2	
85	Dead	10	40	0	Dead
86 87	Crabapple Crabapple	5 4	12 12	2 2	
88	Crabapple	5	10	2	
89	Crabapple	4	15	2	
90	Crabapple	6	15	1	
91	Hawthorn Hawthorn	20 12	25 25	1	2x trunks Lean
93	Red Maple	12	25	2	Chlorotic
94	Red Maple	10	20	1	Dieback
95	Ash	10	25	1	
96 97	Ash Ash	10 14	25 30	2	
98	Ash	16	30	2	
99	Ash	10	25	1	
100	Ash	10	25	1	
101 102	Ash Ash	5	10 12	1	
102	Ash Ash	7	12	1	
104	Ash	7	12	1	
105	Ash	5	10	1	
106	Crabapple	3	10 10	2 2	
107 108	Crabapple Crabapple	5	15	3	
109	Crabapple	4	12	2	
110	Crabapple	3	10	2	
111	Crabapple	5	15 6	3	
112 113	Pear Honeylocust	12	20	1	Dieback
114	Pear	3	5	1	
115	Maple	8	15	2	
116	Crabapple Crabapple	4	10	1	
117 118	Crabapple Crabapple	6	15 12	2 2	
119	Crabapple	4	12	1	
120	Elm	2	4	3	
121	Maple	5	12	2	
122 123	Maple Honeylocust	5	12 15	2 2	
123	Honeylocust	8	20	2	
125	White Pine	8	20	2	Offsite
126	Pear	8	20	3	
127	Red Maple	24	35	3	Offsite, Monarch
128 129	White Pine White Pine	10 8	25 20	3 2	Offsite Offsite
130	Oak	4	6	1	Offsite
131	Bald Cypress	12	25	3	Offsite
132	Bald Cypress	10	20	3	Offsite
133 134	Bald Cypress Ash	12 12	25 20	3 1	Offsite Offsite
138	Cherry	5	10	1	Offsite
139	Maple	5	10	2	Offsite
210	Pear	8	12	2	Offsite
212	Ash	6	15	1	Offsite

<u>ID</u> 214	<u>Tree Name</u> Pear	<u>DBH</u>	Canopy Diam.	Condition Rating	Comment
215	Pear	6	12	2	
217	Honeylocust	10	20	3	Offsite
218	Crabapple	6	12 12	1	Offsite
224	Pine Pear	14	20	3 2	Olisite
226	Pear	6	10	1	
227	Maple	6	10	3	
228	Pear	4	10	2	
229	Pear	6	12	2	
230	Pear	6	10	1	
231	Pear	6	10	1	
232	Pear Pear	5	10 8	3 1	
234	Pear	6	15	2	
235	Pear	8	15	2	
236	Pear	6	10	2	
237	Pear	5	10	2	
238	<u>Pear</u>	5	6	1	
239	Pear	6	10	1	
240 241	<u>Pear</u> Pear	6	12 12	2 2	
242	Maple	8	20	2	
243	Pear	5	10	3	
244	Pear	4	10	2	
245	Pear	5	10	2	
246	Pear	5	10	2	
247	Ash	6	12	1	
248	Ash	6	12	3	
249 250	Pear Pear	6	12 10	3 2	
250	Pear Ash	5	12	2	
252	Pear	5	12	2	
253	Pear	6	12	2	
254	Maple	5	10	1	
255	Maple	6	15	3	
256	Redbud	6	15	3	
257	Redbud	3	6	3	
258 259	Pear Redbud	10 5	20 12	3 2	Mower damage
260	Spruce	6	12	3	Mower damage
261	Spruce	5	8	3	
262	Spruce	5	8	3	
263	Redbud	8	15	2	
264	Pear	5	12	3	
265	Pear	5	12	2	
266 267	Honeylocust	4	10 12	2 2	
268	Crabapple Hawthorn	20	25	3	Multi-stem
269	Hawthorn	20	25	3	Multi-stem
270	Honeylocust	40	50	3	Multi-stem
271	Honeylocust	16	20	2	
272	Pine	12	15	1	
273	Pine	8	10	2	
274	Pine Pine	16 10	20 15	2 2	
275 276	Pine	12	15	2	
277	Maple	12	25	3	
278	Pine	14	20	2	
279	Pine	12	15	1	
280	Dead	10		0	Dead
281	Ash	8	20	1	
282	Pear	6	15 15	3 2	
283 284	Pear Pear	6	15	2	
285	Pear	6	12	2	
286	Ash	6	12	1	
287	Ash	6	15	1	
288	Pear	6	15	2	
289	Pear	6	10	3	
290	Pear	6	10	2	
291	Ash	6	12	2 2	
292 293	Pear Pear	6	10 10	2	
293	Pear	10	20	2	
295	Linden	8	15	1	
296	Crabapple	4	12	2	
297	Cherry	5	10	3	
298	Crabapple	4	15	2	
299	Linden	8	15	3	
300	Maple	12	20	2	
301	Maple	10	20	3	
302	Pear	10	20 20	2	
303	Pear Pear	10 8	10	1	
305	Pear	10	20	2	
306	Pear	8	20	2	
307	Pear	10	20	2	
308	Pear	12	25	2	
309	Ash	8	20	1	
310	Pear	6	15	2	
311	Honeylocust	14	35	2	
312	Honeylocust Pear	12 8	35 25	2 2	
313 314	Pear Honeylocust	12	25 30	3	
315	Crabapple	15	8	1	
316	Dead	10	~	0	Dead
		_	30	1	
317	Ash	8	30		

ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
320	Ash	10	20	1	Comment
321	Honeylocust	8	20	2	
322	Honeylocust	4	15	2	
323 324	Red Maple Red Maple	8	20	3	
325	Hawthorn	15	15	2	Multi-stem
326	Hawthorn	15	15	2	Multi-stem
327 328	Hawthorn Hawthorn	15 15	15 15	2 2	Multi-stem Multi-stem
329	Hawthorn	15	15	2	Multi-stem
330	Hawthorn	12	15	2	Multi-stem
331	Red Maple	6	15	3	
332 333	Red Maple Red Maple	7 8	15 20	3	
334	Hawthorn	10	15	2	
335	Hawthorn	10	12	1	Mixed with 2" Dogwood
336 337	Hawthorn Dogwood	8 12	12 15	1 2	Multi-stem
338	Honeylocust	14	30	3	mail com
339	Red Maple	6	12	1	Trunk cavity
340 341	Pear Pear	16 36	40 50	3	Twin Multi-stem
342	Ash	14	10	1	Widiti-Stelli
343	Ash	14	10	1	
344	Ash Ash	10 10	20 20	1 1	
345 346	Asn Riverbirch	10	25	3	
347	Honeylocust	12	30	3	
348	Crabapple	6 8	10	0	Dead
349 350	Crabapple Honeylocust	10	10 25	0 2	Dead
351	Honeylocust	8	25	3	
352	Honeylocust	8	25	3	5
353 354	Crabapple Crabapple	6 8	10 15	0	Dead
355	Hawthorn	12	12	2	Multi-stem
356	Hawthorn	10	12	2	Multi-stem
357 358	Hawthorn Red Maple	12 5	12 15	2 1	Multi-stem
359	Honeylocust	6	15	2	
360	Hawthorn	12	15	2	
361 362	Hawthorn Hawthorn	12 10	12 12	2 2	
363	Hawthorn	12	12	2	
364 365	Hawthorn Hawthorn	10 12	12 12	1 2	
366	Honeylocust	7	20	3	
367	Honeylocust	7	20	2	
368	Crabapple	8	15	2	
369 370	Crabapple Crabapple	8	12 15	2	
371	Red Maple	8	20	2	
372 373	Hawthorn Hawthorn	15 12	15 12	2 2	Multi-stem Multi-stem
374	Hawthorn	15	12	2	Multi-stem
375	Hawthorn	12	12	1	Multi-stem
376 377	Hawthorn Bod Marile	12 5	15 15	2	Multi-stem Lost leader
378	Red Maple Red Maple	5	12	1	Lost leader
379	Red Maple	7	15	3	
380 381	Pear Monto	7 12	15 15	3	
382	Japanese Maple Spruce	12	20	3	Vines
383	Honeylocust	20	40	3	
384	Honeylocust	18	40	3	
385 386	Honeylocust Ash	20 12	40 25	2 1	
387	Honeylocust	10	25	2	
388	Honeylocust	8 7	20	2	
389 390	Honeylocust Sweetgum	12	20 20	2	
391	Sweetgum	12	20	2	
392	Sweetgum	12	30	2	
393 394	Sweetgum Sweetgum	8 12	20 25	2 2	
395	Sweetgum	16	30	3	
396	Sweetgum	16	25	2	
397 398	Sweetgum Sweetgum	22 16	35 35	3 2	
399	White Oak	10	25	3	
400 401	White Oak	10 22	25 40	2	
401	Honeylocust Honeylocust	18	30	2	
403	Honeylocust	16	35	2	
404	Maple	12	20	2	
405 406	Maple Maple	12 12	20 20	2	
407	Maple	12	20	3	
408	Maple Maple	12	20	3 2	
409 410	Maple Maple	12 12	20 20	3	
411	Maple	12	20	1	page 1
412 413	Ash Maple	14	20	0	Dead
413 414	Maple Maple	12 12	20 20	3	
415	Maple	14	25	3	
416	Maple	12	25	2	T1
417 418	Maple Maple	12 12	25 25	2 4	Trunk damage
410	Manic				1

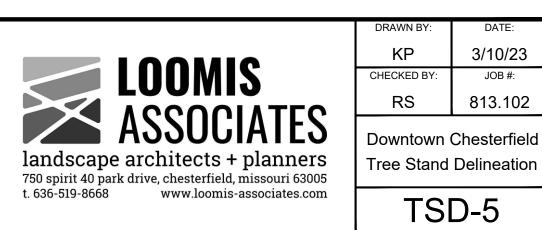
20	Maple	14	25	Raung 4	Comment
21	Maple	12	20	4	
22	Spruce	6	12	2	
23	Spruce	8	12	3	
24	Magnolia	10	12	3	
25 26	Magnolia Crabapple	8	12 10	3	Dead
27	Crabapple	6	10	0	Dead
28	Crabapple	6	10	1	
29	Ash	10	20	0	Dead
30	Ash	10	20	0	Dead
31	Crabapple	7	15 15	2 2	
32 33	Crabapple Crabapple	6	10	0	Dead
34	Maple	6	15	0	Dead
35	Maple	7	20	2	2300
36	Pear	24	40	2	
37	Pear	22	40	2	
38	Pear	24	40	2	
39 40	Maple.	8	15 15	3	Trunk damage
41	Maple Pear	24	40	2	
12	Maple	8	20	3	
43	Crabapple	6	12	1	
14	Crabapple	8	15	1	
15 16	Crabapple	6	12	1	
16 17	Crabapple Pear	6 14	15 30	2 2	Officito proposed reset
47 48	Pear Pear	8	20	2	Offsite, proposed road Offsite, proposed road
19	Pear	10	20	2	Offsite, proposed road
50	Pear	8	15	2	Offsite, proposed road
51	Pear	12	25	2	Offsite, proposed road
8	Pine	10	15	2	
59	Ash	-		0	Dead
60 61	Ash Ash	8	15	0 1	Dead
66	Oak	12	30	3	
67	Oak	10	25	3	
86	Pear	10	15	2	
69	Mulberry	12	30	3	
70	Pine	6	15	3	Officia name and the state of t
71	Oak Oak	10 14	25 35	3 2	Offsite, proposed road
72 73	Oak	12	25	3	Offsite, proposed road Offsite, proposed road
74	Oak	10	25	3	Offsite, proposed road
75	Maple	14	25	2	Offsite, proposed road
76	Oak	24	35	3	Offsite, proposed road
77	Oak	20	30	3	Offsite, proposed road
78 79	Cherry Mulberry	14	25 35	1 1	Offsite, proposed road
30	Oak	15	35	3	Offsite, proposed road Offsite
31	Maple	15	25	3	Offsite
32	Maple	6	15	2	Offsite
33	Oak	8	15	2	Offsite
34	Cottonwood	12	35	2	Offsite
35 36	Pine	6 8	12	2	Offsite Offsite
36 37	Ash Oak	6	20 20	2	Offsite
38	Silver Maple	18	40	1	Offsite
39	Mulberry	15	25	2	Offsite
90	Mulberry	15	20	2	Offsite
91	Mulberry	15	20	2	Offsite
92	Pine	18	20	2 2	
-			76		Offsite Offsite
93	Cherry	15	25 20		Offsite
93			25 20 15	2	
93 94 95	Cherry Oak	15 12	20	2	Offsite Offsite
93 94 95 96	Cherry Oak Oak Oak Oak Oak	15 12 10 14 24	20 15 30 40	2 1 2 2	Offsite Offsite Offsite Offsite Offsite Offsite
93 94 95 96 97	Cherry Oak Oak Oak Oak Oak Oak	15 12 10 14 24 18	20 15 30 40 35	2 1 2 2 3	Offsite Offsite Offsite Offsite Offsite Offsite Offsite
93 94 95 96 97 98	Cherry Oak Oak Oak Oak Oak Oak Oak	15 12 10 14 24 18 18	20 15 30 40 35 35	2 1 2 2 3 2	Offsite Offsite Offsite Offsite Offsite Offsite Offsite Offsite Offsite
93 94 95 96 97 98 99	Cherry Oak Oak Oak Oak Oak Oak Oak Oak Oak Box Elder	15 12 10 14 24 18 18 24	20 15 30 40 35 35 45	2 1 2 2 3 2 1	Offsite
93 94 95 96 97 98 99 90	Cherry Oak Oak Oak Oak Oak Oak Oak	15 12 10 14 24 18 18	20 15 30 40 35 35	2 1 2 2 3 2	Offsite Offsite Offsite Offsite Offsite Offsite Offsite Offsite Offsite
93 94 95 96 97 98 98 99 90 91	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry	15 12 10 14 24 18 18 24 18	20 15 30 40 35 35 45 40	2 1 2 2 3 2 1 2 3 3 3	Offsite
93 94 95 96 97 98 99 99 90 91 92 93	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6	20 15 30 40 35 35 45 40 15 15	2 1 2 2 3 2 1 2 3 3 3 3	Offsite
93 94 95 96 96 98 99 99 90 90 91 92 93 94	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak Oak	15 12 10 14 24 18 18 24 18 6 6	20 15 30 40 35 35 45 40 15 15 35 35	2 1 2 2 3 2 1 2 3 3 3 3 3	Offsite
93 94 94 95 96 99 99 99 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak Oak Oak	15 12 10 14 24 18 18 24 18 6 6 18 18	20 15 30 40 35 35 45 40 15 15 35 35 35	2 1 2 2 3 2 1 2 3 3 3 3 3 3	Offsite
93 94 95 96 96 97 99 99 99 90 00 01 02 03 04 05 06	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak Oak Oak Oak	15 12 10 14 24 18 18 24 18 6 6 18 18 14	20 15 30 40 35 35 45 40 15 15 35 35 35	2 1 2 2 3 2 1 2 3 3 3 3 3 3	Offsite
93 94 95 96 97 98 98 99 90 00 01 02 03 04 05 06 07 07	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak Oak Oak	15 12 10 14 24 18 18 24 18 6 6 18 18	20 15 30 40 35 35 45 40 15 15 35 35 35	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 3 3 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 90 91 91 93 94 95 96 97 98 99 90 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 22	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 99 90 00 01 02 03 04 05 06 07 08 09 10 11	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 14	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 40 25	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 90 91 91 93 94 95 96 97 98 99 90 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 14 14 14	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 35	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 90 90 91 93 94 95 96 97 98 99 90 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 14 14 13 13	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 3	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 99 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 18 14 14 14 14 14 12 14 13 13 13	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 3	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 90 00 01 01 01 01 01 01 01 01 01 01 01 01	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 14 14 13 13	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 3	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 99 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 22 14 13 13 12 8 10	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 3	2 1 2 2 3 2 1 2 3 3 3 3 3 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 99 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 22 14 13 13 12 8 10 10 22	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 3	2 1 2 2 3 2 1 2 3 3 3 3 3 3 2 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 99 90 91 91 93 93 93 93 94 95 96 97 98 99 99 90 90 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 22 14 13 13 12 8 10 10 22 18	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 30 25 20 20 20 50 35	2 1 2 2 3 3 2 1 2 3 3 3 3 3 2 2 2 2 3 3 3 3	Offsite
93 94 95 96 97 98 99 90 91 92 93 94 95 96 97 97 97 97 97 97 97	Cherry Oak Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 22 14 13 13 12 8 10 10 22 18	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 35 3	2 1 2 2 3 3 2 1 2 3 3 3 3 3 2 2 2 2 2 2	Offsite
93 94 95 96 97 98 99 90 91 92 93 94 95 96 97 98 99 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 22 14 13 13 12 8 10 10 22 18 16 12	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 30 25 20 20 20 50 35 40 30 30 30 30 30 30 30 30 30 3	2 1 2 2 3 3 2 1 2 3 3 3 3 3 3 2 2 2 2 2	Offsite
93 94 95 96 97 98 99 90 91 92 93 94 95 96 97 97 97 97 97 97 97	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 22 14 13 13 12 8 10 10 22 18 16 11 12 14	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 35 30 25 20 20 20 20 50 30 30 30 30 30 30 30 30 30 3	2 1 2 2 3 3 3 3 3 3 3 2 2 2 2 2 2 2 2 2	Offsite
93 94 95 96 97 98 99 90 91 92 93 94 95 96 97 98 99 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 22 14 13 13 12 8 10 10 22 18 16 12	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 30 25 20 20 20 50 35 40 30 30 30 30 30 30 30 30 30 3	2 1 2 2 3 3 2 1 2 3 3 3 3 3 3 2 2 2 2 2	Offsite
93 94 95 96 97 98 99 90 91 92 93 94 95 96 97 98 99 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 12 14 13 13 12 8 10 10 22 18 16 12 14 30	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 30 25 20 20 20 50 30 30 40 30 40 40 40 40 40 40 40 40 40 4	2 1 2 2 3 3 2 1 2 3 3 3 3 3 2 2 2 2 2 2	Offsite
93 94 95 96 97 98 99 90 00 01 02 03 04 05 06 07 08 09 10 11 11 11 11 11 11	Cherry Oak Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 14 12 14 13 13 12 8 10 10 22 14 13 13 12 18 18 18 18 19 10 10 10 10 10 10 10 10 10 10	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 30 25 20 20 20 20 20 20 30 30 30 30 30 30 30 30 30 3	2 1 2 2 3 3 3 3 3 3 3 2 2 2 2 2 2 2 2 2	Offsite
93 94 95 96 97 98 99 90 91 92 93 94 95 96 97 98 99 90 90 90 90 90 90	Cherry Oak Oak Oak Oak Oak Oak Oak Box Elder Mulberry Pine Pine Oak	15 12 10 14 24 18 18 24 18 6 6 18 14 14 14 14 14 12 14 13 13 12 8 10 10 22 18 16 12 14 30 12 12	20 15 30 40 35 35 45 40 15 15 35 35 35 35 35 35 35 30 25 20 20 20 20 50 30 30 40 25 25 40 25 25 25 25 25 25 26 27 27 28 28 28 28 28 28 28 28 28 28	2 1 2 2 3 3 2 1 2 3 3 3 3 3 2 2 2 2 2 2	Offsite

Tree Inventory					
15	Tree Name	DDII	Canopy	Condition	0
<u>ID</u>	Tree Name	DBH	Diam.	<u>Rating</u>	Comment
531	Oak	24	50	3	Offsite, Monarch
532	Maple	18	40	3	Offsite
533	Oak	24	50	3	Offsite, Monarch
534	Oak	10	15	3	Offsite
535	Oak	10	15	3	Offsite
536	Pear	10	15	1	Offsite
537	Pear	14	25	3	Offsite
538	Oak	7	10	2	Offsite
539	Oak	10	25	3	Offsite
540	Pear	10	20	2	Offsite
541	Ash	12	30	2	Offsite
542	Ash	12	20	1	Offsite
543	Ash	14	30	2	Offsite
544	Redbud	12	15	1	Offsite
545	Ash	12	25	2	Offsite
546	Ash	16	30	3	Offsite
547	Mulberry	20	35	2	Offsite, multi-stem
548	Redbud	16	20	1	Offsite
549	Maple	12	30	2	Offsite
550	Ash	14	30	2	Offsite
551	Crabapple	18	20	1	Offsite, multi-stem
552	Ash	12	30	2	Offsite
553	Ash	30	35	1	Offsite
554	Ash	18	35	1	Offsite
555	Maple	12	30	3	Offsite
556	Oak	14	35	2	
557	Oak	14	35	3	
558	Maple	11	24	3	Offsite - Clarkson Road
559	Amur Maple	6	14	1	Offsite - Clarkson Road
560	Ash	7	18	1	Offsite - Clarkson Road
561	Ash	8	20	2	Offsite - Clarkson Road

Tree Condition Rating:

Excellent 4
Good 3
Fair 2
Poor 1
Dead 0







ATTORNEYS AT LAW

July 20, 2023

Via E-Mail

Mr. Justin Wyse (jwyse@chesterfield.mo.us)
Director of Planning, City of Chesterfield, MO

James Eckrich (<u>publicworksdirector@chesterfield.mo.us</u>)

Director of Public Works/City Engineer – City of Chesterfield, MO

Mr. Merrill Hansen (mhansen@chesterfield.mo.us)
Councilmember and Chair of Planning-Public Works Committee – City of Chesterfield, MO

The Mayor, all Councilmembers and the City Administrator of Chesterfield, MO (cityofficials@chesterfield.mo.us)

Re: PZ -06-2023 Chesterfield Village Mall (TSG Downtown Chesterfield Redevelopment, LLC)

AII,

This correspondence is submitted in connection with the proposed rezoning referenced above and the proposed preliminary development plan submitted in connection therewith (collectively the "Mall Rezoning"). We understand that a meeting is being held this evening with respect to the Mall Rezoning. We ask that you please provide a copy of this letter to all of the members of the Planning-Public Works Committee prior to their meeting tonight.

As you may be aware, we represent Dillard's which owns approximately 17 acres ("Dillard's Parcel") that is adjacent to the property that is subject to the proposed Mall Rezoning (the "TSG Property"). Although the Dillard's Parcel is not included within the boundaries of the TSG Property subject to the Mall Rezoning, Dillard's has several easements and other property and contractual rights with respect to the Mall Property



contained in various recorded and unrecorded agreements (collectively, the "Dillard Property Rights").

July 20, 2023 Page 2

Dillard's in general supports a redevelopment of the Mall Property and wants to open a Dillard's store as part of the overall redevelopment. As such, Dillard's has been and continues to be in discussions and negotiations with the owner of the TSG Property for the inclusion of a Dillard's store as part of the overall redevelopment. Although Dillard's is hopeful that a mutually acceptable arrangement will be worked out quickly, the parties have not yet come to any agreement.

Please be aware and advised that Dillard's has not waived any of the Dillard Property Rights in the TSG Property and that the proposed redevelopment on the TSG Property will violate some of the Dillard Property Rights. As such, Dillard's objects to the Mall Rezoning and reserves any and all rights and remedies that Dillard's may have pursuant to the Dillard Property Rights, and/or at law and/or in equity.

We ask that any proposed rezoning and/or approval of plans for the TSG Property be postponed until the respective fee owners with rights in such property come to a mutually acceptable agreement as to a Dillard's store, the Dillard's Parcel and the TSG Property.

Thank you for sharing this letter and for your consideration of the foregoing. Please feel free to contact myself, John Gazzoli, Jr. and/or Jeffrey Hunt at our firm with any questions.

Sincerely,

Rosenblum Goldenhersh, P.C.

By:

Diane M. Mispagel, Esq.



cc: City Attorney Christopher Graville (cbg@gravillelaw.com)
Robert Klahr, Esq. (RKLAHR@atllp.com)
Matthew Reh (mreh@atllp.com)