



VIII.A.

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Planning Commission Staff Report

Subject: Rezoning Issues Report

Meeting Date: August 13, 2007

From: Charlie Campo, Project Planner of

Location: 18081 Chesterfield Airport Road

Petition: P.Z. 24-2007 Mark Andy Inc.

Proposal Summary

Michael Doster, on behalf of Spirit Valley Business Park, has submitted an application for a change in zoning from "M-3" Planned Industrial to "PI" Planned Industrial per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.150.

Development Process

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

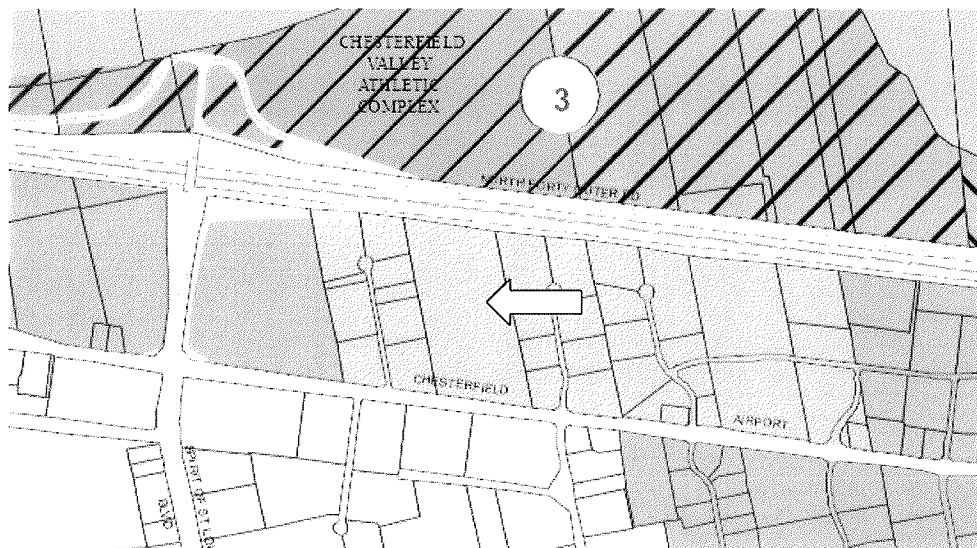
1. Conceptual location of buildings.
2. Existing and proposed contours.
3. Proposed uses.
4. Location of tree masses.
5. Cross section of the site.
6. Proposed ingress and egress.
7. Sanitation and drainage facilities.
8. Legal description.

Area Land Use

The subject site is located at 18081 Chesterfield Airport Road.



Subject site as shown on Land Use Map. This area is designated as Mixed Use (Retail Office Warehouse.)



Issues

A Public Hearing was held on June 11, 2007. At that time several issues were identified. Those issues along with the Petitioner's responses are attached. Below are the issues that remain open at this time:

"PI" Planned Industrial vs. "PC" Planned Commercial

Concerns were raised at the public hearing concerning this property being rezoned to "PI" Planned Industrial District, and the Petitioner was asked to consider changing the requested use to "PC" Planned Commercial District.

The Petitioner requests that *"Given that the existing use is light manufacturing and that there is a possibility that Mark Andy may have to expand in the future, the Petitioner requests that the entire property be zoned under the "PI" Planned Industrial District. We note that the developments on either side of the subject property are zoned Planned Industrial."*

Be advised the current light manufacturing use on the site would not be allowed in a "PC" Planned Commercial District.

Cross Access and Parking Requirement

The plan indicates the possibility of obtaining cross access to Goddard Avenue. While this connection is encouraged, parking shall not be allowed along the drive lane connecting the subject tract to Goddard Avenue and the number of drive isles connecting to it shall be limited.

The Petitioner requests that *"There is a possibility of obtaining a cross access easement to Goddard, but this is subject to negotiation with the affected adjoining property owners. The cross access easement, if acquired by negotiation, will only be a drive aisle; thus, parking should be allowed along the drive aisle as it is allowed in other similar situations."*

Be advised internal circulation will be reviewed during the site development plan review process.

Access

The plan indicates using the western most existing entrance as the main entrance for both lots on this site. This existing entrance does not meet the desirable minimum separation between it and the existing entrance in the adjacent lot to the west (Lot 9, Spirit 40 Park). If the existing entrance is to be utilized, cross access shall be provided to the adjacent subdivision and the entrance to Lot 9, Spirit 40 Park, shall be removed. If this cannot be accomplished the entrance to the site shall be aligned with the existing entrance on the south side of Chesterfield Airport Road.

The Petitioner states that *"The Petitioner has no control with respect to the access on adjoining properties (which are already developed and built), and it would not be reasonable to condition the zoning of the subject property on the elimination of an existing access point on adjoining property. Petitioner is agreeing to provide cross access along its western boundary that could be used at such time as the adjoining property is redeveloped. The southern portion of the subject property is already developed and built with an existing manufacturing facility and associated parking; therefore, it would not be reasonable to require realignment of the existing access at Chesterfield Airport Road so that it aligned with an existing access on the south side of Chesterfield Airport Road."*

St. Louis County Highways and Traffic have submitted the comment that "Access to this development from Chesterfield Airport Road shall be restricted to one (1) commercial entrance, located to provide required sight distance and constructed to St. Louis County standards as directed by the St. Louis County Department of Highways and Traffic. This commercial entrance shall provide separate right and left turn lanes for existing traffic for a minimum distance of 150 feet. There shall be no minor driveways or parking aisles intersecting this main driveway within this 150 foot distance."

The petitioner will work with St. Louis County Highways and Traffic with regard to this requirement. The Department of Planning and Public Works is aware of this comment and has no issue with the number of entrances shown on the preliminary plan.

Request

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

Respectfully submitted,



Charlie Campo
Project Planner

Attachments

1. Draft Attachment A
2. Preliminary Plan

July 13, 2007

HAND DELIVERED

Mr. Charles Campo, Project Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Re: P.Z. 24-2007 ---- Mark Andy, Inc.

Dear Charlie:

In response to the issues identified at the June 11, 2007 Public Hearing for the above-mentioned petition, and specified in your letter dated June 25, 2007, we offer the following responses:

Issues

1. Please provide an amended list of requested permitted uses.

Response: Amended list of requested Permitted Uses is included with this letter.

2. Concerns were raised at the public hearing concerning this property being rezoned to "PI" Planned Industrial District, please consider changing the requested use to "PC" Planned Commercial District.

Response: Given that the existing use is light manufacturing and that there is a possibility that Mark Andy may have to expand in the future, the Petitioner requests that the entire property be zoned under the "PI" Planned Industrial District. We note that the developments on either side of the subject property are zoned planned industrial.

3. Please provide detailed calculations regarding current openspace and proposed openspace.

Response: The current open space on the 23-acre site is 70%, comprising 16 acres. The proposed open space for Lot A, adjacent to Highway 40/64 is 39%. The proposed open space for Lot B is 31%.

4. The plan indicates the possibility of obtaining cross access to Goddard Avenue. While this connection is encouraged, parking shall not be allowed along the drive lane connecting the

subject tract to Goddard Avenue and the number of drive isles connecting to it shall be limited.

Response: There is a possibility of obtaining a cross access easement to Goddard, but this is subject to negotiation with the affected adjoining property owners. The cross access easement, if acquired by negotiation, will only be a drive aisle; thus, parking should be allowed along the drive aisle as it is allowed in other similar situations.

5. Will a sign package be requested for this site?

Response: Yes – we are requesting a Sign Package for this “PI” Planned Industrial District.

The following conditions related to site specific issues will be applied to the rezoning petition:

Open Space

1. The development shall have a minimum open space of thirty percent (30%).

Response: We acknowledge this requirement.

Setbacks

1. No structure, will be located within the following setbacks:
 - a. Seventy (70) feet from the right of way of Chesterfield Airport Road.
 - b. Twenty five (25) feet from the Eastern and Western boundaries of this “PI” District.
 - c. One hundred seventy (170) feet from the Northern boundary of this “PI” District.

Response: We acknowledge these required setbacks.

2. No parking space or drive isle will be located within the following setbacks:
 - a. One hundred fifty (150) feet from the edge of pavement of Chesterfield Airport Road.
 - b. Five (5) feet from the Eastern and Western boundaries of this “PI” District.
 - c. Ninety five (95) feet from the Northern boundary of this “PI” District.

Response: We acknowledge these required setbacks.

Building Height

1. The maximum building height excluding equipment and screening will be limited to 3 stories or 45 feet (as measured from grade) whichever is less.

Response: We acknowledge this requirement.

Access

1. The nearest edge of any drive aisle or parking space intersecting the entrance drive shall be located a minimum of 150 feet from the edge of pavement of Chesterfield Airport Road, as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic.

Response: We request that parking spaces and drive aisles be permitted fifty (50) feet from the edge of the pavement of Chesterfield Airport Road.

2. Provide Cross access easements as needed to provide the adjacent subdivision to the east and the subdivision to the west access to the site as directed by the Department of Public Works.

Response: If the drive aisle is acquired by negotiation as discussed above, the drive aisle will satisfy this requirement on the east.

Road Improvements

1. Provide additional right of way and improvements, along Chesterfield Airport Road as required by the Department of Public Works and/or the St. Louis County Department of Highways and Traffic.

Response: We acknowledge this requirement.

Pedestrian Circulation

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. The sidewalk shall be privately maintained; therefore, no public easements shall be required.

Response: We acknowledge this requirement.

Parking

1. No construction related parking shall be permitted within the Chesterfield Airport Road right of way.

Response: We acknowledge this requirement.

Traffic Studies

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal

modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

Response: We acknowledge this requirement.

Stormwater and Floodplain

1. The Chesterfield Valley Master Stormwater Plan indicates a thirty (30) foot flat bottom ditch shall be constructed along the northern property line of this site and that drainage from this site is to be directed to the east to the pump station at Long Road. The developer shall be responsible for construction of the required storm water improvements on site, connection to the existing drainage ditch to the east, and any grading of the downstream ditch necessary to provide positive drainage. The developer shall coordinate construction of the required stormwater improvements with the owners of the properties affected by construction of the required improvements.

The developer may elect to propose alternate geometry, size and/or type of stormwater improvements that are functionally equivalent to the required improvements. Functional equivalence is said to be achieved when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Director of Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

Response: We acknowledge this requirement.

2. Provide any additional Chesterfield Valley Stormwater Easement along the northern property to accommodate the future construction of the Chesterfield Valley Master Stormwater Plan channel in that area, as directed by the Department of Public Works. Also, provide any necessary access easements to the storm water channel, as directed by the Department of Public Works. Depict the channel on the Site Development Plan and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.

Response: We acknowledge this requirement.

3. All Chesterfield Valley Master Stormwater Plan improvements shall be operational prior to the paving of any driveways or parking lots.

Response: We acknowledge this requirement.

Sanitary Sewers

1. Provide public sewer service for the site, including sanitary force main, gravity lines and/or regional pump stations, in accordance with the Metropolitan St. Louis Sewer District Conceptual Sewer Master Plan for Chesterfield Valley.

Response: We acknowledge this requirement.

Occupancy Permit

1. Prior to the issuance of an occupancy permit, any existing stormwater channel located on this site and between this site and the pump station to which it should drain shall be regraded to restore the channel to the line and grade of the original design.

Response: We acknowledge this requirement.

Furthermore, the Department of Public Works recommends the following standard general conditions be applied to the petition; no other general conditions apply. Please note, any modification to the standard wording of these general conditions is set in bold font to facilitate identification.

Geotechnical Report

1. Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public 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.

Response: We acknowledge this requirement.

Please be advised, the Department of Public Works has the following comments on the preliminary plan:

1. A minimum road frontage of fifty (50) feet or direct access by a fifty (50) foot road easement or right of way or recorded cross access easement shall be required for non-residential lots of any size.

Response: We request a forty (40) foot road easement or right-of-way for this development. We believe this is a common for this type of development and is sufficient.

2. The plan indicates using the western most existing entrance as the main entrance for both lots on this site. This existing entrance does not meet the desirable minimum separation between it and the existing entrance in the adjacent lot to the west (Lot 9, Spirit 40 Park). If the existing entrance is to be utilized, cross access shall be provided to the adjacent subdivision and the entrance to Lot 9, Spirit 40 Park, shall be removed. If this cannot be accomplished the entrance to the site shall be aligned with the existing entrance on the south side of Chesterfield Airport Road (Porta-Fab, 18080 Chesterfield Airport Road).

Response: Petitioner has no control with respect to the access on adjoining properties (which are already developed and built), and it would not be reasonable to condition the zoning of the subject property on the elimination of an existing access point on adjoining property. Petitioner is agreeing to provide cross access along its western boundary that could be used at such time as the adjoining property is redeveloped. The southern portion of the subject property is already developed and built with an existing manufacturing facility and associated parking; therefore, it would not be reasonable to require realignment of the existing access at Chesterfield Airport Road so that it aligned with an existing access on the south side of Chesterfield Airport Road.

Finally, the petitioner should be advised of the following requirements of the City Code which may impact the project during the later stages of the development process.

- Jurisdictional wetlands have been identified on this site. The mitigation for the wetlands has been addressed under the Chesterfield Valley Mitigation Bank Program; therefore, the developer shall reimburse the Program for the mitigation provided for this site. There are 0.8 acres of wetlands delineated on this site, which require a total of 0.85 acres of mitigation credit. Prior to approval of a grading permit or improvement plans, or issuance of a building permit, the developer needs to pay \$19,910.00 to the City of Chesterfield as the site's proportionate share of the cost of establishment of the mitigation area.

Response: We acknowledge this requirement.

- Portions of the site are located in and adjacent to the regulatory floodplain. Consult Chapter 14 of the City Code for specific requirements.

Response: We acknowledge this requirement.

- The controlling regulatory 100 year water surface elevation for the eastern portion of the site is the floodplain Zone AH along the northern and eastern boundaries. Any structure within 200 feet of this zone must have the lowest floor at an elevation of at least 458 – 1 foot above the 457 elevation of the base flood elevation (BFE). The controlling regulatory 100 year water surface elevation for the western portion of the site is determined by the Chesterfield Valley Stormwater Master Plan Model. The lowest floor of any building within 200 feet of the master plan drainage channel needs to be at least an elevation of 458.1 – 1 foot above the 457.1 elevation of the 100 year water surface calculated by the model.

Response: We acknowledge this requirement.

- A certification of the actual elevation of the constructed floor will be required prior to occupancy of the building on the northern lot.


Response: We acknowledge this requirement.

- The developer will be required, after completion of grading; to obtain a LOMR from FEMA to update the Flood Insurance Rate Map to remove the areas of Zone AH that currently exist on the northern portion of the site. The LOMR application will be required to be submitted to FEMA before occupancy of any building on any lot on which the referenced Zone AH is located.

Response: We acknowledge this requirement.

No changes have been made to the Preliminary Development Plan, therefore no plans have been submitted with this response. Please call if you have any questions. Thank you.

Respectfully submitted,
Doster Mickes James Ullom, Benson & Guest L.L.C.

By 
Michael J. Doster

cc: Mike Howard, Mark Andy, Inc.
George Stock, Stock & Associates Consulting Engineers, Inc.

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 "PI" District shall be:
 - a. Business, professional, and technical training schools.
 - b. Business service establishments.
 - c. Financial institutions.
 - d. Hotels and motels.
 - e. Mail order sale warehouses.
 - f. Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - i. Facilities producing or processing explosives or flammable gasses or liquids;
 - ii. Facilities for animal slaughtering or rendering;
 - iii. Sulfur plants, rubber reclamation plants, or cement plants; and
 - iv. Steel mills, foundries, or smelters.
 - g. Medical and dental offices.
 - h. Office or office buildings.
 - i. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
 - j. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
 - k. Printing and duplicating services.

- l. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- m. Warehousing, storage, or wholesaling of manufactured commodities.
- n. Welding, sheet metal, and blacksmith shops.

2. Ancillary Uses

- a. Automatic Vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections
- b. Cafeterias for employees and guests only.
- c. Child care centers, nursery schools, and day nurseries.
- d. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private).
- e. Recreational facilities, indoor tennis courts, and gymnasiums.
- f. Restaurants, fast food, with no drive-through facilities.
- g. Restaurants, sit down.

3. The above uses in this "PI" District shall be restricted as follows:

- a. There shall be no warehousing, storage, or wholesaling of live animal, explosives, or flammable gases and liquids.
- b. There shall be no outdoor illuminated recreational facilities, golf courses, golf practice driving ranges, indoor theaters, or drive in theatres.
- c. No outdoor incineration shall be allowed on the site.

B. FLOOR AREA, HEIGHT, BUILDING AND STRUCTURE REQUIREMENTS

1. Height

- a. The maximum building height excluding equipment and screening will be limited to three (3) stories or forty-five (45) feet whichever is less.
- b. The petitioner shall be required to construct his proposed structure at an elevation of 465 feet and flood proof said structures for a flood elevation of 469 feet.

2. Openspace

- a. A minimum of thirty percent (30%) openspace is required for this development.

C. SETBACKS

1. Structure Setbacks

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

- a. Seventy (70) feet from the right of way of Chesterfield Airport Road.
- b. Twenty five (25) feet from the Eastern and Western boundaries of this "PI" District.
- c. One hundred seventy (170) feet from the Northern boundary of this "PI" District.

2. Parking Setbacks

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

- a. One hundred fifty (50) feet from the edge of pavement of Chesterfield Airport Road.
- b. Five (5) feet from the Eastern and Western boundaries of this "PI" District, with the exception of shared driveways.
- c. Ninety five (95) feet from the Northern boundary of this "PI" 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. 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 Chesterfield Airport Road right-of-way.
3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.

F. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed by the City of Chesterfield Planning Commission.
2. Ornamental entrance monument construction, if proposed shall be reviewed by the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation and construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. The nearest edge of any drive aisle or parking space intersecting the entrance drive shall be located a minimum of 150 feet from the edge of pavement of Chesterfield Airport Road, as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic.
2. Provide cross access easements as needed to provide the adjacent subdivision to the east and the subdivision to the west access to the site as directed by the Department of Public Works.
3. Access to this development from Chesterfield Airport Road shall be restricted to one (1) commercial entrance, located to provide required sight distance and constructed to St. Louis County standard as directed by the St. Louis County Department of Highways and Traffic. This commercial entrance shall provide separate right and left turn lanes for exiting traffic for a minimum distance of 150 feet. There shall be no minor driveways or parking aisles intersecting this main driveway within this 150 foot distance.

4. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the City of Chesterfield and the Department of Highways and Traffic. It is recommended that the east-west driveway that provides this cross access be developed as a backage road similar to other developments in Chesterfield Valley and that individual parking stall on this roadway be eliminated. It appears that such a connector should be developed along the common east-west lot line shown on the site plan included with this petition.

J. PUBLIC PRIVATE ROAD IMPROVEMENTS INCLUDING PEDESTRIAN CIRCULATION

1. Provide additional right-of-way and improvements, along Chesterfield Airport Road as required by the Department of Public Works and/or the St. Louis County Department of Highways and Traffic.
2. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. The sidewalk shall be privately maintained; therefore, no public easements shall be required.
3. Conform to the requirements and/or recommendations of the Missouri Department of Transportation regarding I-64 in the area.
4. Improve Chesterfield Airport Road to one half of a one hundred (100) foot right of way and a sixty (60) foot pavement with ten (10) foot full depth shoulders including all storm drainage facilities as directed by the St. Louis County Department of Highways and Traffic.
5. Provide a sidewalk conforming to St. Louis County ADA standards adjacent to Chesterfield Airport Road within a separate easement as directed by City of Chesterfield.
6. 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 St. Louis County Department of Highways and Traffic.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for the 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. POWER OF REVIEW

1. The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

M. STORMWATER

1. The Chesterfield Valley Master Stormwater Plan indicates a thirty (30) foot flat bottom ditch shall be constructed along the northern property line of this site and that drainage from this site is to be directed to the east to the pump station at Long Road. The developer shall be responsible for construction of the required storm water improvements on site, connection to the existing drainage ditch to the east, and any grading of the downstream ditch necessary to provide positive drainage. The developer shall coordinate construction of the required stormwater improvements with the owners of the properties affected by the construction of the required improvements.
 - a. The developer may elect to propose alternate geometry, size and/or type of stormwater improvements that are functionally equivalent to the required improvements. Functional equivalence is said to be achieved when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following:

water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Director of Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

2. Provide any additional Chesterfield Valley Stormwater Easement along the northern property to accommodate the future construction of the Chesterfield Valley Master Stormwater Plan channel in that area, as directed by the Department of Public Works. Also, provide any necessary access easements to the storm water channel, as directed by the Department of Public Works. Depict the channel on the Site Development Plan and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.
3. All Chesterfield Valley Master Stormwater Plan improvements shall be operational prior to the paving of any driveways or parking areas.
4. Any improvements within MoDOT's right-of-way will require permit. The drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards.
5. The petitioner shall provide adequate detention and /or hydraulic calculations for review and approval of all stormwater that will encroach on MoDOT right of way.
6. All drainage detention storage facilities shall be placed outside of the standard governmental agency planning and zoning setbacks,

or fifteen (15) feet from the new or existing right-of-way line, whichever is greater.

7. Certification will be required from the City of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.
8. Treatment for water quality, in accordance with MSD regulations dated February 2006, shall be required.
9. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.

N. SANITARY SEWERS

1. Provide public sewer service for the site, including sanitary force main, gravity lines and/or regional pump stations, in accordance with the Metropolitan St. Louis Sewer District Conceptual Sewer Master Plan for Chesterfield Valley.
2. The downstream sanitary sewers and pump station may need to be evaluated and inspected to ensure adequate capacity.

O. GEOTECHNICAL REPORT

1. Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public 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. OCCUPANCY PERMIT

1. Prior to the issuance of an occupancy permit, any existing stormwater channel located on this site and between this site and the pump station to which it should drain shall be regraded to restore the channel to the line and grade of the original design.

Q. SPECIAL USE PERMIT

1. Prior to Special Use Permit issuance by the St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements

R. MISCELLANIOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. The developer is advised that utility companies will require compensation for relocation of their facilities with public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contribution. 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.

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

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

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN

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

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.

17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

- A.** As this development is not subject to traffic generation assessment, the roadway improvements required herein represent the developers road improvement obligation. These improvements will not exceed an amount established by multiplying the ordinance-required parking spaces by the following applicable rates:

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$542.56/parking space

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

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

As 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 St. Louis County Department of Highways and Traffic. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- B.** The amount of the required improvements, if not approved for construction by January 1, 2008, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction

cost index as determined by the St. 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.



VIII.A.

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

Planning Commission Staff Report

Subject: Rezoning Issues Report

Meeting Date: August 13, 2007

From: Charlie Campo, Project Planner of

Location: 18081 Chesterfield Airport Road

Petition: P.Z. 24-2007 Mark Andy Inc.

Proposal Summary

Michael Doster, on behalf of Spirit Valley Business Park, has submitted an application for a change in zoning from "M-3" Planned Industrial to "PI" Planned Industrial per the regulations of the City of Chesterfield Zoning Ordinance Section 1003.150.

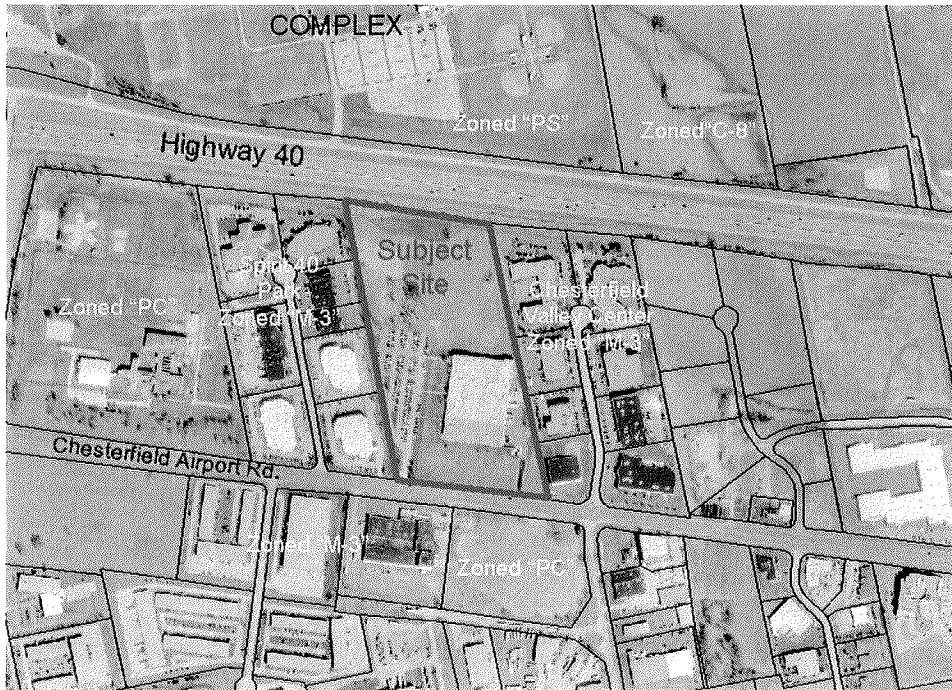
Development Process

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

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

Area Land Use

The subject site is located at 18081 Chesterfield Airport Road.



Subject site as shown on Land Use Map. This area is designated as Mixed Use (Retail Office Warehouse.)



Issues

A Public Hearing was held on June 11, 2007. At that time several issues were identified. Those issues along with the Petitioner's responses are attached. Below are the issues that remain open at this time:

"PI" Planned Industrial vs. "PC" Planned Commercial

Concerns were raised at the public hearing concerning this property being rezoned to "PI" Planned Industrial District, and the Petitioner was asked to consider changing the requested use to "PC" Planned Commercial District.

The Petitioner requests that *"Given that the existing use is light manufacturing and that there is a possibility that Mark Andy may have to expand in the future, the Petitioner requests that the entire property be zoned under the "PI" Planned Industrial District. We note that the developments on either side of the subject property are zoned Planned Industrial."*

Be advised the current light manufacturing use on the site would not be allowed in a "PC" Planned Commercial District.

Cross Access and Parking Requirement

The plan indicates the possibility of obtaining cross access to Goddard Avenue. While this connection is encouraged, parking shall not be allowed along the drive lane connecting the subject tract to Goddard Avenue and the number of drive isles connecting to it shall be limited.

The Petitioner requests that *"There is a possibility of obtaining a cross access easement to Goddard, but this is subject to negotiation with the affected adjoining property owners. The cross access easement, if acquired by negotiation, will only be a drive aisle; thus, parking should be allowed along the drive aisle as it is allowed in other similar situations."*

Be advised internal circulation will be reviewed during the site development plan review process.

Access

The plan indicates using the western most existing entrance as the main entrance for both lots on this site. This existing entrance does not meet the desirable minimum separation between it and the existing entrance in the adjacent lot to the west (Lot 9, Spirit 40 Park). If the existing entrance is to be utilized, cross access shall be provided to the adjacent subdivision and the entrance to Lot 9, Spirit 40 Park, shall be removed. If this cannot be accomplished the entrance to the site shall be aligned with the existing entrance on the south side of Chesterfield Airport Road.

The Petitioner states that *"The Petitioner has no control with respect to the access on adjoining properties (which are already developed and built), and it would not be reasonable to condition the zoning of the subject property on the elimination of an existing access point on adjoining property. Petitioner is agreeing to provide cross access along its western boundary that could be used at such time as the adjoining property is redeveloped. The southern portion of the subject property is already developed and built with an existing manufacturing facility and associated parking; therefore, it would not be reasonable to require realignment of the existing access at Chesterfield Airport Road so that it aligned with an existing access on the south side of Chesterfield Airport Road."*

St. Louis County Highways and Traffic have submitted the comment that "Access to this development from Chesterfield Airport Road shall be restricted to one (1) commercial entrance, located to provide required sight distance and constructed to St. Louis County standards as directed by the St. Louis County Department of Highways and Traffic. This commercial entrance shall provide separate right and left turn lanes for existing traffic for a minimum distance of 150 feet. There shall be no minor driveways or parking aisles intersecting this main driveway within this 150 foot distance."

The petitioner will work with St. Louis County Highways and Traffic with regard to this requirement. The Department of Planning and Public Works is aware of this comment and has no issue with the number of entrances shown on the preliminary plan.

Request

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

Respectfully submitted,



Charlie Campo
Project Planner

Attachments

1. Draft Attachment A
2. Preliminary Plan

Attachment A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. Specific Criteria

A. PERMITTED USES

1. The uses allowed in this "PI" District shall be:
 - a. Business, professional, and technical training schools.
 - b. Business service establishments.
 - c. Financial institutions.
 - d. Hotels and motels.
 - e. Mail order sale warehouses.
 - f. Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - i. Facilities producing or processing explosives or flammable gasses or liquids;
 - ii. Facilities for animal slaughtering or rendering;
 - iii. Sulfur plants, rubber reclamation plants, or cement plants; and
 - iv. Steel mills, foundries, or smelters.
 - g. Medical and dental offices.
 - h. Office or office buildings.
 - i. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
 - j. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
 - k. Printing and duplicating services.

- l. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- m. Warehousing, storage, or wholesaling of manufactured commodities.
- n. Welding, sheet metal, and blacksmith shops.

2. Ancillary Uses

- a. Automatic Vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections
- b. Cafeterias for employees and guests only.
- c. Child care centers, nursery schools, and day nurseries.
- d. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private).
- e. Recreational facilities, indoor tennis courts, and gymnasiums.
- f. Restaurants, fast food, with no drive-through facilities.
- g. Restaurants, sit down.

3. The above uses in this "PI" District shall be restricted as follows:

- a. There shall be no warehousing, storage, or wholesaling of live animal, explosives, or flammable gases and liquids.
- b. There shall be no outdoor illuminated recreational facilities, golf courses, golf practice driving ranges, indoor theaters, or drive in theatres.
- c. No outdoor incineration shall be allowed on the site.

B. FLOOR AREA, HEIGHT, BUILDING AND STRUCTURE REQUIREMENTS

1. Height

- a. The maximum building height excluding equipment and screening will be limited to three (3) stories or forty-five (45) feet whichever is less.
- b. The petitioner shall be required to construct his proposed structure at an elevation of 465 feet and flood proof said structures for a flood elevation of 469 feet.

2. Openspace

- a. A minimum of thirty percent (30%) openspace is required for this development.

C. SETBACKS

1. Structure Setbacks

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

- a. Seventy (70) feet from the right of way of Chesterfield Airport Road.
- b. Twenty five (25) feet from the Eastern and Western boundaries of this "PI" District.
- c. One hundred seventy (170) feet from the Northern boundary of this "PI" District.

2. Parking Setbacks

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

- a. One hundred fifty (50) feet from the edge of pavement of Chesterfield Airport Road.
- b. Five (5) feet from the Eastern and Western boundaries of this "PI" District, with the exception of shared driveways.
- c. Ninety five (95) feet from the Northern boundary of this "PI" 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. 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 Chesterfield Airport Road right-of-way.
3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.

F. SIGN REQUIREMENTS

1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed by the City of Chesterfield Planning Commission.
2. Ornamental entrance monument construction, if proposed shall be reviewed by the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation and construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. The nearest edge of any drive aisle or parking space intersecting the entrance drive shall be located a minimum of 150 feet from the edge of pavement of Chesterfield Airport Road, as directed by the Department of Public Works and the St. Louis County Department of Highways and Traffic.
2. Provide cross access easements as needed to provide the adjacent subdivision to the east and the subdivision to the west access to the site as directed by the Department of Public Works.
3. Access to this development from Chesterfield Airport Road shall be restricted to one (1) commercial entrance, located to provide required sight distance and constructed to St. Louis County standard as directed by the St. Louis County Department of Highways and Traffic. This commercial entrance shall provide separate right and left turn lanes for exiting traffic for a minimum distance of 150 feet. There shall be no minor driveways or parking aisles intersecting this main driveway within this 150 foot distance.

4. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties as directed by the City of Chesterfield and the Department of Highways and Traffic. It is recommended that the east-west driveway that provides this cross access be developed as a backage road similar to other developments in Chesterfield Valley and that individual parking stall on this roadway be eliminated. It appears that such a connector should be developed along the common east-west lot line shown on the site plan included with this petition.

J. PUBLIC PRIVATE ROAD IMPROVEMENTS INCLUDING PEDESTRIAN CIRCULATION

1. Provide additional right-of-way and improvements, along Chesterfield Airport Road as required by the Department of Public Works and/or the St. Louis County Department of Highways and Traffic.
2. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Chesterfield Airport Road frontage of the site. The sidewalk shall be privately maintained; therefore, no public easements shall be required.
3. Conform to the requirements and/or recommendations of the Missouri Department of Transportation regarding I-64 in the area.
4. Improve Chesterfield Airport Road to one half of a one hundred (100) foot right of way and a sixty (60) foot pavement with ten (10) foot full depth shoulders including all storm drainage facilities as directed by the St. Louis County Department of Highways and Traffic.
5. Provide a sidewalk conforming to St. Louis County ADA standards adjacent to Chesterfield Airport Road within a separate easement as directed by City of Chesterfield.
6. 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 St. Louis County Department of Highways and Traffic.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for the 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. POWER OF REVIEW

1. The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

M. STORMWATER

1. The Chesterfield Valley Master Stormwater Plan indicates a thirty (30) foot flat bottom ditch shall be constructed along the northern property line of this site and that drainage from this site is to be directed to the east to the pump station at Long Road. The developer shall be responsible for construction of the required storm water improvements on site, connection to the existing drainage ditch to the east, and any grading of the downstream ditch necessary to provide positive drainage. The developer shall coordinate construction of the required stormwater improvements with the owners of the properties affected by the construction of the required improvements.
 - a. The developer may elect to propose alternate geometry, size and/or type of stormwater improvements that are functionally equivalent to the required improvements. Functional equivalence is said to be achieved when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following:

water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Director of Public Works determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.

2. Provide any additional Chesterfield Valley Stormwater Easement along the northern property to accommodate the future construction of the Chesterfield Valley Master Stormwater Plan channel in that area, as directed by the Department of Public Works. Also, provide any necessary access easements to the storm water channel, as directed by the Department of Public Works. Depict the channel on the Site Development Plan and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.
3. All Chesterfield Valley Master Stormwater Plan improvements shall be operational prior to the paving of any driveways or parking areas.
4. Any improvements within MoDOT's right-of-way will require permit. The drainage design shall be in accordance with Missouri Department of Transportation (MoDOT) standards.
5. The petitioner shall provide adequate detention and /or hydraulic calculations for review and approval of all stormwater that will encroach on MoDOT right of way.
6. All drainage detention storage facilities shall be placed outside of the standard governmental agency planning and zoning setbacks,

or fifteen (15) feet from the new or existing right-of-way line, whichever is greater.

7. Certification will be required from the City of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.
8. Treatment for water quality, in accordance with MSD regulations dated February 2006, shall be required.
9. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.

N. SANITARY SEWERS

1. Provide public sewer service for the site, including sanitary force main, gravity lines and/or regional pump stations, in accordance with the Metropolitan St. Louis Sewer District Conceptual Sewer Master Plan for Chesterfield Valley.
2. The downstream sanitary sewers and pump station may need to be evaluated and inspected to ensure adequate capacity.

O. GEOTECHNICAL REPORT

1. Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public 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. OCCUPANCY PERMIT

1. Prior to the issuance of an occupancy permit, any existing stormwater channel located on this site and between this site and the pump station to which it should drain shall be regraded to restore the channel to the line and grade of the original design.

Q. SPECIAL USE PERMIT

1. Prior to Special Use Permit issuance by the St. Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements

R. MISCELLANIOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. The developer is advised that utility companies will require compensation for relocation of their facilities with public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contribution. 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.

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

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

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN

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

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

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

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.

3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.

17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
19. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.

V. TRUST FUND CONTRIBUTION

- A.** As this development is not subject to traffic generation assessment, the roadway improvements required herein represent the developers road improvement obligation. These improvements will not exceed an amount established by multiplying the ordinance-required parking spaces by the following applicable rates:

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$542.56/parking space

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

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

As 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 St. Louis County Department of Highways and Traffic. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

- B.** The amount of the required improvements, if not approved for construction by January 1, 2008, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction

cost index as determined by the St. 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.

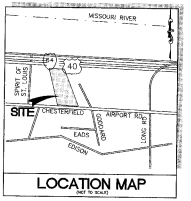
VII. ENFORCEMENT

- 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.

MARK ANDY, INC.

PRELIMINARY DEVELOPMENT PLAN FOR A "PLANNED INDUSTRIAL" DISTRICT A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

PERTINENT DATA	
SITE ACREAGE	= 23.0 ACRES
EXISTING ZONING	= "M-3"
PROPOSED ZONING	= "I-1"
FIRE DISTRICT	= MONARCH FIRE SCHOOL DISTRICT
SEWER DISTRICT	= METROPOLITAN ST. LOUIS SEWER DIST.
WATERSHED AREA	= MISSOURI RIVER
WATER SERVICE	= MISSOURI AMERICAN WATER CO.
GAS SERVICE	= LAIDLIE GAS
ELECTRIC SERVICE	= AmeriGen
PHONE SERVICE	= AT&T
LOCATOR NUMBER	= 17101-0016
OWNER	= MARK ANDY, INC. DB 7200 PG. 850



Property Description
Tandem Tract
A tract of land being part of U. S. Survey 122 and U. S. Survey 150 in Township 45 North, Range 3 East of the 5th Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

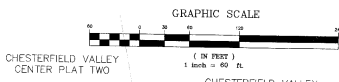
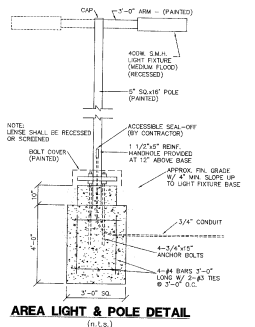
BEGINNING at a point on the northern right-of-way line of Chesterfield Airport Road (100' wide), formerly Highway 40, said point being the point of intersection with the eastern line of Spirit 40 Park, a subdivision filed for record in Plat Book 234, Page 79 of the St. Louis County Recorder's Office; thence along the eastern line of said Spirit 40 Park North, 12 degrees 05 minutes 36 seconds West, a distance of 199.1 feet to the point of intersection with the western right-of-way line of Missouri State Highway 40-61; thence along said northern right-of-way line South 84 degrees 09 minutes 16 seconds East, a distance of 756.0 feet to the northwest corner of Chesterfield Valley Center Plat One, a subdivision filed for record in Plat Book 241, Page 84 of the St. Louis County Recorder's Office; thence along the western line of said Chesterfield Valley Center Plat One and Chesterfield Valley Center Plat Three, a subdivision filed for record in Plat Book 216, Page 67 of said recorder's office, South 11 degrees 56 minutes 11 seconds East, a distance of 1397.14 feet to the point of intersection with the western right-of-way line of Chesterfield Airport Road; thence along said northern right-of-way line North 83 degrees 42 minutes 00 seconds West, a distance of 754.00 feet to the Point of Beginning and containing 1,000,000 square feet or 23.00 acres more or less as per calculations by Stock and Associates Consulting Engineers, Inc. during the month of February, 2007.

Property Description
Proposed Lot A
A tract of land being part of U. S. Survey 122 and U. S. Survey 150 in Township 45 North, Range 3 East of the 5th Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

COMMENCING at a point on the northern right-of-way line of Chesterfield Airport Road (100' wide), formerly Highway 40, said point being the point of intersection with the eastern line of Spirit 40 Park, a subdivision filed for record in Plat Book 234, Page 79 of the St. Louis County Recorder's Office; thence along the eastern line of said Spirit 40 Park North, 12 degrees 05 minutes 36 seconds West, a distance of 754.00 feet to the POINT OF BEGINNING; thence along the western line of said Spirit 40 Park North, 12 degrees 05 minutes 36 seconds West, a distance of 754.00 feet to the point of intersection with the western right-of-way line of Missouri State Highway 40-61; thence along said northern right-of-way line South 84 degrees 09 minutes 16 seconds East, a distance of 717.4 feet to the northwest corner of Chesterfield Valley Center Plat One, a subdivision filed for record in Plat Book 241, Page 84 of the St. Louis County Recorder's Office; thence along the western line of said Chesterfield Valley Center Plat One and Chesterfield Valley Center Plat Three, a subdivision filed for record in Plat Book 216, Page 67 of the St. Louis County Recorder's Office; thence along the western line of said Chesterfield Valley Center Plat One South 11 degrees 56 minutes 11 seconds East, a distance of 672.86 feet to a point, thence thence along said western line North 83 degrees 42 minutes 00 seconds West, a distance of 757.01 feet to the Point of Beginning and containing 446,112 s.f. or 10.241 acres as per calculations by Stock and Associates Consulting Engineers, Inc. during the month of December, 2006.

Property Description
Proposed Lot B
A tract of land being part of U. S. Survey 122 and U. S. Survey 150 in Township 45 North, Range 3 East of the 5th Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

BEGINNING at a point on the northern right-of-way line of Chesterfield Airport Road (100' wide), formerly Highway 40, said point being the point of intersection with the eastern line of Spirit 40 Park, a subdivision filed for record in Plat Book 234, Page 79 of the St. Louis County Recorder's Office; thence along the eastern line of said Spirit 40 Park North, 12 degrees 05 minutes 36 seconds West, a distance of 774.90 feet to the northern right-of-way line North 83 degrees 42 minutes 00 seconds East, a distance of 773.01 feet to a point on the western line of Chesterfield Valley Center Plat One, a subdivision filed for record in Plat Book 241, Page 84 of the St. Louis County Recorder's Office; thence along the western line of said western line and the western line of Chesterfield Valley Center Plat One, a subdivision filed for record in Plat Book 216, Page 67 of said recorder's office, South 11 degrees 56 minutes 11 seconds East, a distance of 774.34 feet to the point of intersection with the eastern right-of-way line of Chesterfield Airport Road; thence along said northern right-of-way line North 83 degrees 42 minutes 00 seconds West, a distance of 754.00 feet to the Point of Beginning and containing 555,890 s.f. or 12.761 acres as per calculations by Stock and Associates Consulting Engineers, Inc. during the month of December, 2006.



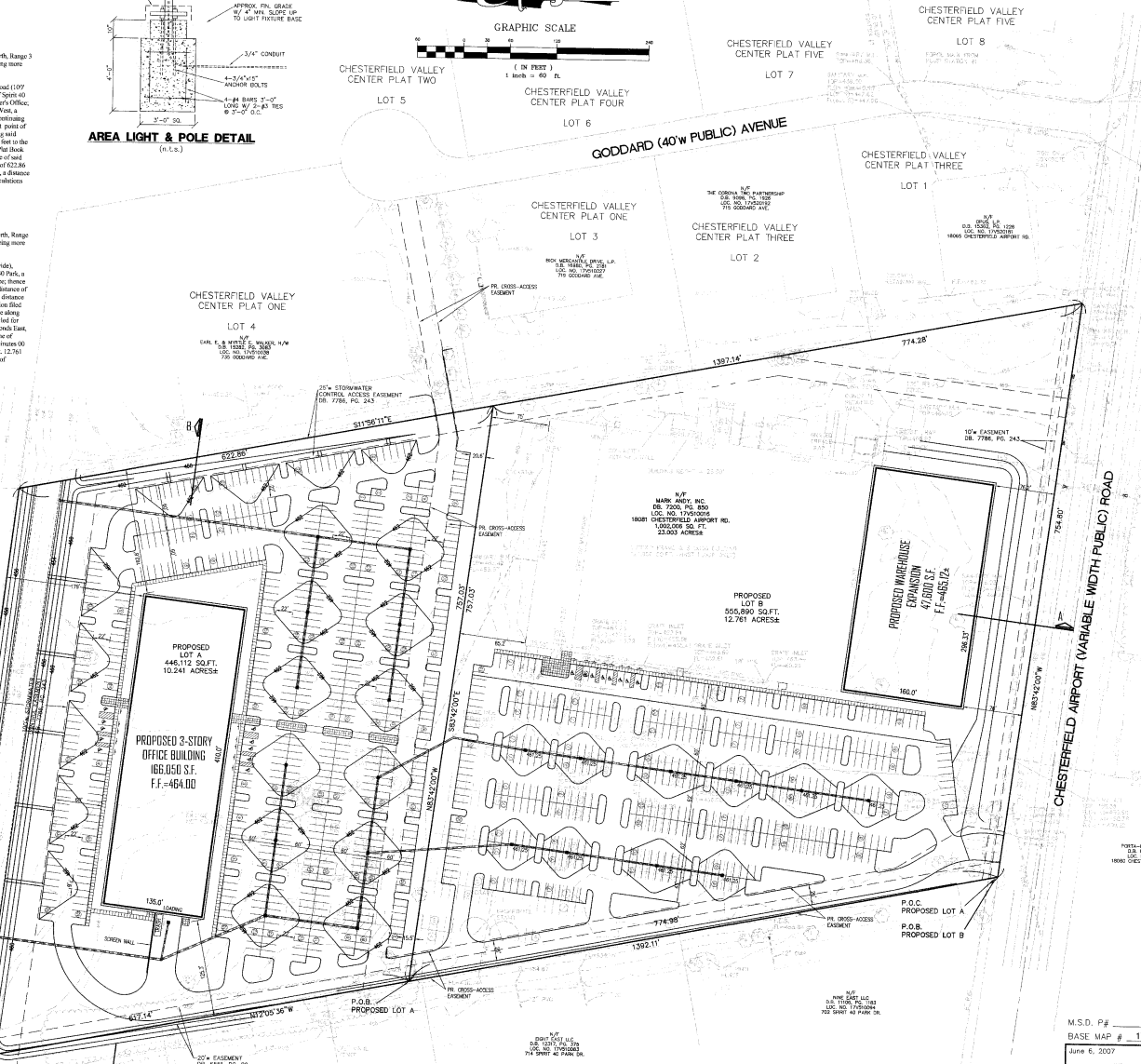
AREA LIGHT & POLE DETAIL
(n.l.s.)

TYPICAL SIGN MONUMENT

NOTE: FUTURE SITE DEVELOPMENT SECTION PLANS SHALL ENCLOSE SPECIFIC DETAILS FOR SIGNS IN ACCORDANCE WITH CITY OF CHESTERFIELD REQUIREMENTS.

- LEGEND**
- EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - EXISTING TREE
 - EXISTING BUILDING
 - EXISTING CONTOUR
 - SPOT ELEVATION
 - EXISTING UTILITIES
 - FOUND 1/2" IRON PIPE
 - 3" IRON PIPE
 - FOUND FRODO
 - FOUND FRODO
 - FIRE HYDRANT
 - LIGHT STANDARD
 - BUSH
 - SNOW
 - NOTED PARKING SPACES
 - UTILITY
 - POWER POLE
 - WATER VALVE
 - NOTES SECOND INFORMATION
 - HANDICAPPED PARKING
- ABBREVIATIONS**
- CO. = CEMENT
 - CR. = CURED CONCRETE
 - E. = ELECTRIC
 - F. = FLOWLINE
 - FT. = FEET
 - FIN. = FINISH
 - G. = GAS
 - M. = MANHOLE
 - N.P. = NOW OR FORMERLY
 - P. = PLAT BOOK
 - PC. = POLYVINYL CHLORIDE PIPE
 - R.C.P. = REINFORCED CONCRETE PIPE
 - SO. = SQUARE
 - T. = TELEPHONE CABLE
 - V.C.P. = VITRIFIED CLAY PIPE
 - W. = WATER
 - (R/W) = RIGHT-OF-WAY WIDTH

MISSOURI INTERSTATE 64
U.S. HIGHWAY 40 / 61
(PUBLIC)



FLOODPLAIN NOTE

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "A1" (AREAS WITH 1-3 FEET FLOOD DEPTH, FLOODING AND FLOOD ZONE "F" AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN, ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI AND INCORPORATED INTO THE AREA'S FLOOD HAZARD ZONING MAP, WITH A MAP REVISION DATE OF APRIL 15, 2006.

GENERAL NOTES

- BOUNDARY SURVEY BY NERMAN LAND SURVEYING L.P. TOPOGRAPHIC SURVEY PROVIDED BY STOCK AND ASSOCIATES.
- GRADING & STORM WATER FOR THE CITY OF CHESTERFIELD AND THE ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC.
- NO SLOPE SHALL EXCEED A 3:1 SLOPE, EXCLUDING LANDSCAPING BERM.
- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE TO NOTIFY UTILITIES FIELD LOCATIONS. SHOULD ANY UNEXPECTED UTILITIES OR CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.
- ARCHITECTURAL ELEVATIONS, SITE LANDING PLANS, SITE LIGHTING PLANS AND SITE DRAINAGE PLANS SHALL BE SUBMITTED TO THE CITY OF CHESTERFIELD AS LOT A IS DEVELOPED AND SUBMITTED WITH SITE DEVELOPMENT SECTION PLAN.
- ON-SITE STORM WATER DRAINAGE REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE CHESTERFIELD VALLEY MASTER STORMWATER DRAINAGE PLAN.
- OFF-SITE GRADING EXISTMENTS, IF REQUIRED, SHALL BE EXISTED AND RECORDED PRIOR TO THE COMMENCEMENT OF ANY OFF-SITE GRADING.
- CROSS-ACCESS EXISTMENTS WHERE REQUIRED, SHALL BE EXISTED AND RECORDED AS INDICATED, UNLESS OTHERWISE SPECIFIED.
- PARKING CALCULATIONS:
PROPOSED LOT A (OFFICE)
PARKING REQUIRED = 166,500 S.F. @ 4/1000 = 664 SPACES
PARKING PROVIDED = 670 SPACES
LOADING PROVIDED = 3 SPACES
PROPOSED LOT B (OFFICE/WAREHOUSE)
PARKING REQUIRED = (EXTENDING)
OFFICE = 37,488 S.F. @ 3.5/1000 = 107 SPACES
WAREHOUSE = 47,000 S.F. @ 1/1000 = 88 SPACES
PARKING REQUIRED = 215 SPACES
PARKING PROVIDED = 440 SPACES
TOTAL PARKING PROVIDED = 440 SPACES
LOADING PROVIDED = 5 SPACES
- MINIMUM HEIGHT OF ALL BUILDINGS, EXCLUSIVE OF ROOF SCREENING, SHALL NOT EXCEED THREE (3) FEET (AS MEASURED FROM GRADE) UNLESS OTHERWISE SPECIFIED.

SITE CALCULATIONS

PROPOSED LOT A	
TOTAL LOT AREA	= 446,112 S.F. (10.241 AC)
BUILDING	= 66,050 S.F. (0.22)
PARKING	= 186,965 S.F. (0.43)
OPEN SPACE	= 203,197 S.F. (0.46)
F.A.R.	= 0.27

PROPOSED LOT B	
TOTAL LOT AREA	= 555,890 S.F. (12.761 AC)
EXISTING BUILDING	= 124,659 S.F. (0.28)
PROPOSED BLDG/WAREHOUSE	= 21,600 S.F. (0.05)
TOTAL BUILDING	= 146,259 S.F. (0.33)
PARKING	= 215,175 S.F. (0.49)
OPEN SPACE	= 174,956 S.F. (0.39)
F.A.R.	= 0.26

SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc. has prepared this Preliminary Site Plan from a field survey and does represent a property boundary survey. This Preliminary Site Plan is a correct representation of all existing and proposed land divisions.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
L.S. No. 222-49

DATE: 4/10/07

This Preliminary Plan was approved by the City of Chesterfield Planning Commission and duly verified on the 24th day of April, 2007, by the undersigned Mayor, in accordance with the recording of this Preliminary Plan pursuant to Chesterfield Ordinance Number _____ as attached to by the Director of Planning and the City Clerk.

PREPARED FOR:
MARK ANDY, INC.
18081 CHESTERFIELD AIRPORT ROAD
CHESTERFIELD, MISSOURI 63005
PHONE: (636) 532-4322
FAX: (636) 519-3502

BY:
GEORGE M. STOCK, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF MISSOURI
NO. 000000000
EXPIRES 08/31/2008

BY:
ROBERT E. LITZ, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF MISSOURI
NO. 000000000
EXPIRES 08/31/2008

ST. LOUIS COUNTY BENCHMARK

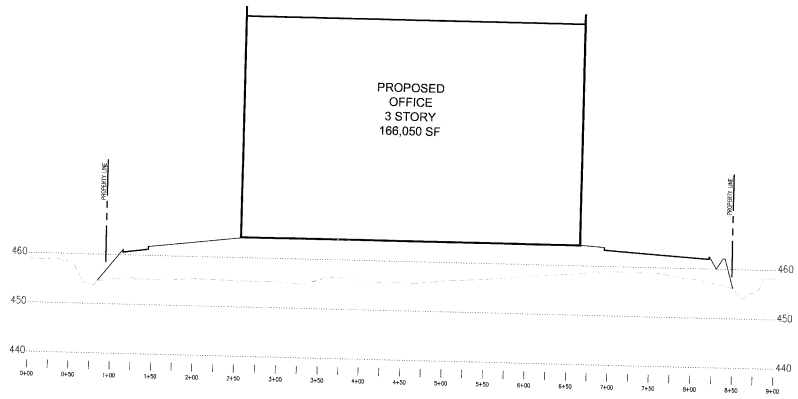
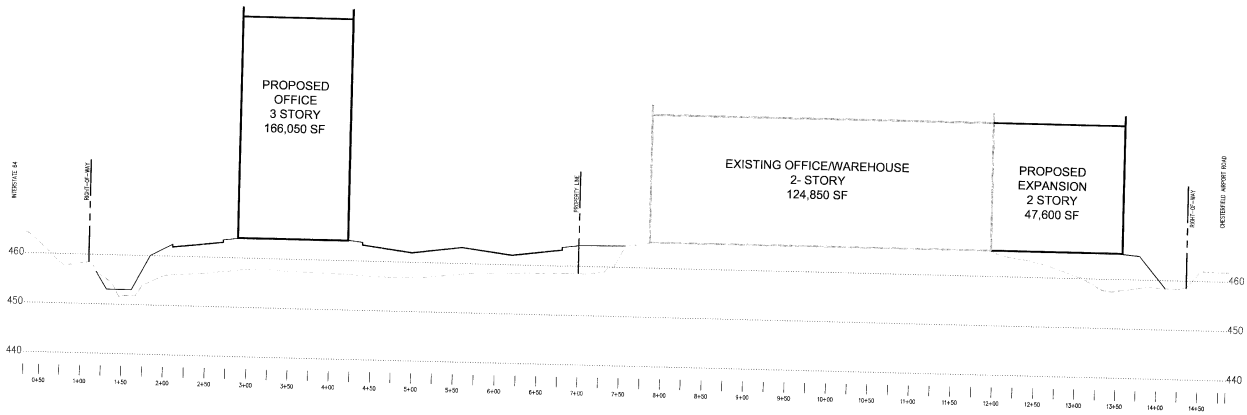
M.S.D. PJ
BASE MAP # 17-V
June 6, 2007



MARK ANDY, INC.
PRELIMINARY DEVELOPMENT PLAN

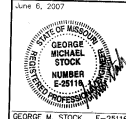
Stock & Associates
Consulting Engineers, Inc.

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CHESTERFIELD, MISSOURI 63005
PHONE: (636) 532-4432
FAX: (636) 519-3502

M.S.D. # _____
BASE MAP # 17-V
June 6, 2007



MARK ANDY, INC.	
PRELIMINARY DEVELOPMENT PLAN	
STOCK & ASSOCIATES	287 Chesterfield Business Parkway St. Louis, MO 63005 PH: (636) 532-9100 FAX: (636) 532-9100 e-mail: general@stockassoc.com Web: www.stockassoc.com
Consulting Engineers, Inc.	