

Memorandum

Planning & Development Services Division



To: Planning and Public Works Committee

From: Jessica Henry, Project Planner

Date: August 21, 2014

RE: **P.Z. 12-2013 The Wedge (McGrath Plaza)**: A request for a change of zoning from an existing "C8" Planned Commercial District to a new "PC" Planned Commercial District for 5 tracts of land totaling 5.26 acres located on the north side of Olive Street Road at its intersection with Chesterfield Airport Road. (17W620235, 17W620246, 17W610104, 17W610094, 17W610083)

Summary

Pickett, Ray & Silver, Inc., on behalf of Energy Marketing, LLC, has submitted a request for a zoning map amendment to rezone five parcels from "C8" Planned Commercial District to a new "PC" Planned Commercial District for a proposed convenience store with fuel pump stations, a fast food restaurant, and future retail/commercial development.

A Public Hearing relative to this petition was held at the October 28, 2013 Planning Commission meeting. Issues were identified at that time and included, but were not limited to, the number of uses and intensity of uses requested and the number and location of access points off of relocated Olive Street Road and Chesterfield Airport Road. At the request of the Petitioner, an Issues Meeting was held on December 9, 2013 during which the Planning Commission reaffirmed the outstanding issues.

After several meetings with Staff, the Petitioner amended their application and plan and a vote meeting was held on August 11, 2014. The Planning Commission recommended approval of the zoning map amendment request by a vote of 9-0. The Planning Commission also passed a motion to approve an amendment to the Attachment "A" allowing unrestricted hours of operation by a vote of 9-0.

Attached to this report is the Preliminary Plan and Attachment "A" as recommended for approval by the Planning Commission.

Respectfully submitted,

Jessica Henry
Project Planner

Cc: Aimee Nassif, Planning and Development Services Director

Attachments

1. Staff Report
2. Attachment "A"
3. Preliminary Plan
4. Tree Stand Delineation



VIII.A

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Planning Commission Vote Report

Subject: Change of Zoning Vote Report

Meeting Date: August 11, 2014

From: Jessica Henry, Project Planner

Location: North side of Olive Street Road, at its intersection with Chesterfield Airport Rd.

Petition: **P.Z. 12-2013 The Wedge (McGrath Plaza)**

Proposal Summary

Pickett, Ray & Silver, Inc. has submitted a request for a zoning map amendment to rezone five parcels from "C8" Planned Commercial District to a new "PC" Planned Commercial District for a proposed convenience store with fuel pump stations, a fast food restaurant, and future retail/commercial development.

Site History

The site was zoned "NU" Non-Urban District prior to the incorporation of the City of Chesterfield. The convenience store/service station structure was built in 1960 and was zoned "NU" Non-Urban District with the adoption of the 1965 St. Louis County Zoning Ordinance. The three large parcels that are currently in existence are governed by three different City of Chesterfield Ordinances. Each of the three parcels was granted a change in zoning from the "NU" Non-Urban District to the "C-8" Planned Commercial District in 1993. Since that period, the parcel containing the Phillips 66 structure has twice requested to amend its site specific governing ordinance. In 1994, City of Chesterfield Ordinance 959 permitted an increase to two pump island canopies and five pump islands. In 1998, the pump island canopy setback was amended from 40' to 25' from Chesterfield Airport Road by City of Chesterfield Ordinance 1425.

Surrounding Land Uses

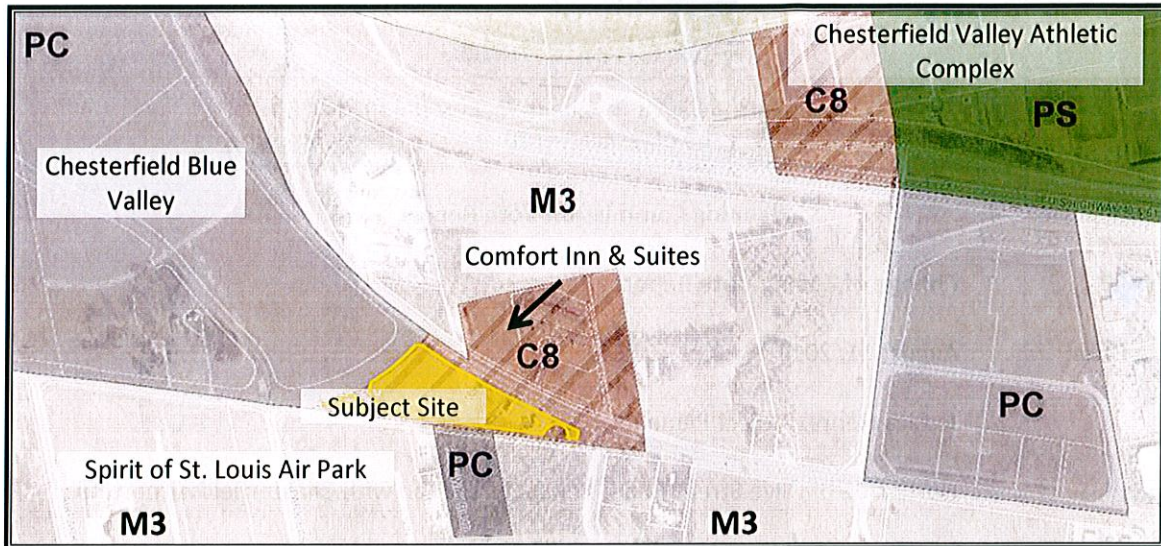
The land use and zoning for the properties surrounding this parcel are as follows:

North: The land use of the property to the north is commercial and currently contains the Comfort Inn & Suites hotel which is zoned "C8" Planned Commercial District.

South: The properties to the south are primarily vacant and are zoned "M3" Planned Industrial District, however one parcel contains an electric utility substation just south across Old Olive Street Road.

East: Properties east of the site are primarily vacant and are zoned "M3" Planned Industrial District.

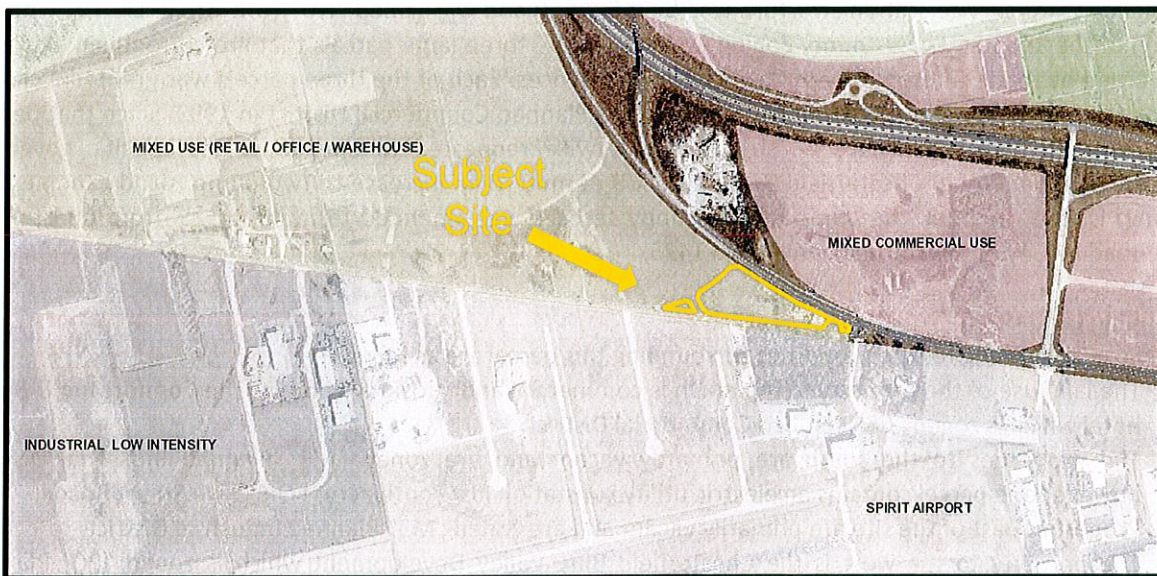
West: The property to the west is the Chesterfield Blue Valley Development which is zoned "PC" Planned Commercial District.



Area Zoning

Comprehensive Plan Analysis

The subject site is located within Ward 4 of the City of Chesterfield. The City of Chesterfield Land Use Plan indicates these parcels are within the *Mixed Use (Retail/Office/Warehouse)* which is defined as *a mixture of office, office /warehouse distribution and retail development with a maximum height of 3 stories (45 feet above grade). Development should have "business park" quality.* The subject site is located in the Chesterfield Valley as identified by the Comprehensive Plan; however there are no additional sub-area development guidelines for this site.



Comprehensive Land Use Plan

Site Photos



Existing Service Station—View from North Side of Chesterfield Airport Road



Existing Service Station—View from Eastern Property Line



Westernmost Parcel—View from Old Olive Street Road



Existing Service Station Canopy—View from Old Olive Street Road



Facing South from Chesterfield Airport Road



Facing West from the Olive Street Road Connector

Staff Analysis

Zoning Request

The rezoning of this property from the existing "C8" Planned Commercial District to "PC" Planned Commercial District via application P.Z. 12-2013 would repeal the three existing governing ordinances and unite the parcels under a single site-specific governing ordinance that reflects all current City of Chesterfield Municipal Code requirements.

Preliminary Plan

Following the Issues Meeting and subsequent meetings with Staff, the Petitioner provided an amended Preliminary Plan which made revisions to the site to address issues identified at the Public Hearing and by Staff. This revised Preliminary Plan maintains the landscape buffer along Chesterfield Airport Road and the relocated portion of Olive Street Road to the thirty (30) foot minimum requirement for commercial districts with frontage along arterial streets. In addition to this required buffer, the Petitioner revised the plan to include a fifteen (15) foot parking and building setback along Old Olive Street Road, which is no longer classified as an arterial street and is therefore not subject to any buffering requirement by the Municipal Code. Despite the lack of required buffering along this frontage, the addition of a building and parking setback alleviates Staff's concern of parking fields commencing at the property line.

Additionally, the Petitioner eliminated the small building in the far eastern corner of the site. In eliminating this building, the Petitioner has significantly reduced the previously proposed intensity of the site and provided a plan that better suits this highly irregularly shaped property. Further, it is Staff's opinion that the elimination of this building will facilitate improved internal circulation and provide more area for the Petitioner to meet City Code requirements, including parking, open space, and landscaping requirements, outright without requesting several modifications from Code during the Site Plan review phase.

Finally, as requested by Staff and the Planning Commission, the Petitioner eliminated the access point off of relocated Olive Street Road. The remaining access points have been evaluated by Staff and, given the unique shape of this property, the accesses as shown have found to be appropriate for a development of this size and intensity. Staff maintains that the elimination of the relocated Olive Street Road access will allow for safe access into the site as well as improved internal site circulation. The Attachment "A" prepared by Staff reflects what is shown on the Preliminary Plan and satisfies Staff's concerns.

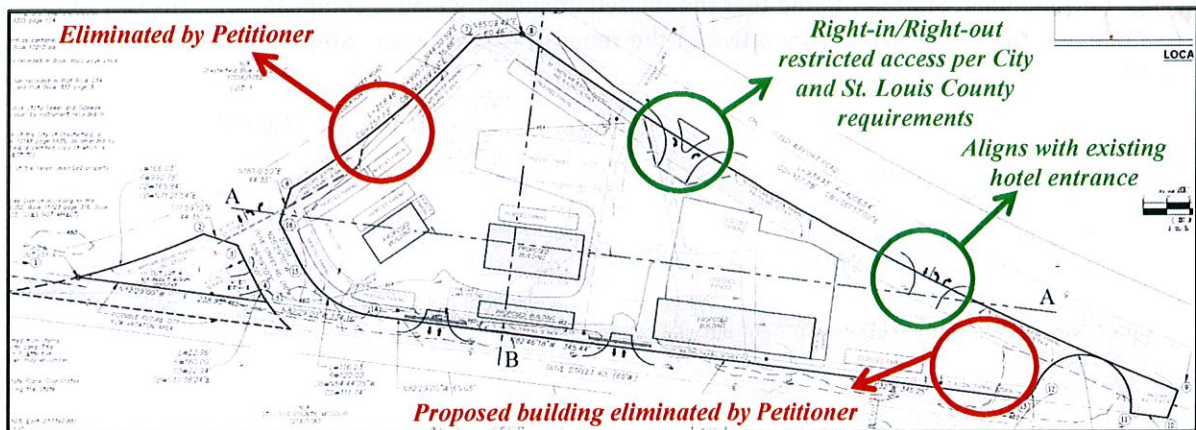
Issues

The Planning Commission and Staff identified multiple issues at the October 28, 2013 Public Hearing and the December 9, 2013 Issues meeting on this petition and a letter detailing these issues was sent to the Petitioner. The Petitioner has submitted a formal response to each of those items which is attached to the Planning Commission packet for review. Additional information from Staff on several of these issues is provided below.

- Concerns regarding the number and location of access points off of Olive Street and Chesterfield Airport Roads.

- The excerpt from the revised Preliminary Plan shows the substantial revisions that the Petitioner has made on the Preliminary Plan. The property frontage on the relocated Olive Street Road equates to approximately 360 feet. This frontage is located between the remaining portion of Olive Street Road and Chesterfield Airport Road and did not provide adequate spacing for the proposed access onto relocated Olive Street Road. **As such, per Staff recommendation, the Petitioner eliminated this access, as shown below.**

Note that a deceleration lane and geometric channelization has been added to the configuration of the westernmost access point along Chesterfield Airport Road. This will allow for safe right-in/right-out only turning movements and will mitigate any negative effects on traffic flow along Chesterfield Airport Road. The two access points along old Olive Street Road meet drive spacing requirements for a local street and will improve internal site circulation.



Revised Preliminary Plan

- Concerns with the number, type, and intensity of the uses requested.

The Petitioner’s initial request was for seventy-nine (79) uses and, at the request of the Planning Commission and Staff, the number of uses requested has been reduced to forty-eight (48) uses. Additionally, the six (6) light industrial uses that were included in the initial request were removed from the list of requested uses. The Attachment “A” prepared by Staff for consideration by the Planning Commission reflects the revised list of forty-eight (48) requested uses.

Further, in response to this issue, the Petitioner has eliminated one of the proposed buildings from the site as shown in the plan excerpt above.

- **Concerns with requested setbacks and lack of landscape buffers as required by the tree preservation and landscape requirements of the Municipal Code.**

As discussed in the Analysis section of this report, the Petitioner revised the Preliminary Plan to meet the thirty (30) foot minimum landscape buffer requirement for commercial districts with frontage along arterial streets and to provide a fifteen (15) foot parking and building setback along Old Olive Street Road.

- **Concerns with the ability of the development as shown on the Preliminary Plan to achieve the minimum thirty-five percent (35%) Open Space requirement through distribution of Open Space throughout the site.**

This issue is advisory at this point; however, Staff believes that the elimination of one of the buildings will enable the development to more easily meet the minimum open space requirement and will facilitate the distribution of said open space throughout the site.

Request

Staff has reviewed the request for a zoning map amendment submitted by Pickett, Ray & Silver, Inc. for The Wedge development. Staff has found that the revised Preliminary Plan is compliant with the City of Chesterfield City Code and therefore Staff is supportive of the request as presented. Staff requests action on P.Z. 12-2013 The Wedge (McGrath Plaza).

Attachments:

1. Revised Petitioner Narrative
2. Preliminary Plan
3. Tree Stand Delineation Plan
4. Attachment "A"

cc: Aimee Nassif, Planning and Development Services Director

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this “PC” Planned Commercial District shall be:
 - a. Animal grooming service.
 - b. Art gallery.
 - c. Art studio.
 - d. Automotive retail supply.
 - e. Bakery.
 - f. Bar.
 - g. Barber or beauty shop.
 - h. Brewpub.
 - i. Broadcasting studio.
 - j. Car wash.
 - k. Car wash, self-service.
 - l. Check cashing facility.
 - m. Coffee shop.
 - n. Coffee shop, drive-thru.
 - o. Commercial service facility.
 - p. Donation collection bin.
 - q. Drug store and pharmacy.
 - r. Drug store and pharmacy, drive-thru.
 - s. Dry cleaning establishment.
 - t. Dry cleaning establishment, drive-thru.
 - u. Filling station and convenience store with pump stations.
 - v. Financial institution.
 - w. Financial institution, drive-thru.
 - x. Grocery--Community.
 - y. Grocery--Neighborhood.

- z. Kennel, boarding.
- aa. Laundromat.
- bb. Newspaper stand.
- cc. Office, dental.
- dd. Office, general.
- ee. Office, medical.
- ff. Oil change facility.
- gg. Professional and technical service facility.
- hh. Reading room.
- ii. Recreation facility.
- jj. Research facility.
- kk. Restaurant, fast food.
- ll. Restaurant, outdoor customer dining area.
- mm. Restaurant, sit down.
- nn. Restaurant, take out.
- oo. Restaurant, with drive-thru window.
- pp. Retail sales establishment, community.
- qq. Retail sales establishment, neighborhood.
- rr. Tackle and bait shop.
- ss. Tattoo parlor/body piercing studio.
- tt. Telecommunications structure.
- uu. Telecommunications tower or facility.
- vv. Veterinary clinic.

2. HOURS OF OPERATION

- a. Hours of operation for this “PC” District shall not be restricted.

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

1. BUILDING REQUIREMENTS

- a. A minimum of thirty-five (35) percent Open Space shall be required for this development, unless otherwise approved by the City of Chesterfield.

- b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. STRUCTURE SETBACKS

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

- a. Thirty (30) feet from the right-of-way of Chesterfield Airport Road.
- b. Thirty (30) feet from the right-of-way of Relocated Olive Street Road.
- c. Fifteen (15) feet from the right-of-way of Olive Street Road.

2. PARKING SETBACKS

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

- a. Thirty (30) feet from the right-of-way of Chesterfield Airport Road.
- b. Thirty (30) feet from the right-of-way of Relocated Olive Street Road.
- c. Fifteen (15) feet from the right-of-way of Olive Street Road.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. 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.
- 3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

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

F. SIGN REQUIREMENTS

1. Sign regulations shall be in accordance with the City Code.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic (or MoDOT), for sight distance considerations prior to installation or construction.
3. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the Saint Louis County Department of Highways and Traffic for sight distance consideration and approved prior to installation or construction.

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan or Site Development Section Plan.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development, except for the access to Out Lot A, shall be as shown on the Preliminary Site Plan, and adequate sight distance shall be provided, as directed by the City of Chesterfield, the Missouri Department of Transportation and St. Louis County Department of Highways and Traffic, as applicable. The access to Out Lot A shall be as directed by the City of Chesterfield.
2. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield and the agency in control of the right of way off which the access is proposed.

3. 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 St. Louis County Department of Highways and Traffic and the City of Chesterfield.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. All roadway and related improvements in each plat or phase of the development shall be constructed prior to issuance of building permits for that plat or phase. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in advance of construction of the required improvements.
2. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the relocated Olive Street Road and Chesterfield Airport Road frontages of the site. The sidewalks shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalks may be located within right-of-way controlled by another agency, if permitted by that agency or on private property within a 6 foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
3. Obtain approvals from the City of Chesterfield and St. Louis County Highways and Traffic and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
4. Additional right-of-way and road improvements shall be provided, as required by the City of Chesterfield and the St. Louis County Department of Highways and Traffic.
5. Provide a twelve (12) foot wide right turn lane on Chesterfield Airport Road with six (6) foot shoulders with required tapers and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.
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 Saint Louis County Department of Highways and Traffic.

K. TRAFFIC STUDY

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

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. Storm water drainage shall comply with the current version of the Chesterfield Valley Master Storm Water Plan.
2. 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.
3. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.

N. SANITARY SEWER

Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

O. GEOTECHNICAL REPORT

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

P. MISCELLANEOUS

1. All utilities will be installed underground.
2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
3. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
4. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
5. 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 contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

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.** A Site Development Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E.** Where due cause is shown by the developer, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

III. COMMENCEMENT OF CONSTRUCTION

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN

1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.

4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

B. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

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

C. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.

2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide openspace 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 a separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within one hundred and fifty (150) feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending one hundred and fifty (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, Monarch Levee District, Spirit of St. Louis Airport, St. Louis Department of Highways and Traffic, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

VI. TRUST FUND CONTRIBUTION

Road Improvements Assessment

1. The developer shall contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

Type of Development	Required Contribution
TGA Category	Contribution
Convenience Store	\$12,895.57
General Retail	\$1,934.32
Loading Space	\$3,165.27

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

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

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

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

3. Road improvement traffic generation assessment contributions shall be deposited with Saint Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or prior to the issuance of building permits in the case where no S.U.P. is required. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County.

Water Main Assessment

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

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

Storm Water Assessment

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,468.31 per acre for the total area as approved on the Site Development Plan.

The storm water contributions to the Trust Fund shall be deposited with the Saint Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Highways and Traffic or before the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to the Treasurer, Saint Louis County.

Sanitary Sewer

The sanitary sewer contribution is collected as the Caulks Creek impact fee. The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan St. Louis Sewer District as required by the District.

Traffic Generation Assessment Rates

The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2015, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Highways and Traffic.

Additional Conditions

In addition to the conditions listed above, St. Louis County asks that the following general conditions be met:

1. Prior to Special Use Permit issuance by the Saint Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, shall be established with the Saint Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.
2. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

VII. RECORDING

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

X. 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.

Preliminary Development Plan

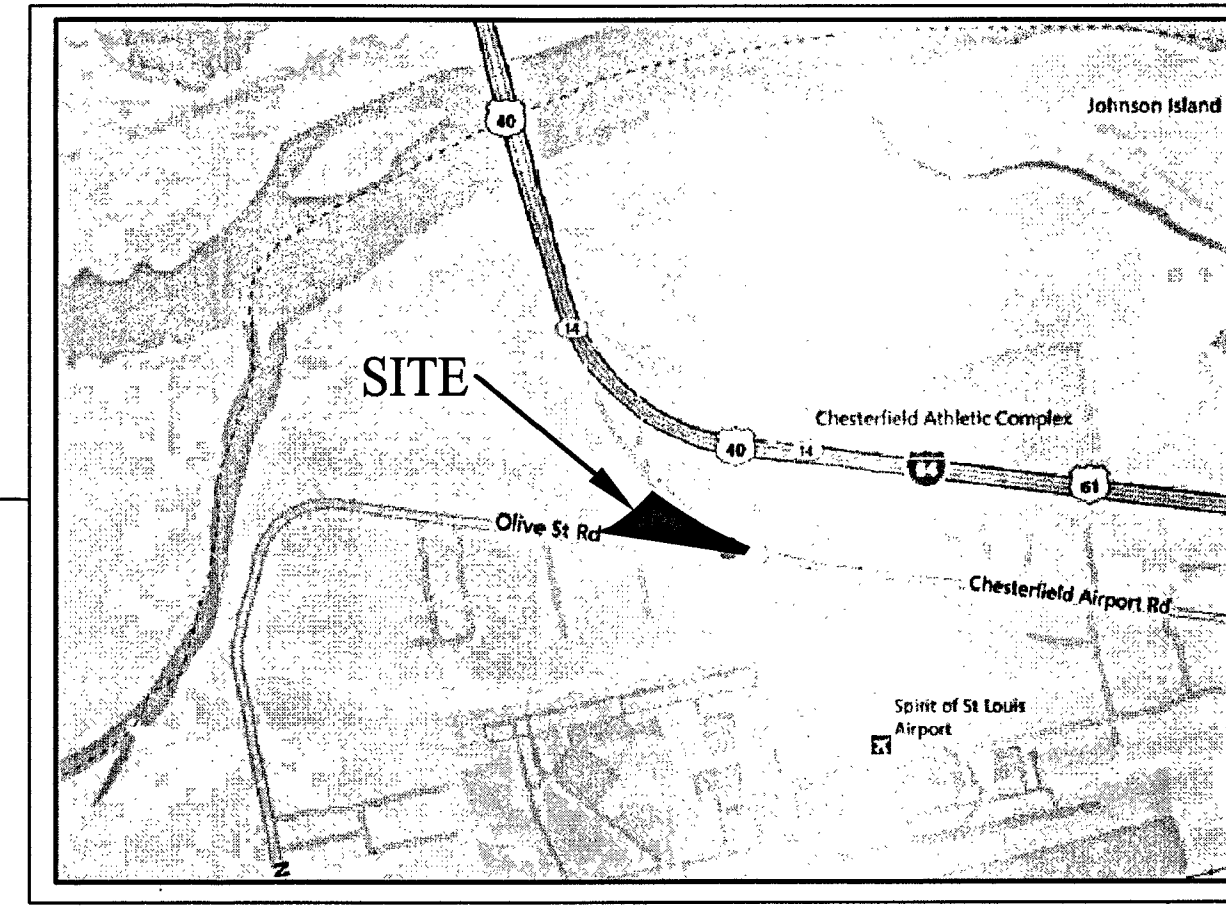
Energy Marketing 709 LLC

OWNER & CONSULTANT CONTACTS

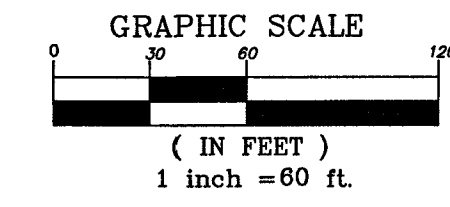
PROPERTY OWNER:
 ENERGY MARKETING 1877 LLC
 2130 KIENLEN AVENUE
 ST. LOUIS, MO 63121
 PHONE: (314) 383-3700

CIVIL ENGINEER:
 PICKETT, RAY & SILVER
 MO LICENSE #000325
 22 RICHMOND CENTER COURT
 ST. PETERS, MO 63376
 PHONE: (636) 397-1211

N/F DOWNTOWN PARTNERS LLC
 17736/2065



LOCATION MAP



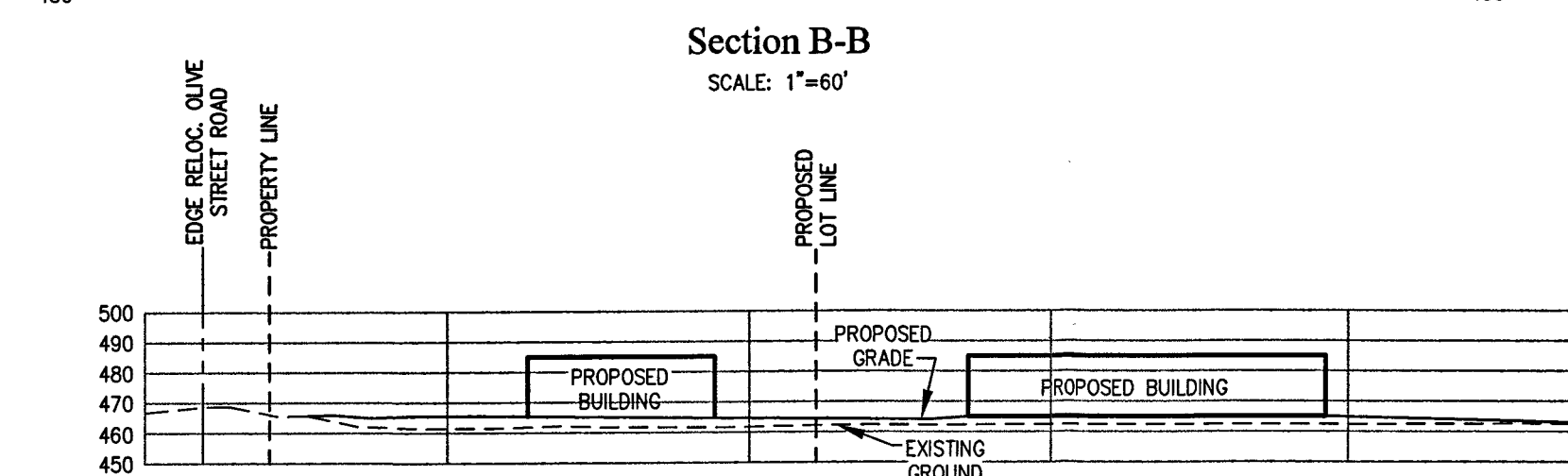
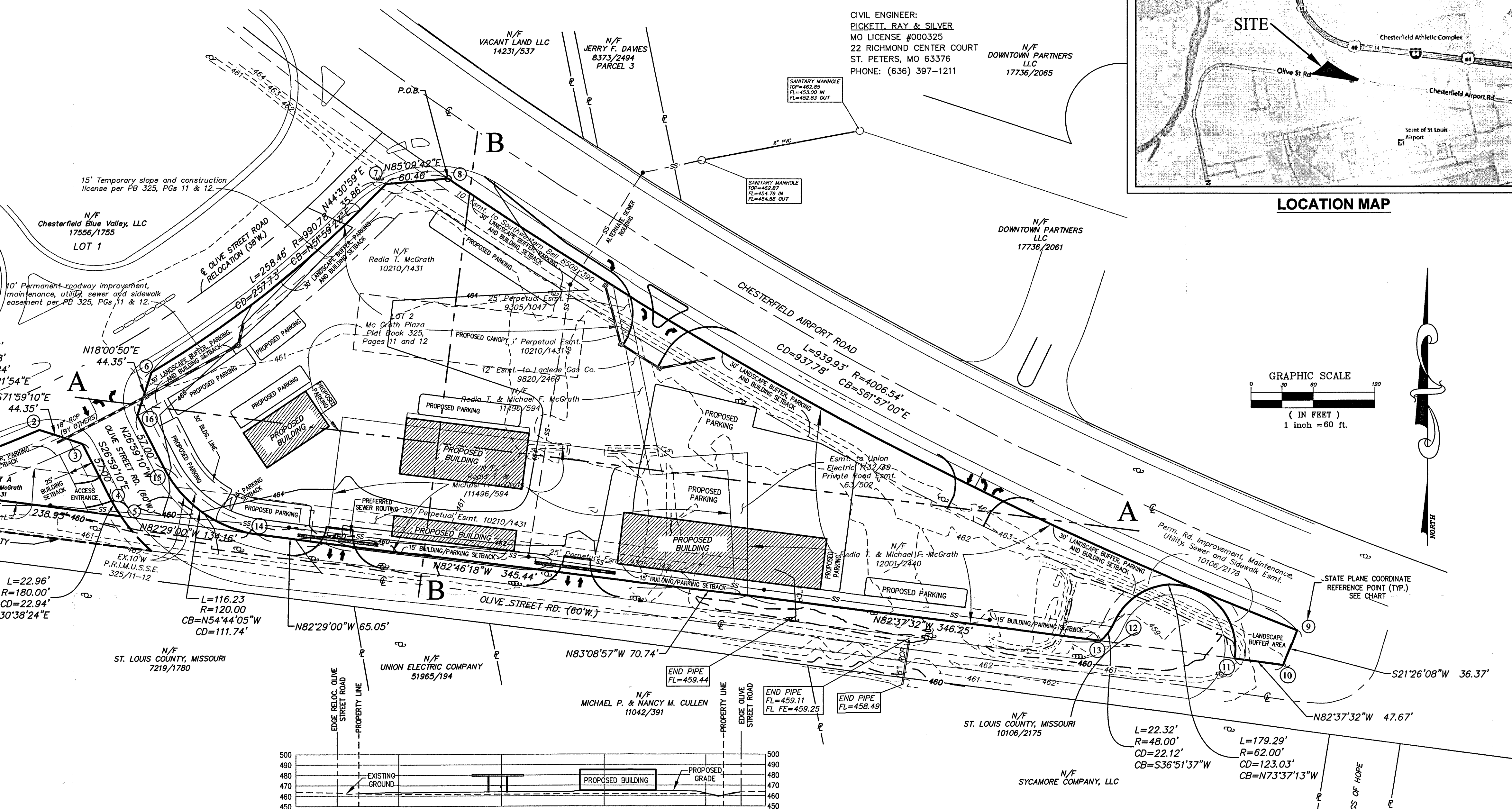
- Item 1-7 Standard Exceptions
- Item 8 Restrictions, Conditions and easements, contained in instrument(s) recorded in Plat Book 325 Page 11. (EASEMENTS SHOWN, SUBJECT TO RESTRICTIONS AND CONDITIONS)
- Item 9 Easement granted to Union Electric Company recorded in Book 1132 page 49. (SHOWN)
- Item 10 Covenants, conditions and restrictions according to instruments recorded in Book 10 page 494, Book 11 page 247, Book 3951 Page 581 and in Book 9305 page 1047. (SUBJECT TO)
- Item 11 Oil and Gas Lease granted by instrument recorded in Book 524 page 86 and assigned to Mobil Oil Corporation. (SUBJECT TO)
- Item 12 Easement granted to Southwestern Bell Telephone Company recorded in Book 8509 page 390, (SHOWN) Book 7383 page 1263 (DOES NOT AFFECT).
- Item 13 Reservation of a perpetual easement for the installation, use, enjoyment, operation, maintenance, repair, replacement, relocation and removal of any and all utility systems and/or parts thereof, lines and related facilities for sanitary and storm sewer, water, electrical, gas, lighting, and telephone, etc., as contained in instrument recorded in Book 9305 page 1047 (SHOWN) and in Book 10210 page 1431.
- Item 14 Reservation of a Perpetual Access Easement as contained in instrument recorded in Book 9305 page 1047 and in Book 10210 page 1431. (SHOWN)
- Item 15 Easement granted to Laclede Gas Company recorded in Book 9820 page 2469. (SHOWN)
- Item 16 Terms and provisions of the Development Plan recorded in Plat Book 284 pages 49 thru 51, Plat Book 325 page 40 and Plat Book 332 page 8. (SUBJECT TO)
- Item 17 Permanent Roadway Improvement, Maintenance Utility Sewer and Sidewalk Easement granted to St. Louis County, Missouri by instrument recorded in Book 10106 page 2178. (SHOWN)
- Item 18 Terms and provisions of Ordinance No. 854 of the City of Chesterfield, a certified copy of which is recorded in Book 10148 page 1935, as amended by Ordinance No. 959 of the City of Chesterfield, a certified copy of which is recorded in Book 10379 page 2059. (SUBJECT TO)
- Item 19 Right of way roadways over any portion of the herein described property embraced therein.
- Item 20 Not Survey Related Item.
- Item 21 Easement granted Monarch Chesterfield Levee District according to the instrument recorded in Book 10511 Page 2052, Book 11723 page 316, Book 11723 page 321 and Book 17962 page 4033. (DOES NOT AFFECT)
- Item 22-28 Not Survey Related Items.

- GENERAL NOTES**
- The easements shown on this survey were plotted from items furnished Pickett, Ray & Silver by Commonwealth Land Title Insurance Company File No: 11644798, Revision 1, Effective Date: April 28, 2009. Other easements not shown may encumber this site.
 - The bearings shown hereon are based upon State Plane Coordinates. The following information was used in determining the State Plane Coordinates as shown hereon:
 Station Name SL-40, ELEVATION = 486.82
 Missouri Coordinate System (NAD 1983)
 Missouri Coordinates (meters), North 315379.803, East 237342.881
 Zone Central, Convergence: Negative 00'05"27.2"
 Grid Factor: 0.9999169
 The relative positional tolerance of said State Plane Coordinates are ±0.03 meters.
 - Class of property - Urban.
 - (R1) Record bearing per Plat Book 325 Pages 11 & 12.
 (R2) Record bearing per Deed Book 12001 Page 2440.
 - This property lies within Zone AH (flood depths of 1 to 3 feet usually areas of ponding, base flood elevations determined.) per the Flood Insurance Rate Map, Community Panel No. 29189C0120 H, Panel 120 of 420, effective date August 2, 1995.
 - This survey has been executed in accordance with the Current Minimum Standards for Property Boundary Surveys, 20 CSR 2030-16, and the results are shown hereon.

PROPERTY DESCRIPTION

A tract of land being Lot 2 of McGrath Plaza, a subdivision according to the plat thereof recorded in Plat Book 325, Pages 11 and 12 of the St. Louis County Records, part of Lot 6 of the Subdivision of R. H. Stevens Farm according to the plat thereof recorded in Plat Book 7, Page 37 of the St. Louis County records and part of U. S. Survey 102, Township 45 North - Range 3 East, St. Louis County, Missouri and being more particularly described as:

Beginning at the most Northern corner of said Lot 2 of McGrath Plaza, said point being on the South right-of-way line of Chesterfield Airport Road; thence Eastwardly along said South right-of-way line of Chesterfield Airport Road along a curve to the left having a radius of 4006.54 feet an arc distance of 939.93 feet, a chord which bears S 61° 57' 00" E a chord distance of 937.78 feet to the most Eastern corner of property of Reda T. and Michael F. McGrath, as described in the deed recorded in Book 12001, Page 2440 of the St. Louis County Records; thence S 21° 26' 08" W a distance of 36.37 feet and N 82° 37' 32" W a distance of 47.67 feet along the boundary line of said McGrath property to the Southeast corner of property conveyed to St. Louis County, Missouri as described in the deed recorded in Book 10106, Page 2178 of the St. Louis County Records; thence along said St. Louis County, Missouri boundary, along a curve to the left having a radius of 62.00 feet an arc length of 179.29 feet, a chord which bears N 73° 37' 13" W a chord distance of 123.03 feet and along a curve to the right having a radius of 48.00 feet an arc distance of 22.32 feet, a chord which bears S 35° 51' 37" W a chord distance of 22.12 feet to the South line of the aforesaid McGrath property; thence N 82° 37' 32" W a distance of 346.25 feet to the Southeast corner of property of Reda T. and Michael F. McGrath, as described in the deed recorded in Book 11496, Page 594 of the St. Louis County Records; thence N 83° 08' 57" W a distance of 70.74 feet and N 82° 46' 18" W a distance of 345.44 feet along the South line of said McGrath property to the Southeast corner of the aforesaid Lot 2 of McGrath Plaza; thence along the boundary lines of said Lot 2 the following courses and distances: N 82° 29' 00" W a distance of 65.05 feet, along a curve to the right having a radius of 120.00 feet an arc distance of 116.23 feet, a chord which bears N 54° 44' 05" W a chord distance of 111.74 feet, N 26° 59' 10" W a distance of 57.00 feet, N 18° 00' 50" E a distance of 44.35 feet, along a curve to the left having a radius of 990.78 feet an arc distance of 258.46 feet, a chord which bears N 51° 59' 23" E a chord distance of 257.73 feet, N 44° 30' 59" E a distance of 35.86 feet and N 85° 09' 42" E for a distance of 60.46 feet to the point of beginning and containing 218,558 square feet or 5.04 acres more or less.



PROPERTY DESCRIPTION OUT LOT A

A tract of land being Out Lot A of McGrath Plaza, a subdivision according to the plat thereof recorded in Plat Book 325, Pages 11 and 12 of the St. Louis County Records, in U. S. Survey 102, Township 45 North - Range 3 East, St. Louis County, Missouri and being more particularly described as:

Beginning at the most Western corner of said Out Lot A of McGrath Plaza, said point being on the North right-of-way line of Olive Street Road, 60 feet wide; thence along the boundary line of said Out Lot A the following courses and distances: along a curve to the left having a radius of 990.78 feet an arc length of 166.03 feet, a chord which bears N 71° 21' 54" E a chord distance of 165.84 feet, S 71° 59' 10" E a distance of 44.35 feet, S 26° 59' 10" E a distance of 57.00 feet, along a curve to the left having a radius of 180.00 feet an arc length of 22.96 feet, a chord which bears S 30° 38' 24" E a chord distance of 22.94 feet and N 82° 29' 00" W a distance of 238.93 feet to the point of beginning and containing 9,530 square feet or 0.22 acres more or less.

STATE PLANE COORDINATE REFERENCE POINT CHART

POINT #	COORDINATE IN FEET	COORDINATE IN METERS
1	1033394.0309	775643.4539
2	1033447.0177	775800.5852
3	1033433.3040	775842.7569
4	1033382.5146	775868.6200
5	1033362.7775	775880.3111
6	1033502.7008	775909.9334
7	1033696.9662	776138.1212
8	1033692.0653	776198.3607
9	1033251.1221	777025.9157
10	1033217.2707	777012.6252
11	1033223.3891	776965.3512
12	1033258.0822	776847.3206
13	1033240.3826	776834.0505
14	1033495.2884	776013.3112
15	1033409.7389	775922.0825
16	1033460.5283	775896.2195

RECEIVED
 City of Chesterfield
 JUL 31 2014
 Department of Public Services

ENGINEERS AUTHENTICATION

The responsibility for professional engineering liability on this project is hereby limited to the set of plans authenticated by the seal, signature, and date hereunder attached. Responsibility is disclaimed for all other engineering plans involved in this project and specifically excludes revisions thereto unless REAUTHENTICATED.

DOUGLAS S. TIEMANN, PLS
 PROFESSIONAL LAND SURVEYOR
 LICENSE # E-23345

7/31/2014

PICKETT, RAY & SILVER INC.
 CIVIL ENGINEERING, LAND SURVEYING,
 AND NATURAL RESOURCES SERVICES

St. Peters
 22 Richmond Center Court
 St. Peters, MO 63376
 Phone (636) 397-1211 Fax (636) 397-1104
 www.prs.com 1-800-708-9918

Preliminary Development Plan
 A tract of land being Lot 2 and Outlot A of McGrath Plaza, part of Lot 6 of the Subdivision of R. H. Stevens Farm and part of U. S. Survey 102, Township 45 North - Range 3 East, St. Louis County, Missouri

Prepared For:
Energy Marketing 709 LLC

Mr. Steve Matras
 2130 Kienlen Ave.
 St. Louis, MO 63121-5505
 314-383-3700

NO.	DATE	DESCRIPTION	REVISIONS
1.	07/05/13	REVISED PER CITY COMMENTS DATED 6/20/13	
	10/09/13	REVISED PER CITY COMMENTS	
	11/25/13	REVISED PER CITY COMMENTS	
	04/16/14	REVISED PER CITY COMMENTS	
	06/10/14	REVISED PER CITY COMMENTS	
	07/15/14	REVISED PER CLIENT	
	07/15/14	REVISED PER CLIENT	
	07/30/14	REVISED PER COMMENTS FROM CITY	

DRAWN	DATE
RGA-DWD	05-29-13

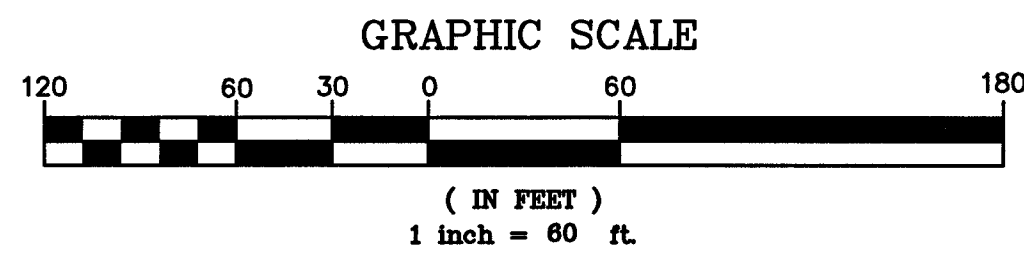
CHECKED	DATE
DFS	05-29-13

PROJECT # 09056.EMKT.OOS
 TASK # 1 FIELD BOOK 1287

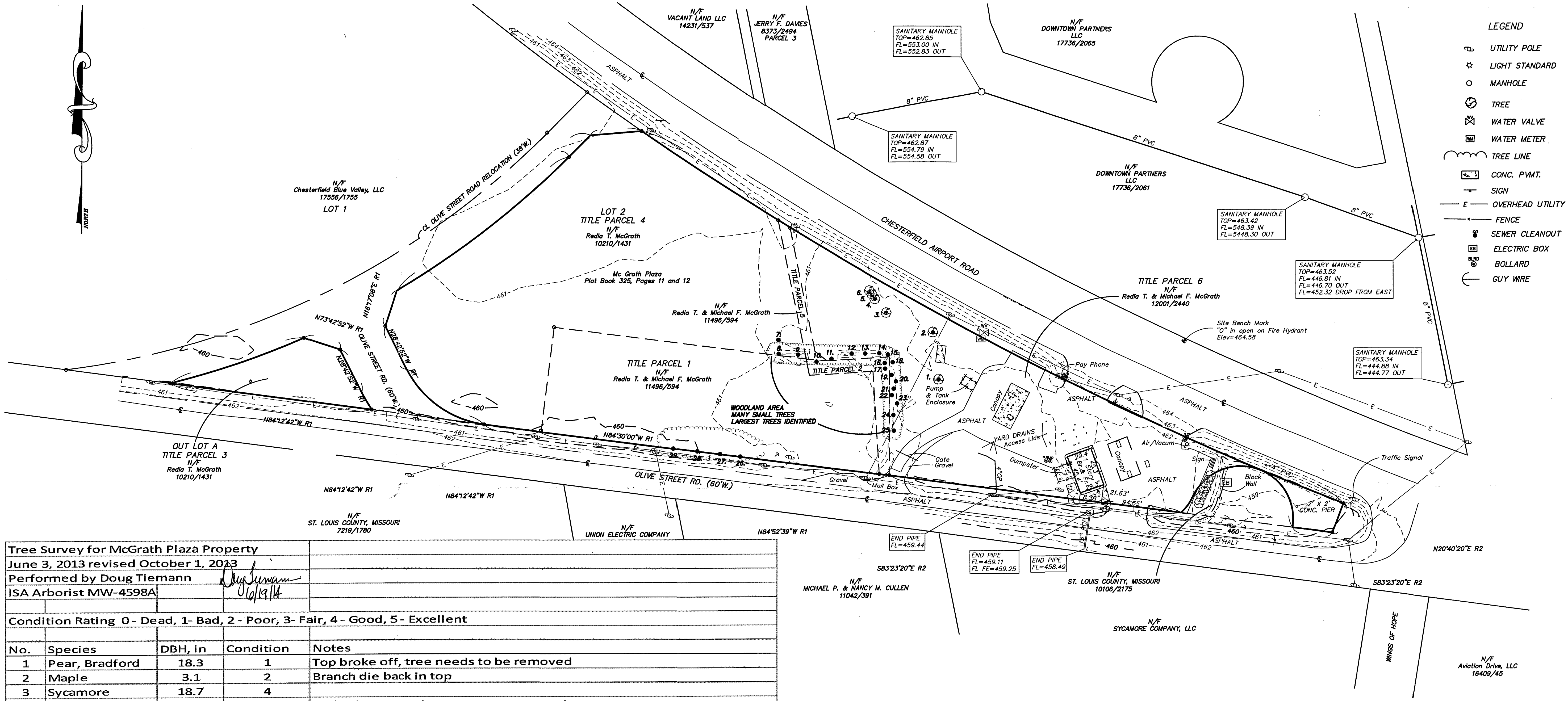
PRELIMINARY DEVELOPMENT PLAN
 18423 OLIVE ST. RD.

SHEET 1 OF 1

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Tree Stand Delineation



- LEGEND**
- ⊕ UTILITY POLE
 - ☆ LIGHT STANDARD
 - MANHOLE
 - ⊗ TREE
 - ⊕ WATER VALVE
 - ⊕ WATER METER
 - TREE LINE
 - ▭ CONC. PVMT.
 - SIGN
 - OVERHEAD UTILITY
 - FENCE
 - ⊕ SEWER CLEANOUT
 - ⊕ ELECTRIC BOX
 - ⊕ BOLLARD
 - GUY WIRE

Tree Survey for McGrath Plaza Property
 June 3, 2013 revised October 1, 2013
 Performed by Doug Tiemann
 ISA Arborist MW-4598A

Condition Rating 0 - Dead, 1 - Bad, 2 - Poor, 3 - Fair, 4 - Good, 5 - Excellent

No.	Species	DBH, in	Condition	Notes
1	Pear, Bradford	18.3	1	Top broke off, tree needs to be removed
2	Maple	3.1	2	Branch die back in top
3	Sycamore	18.7	4	
4	Maple	12.6	3	Multiple Stems - largest stem measured
5	Pine, Austrian	4.8	3	
6	Pine, Austrian	3.8	3	
7	Elm	6.1	3	
8	Elm	7.0	3	Multiple Stems - 5", 6" & 7"
9	Maple, Silver	14.5	3	
10	Elm	5.0	3	
11	Pine, Austrian	3.4	2	
12	Maple, Silver	8.0	3	
13	Pine, Austrian	8.8	3	
14	Pine, Austrian	12.0	3	
15	Pine, Austrian	18.7	2	Bottom portion dead
16	Elm, Siberian	8.8	3	
17	Elm, Siberian	8.4	3	
18	Pine, Austrian	12.2	2	
19	Elm	5.0	3	
20	Pine, Austrian	11.5	2	Bottom portion dead
21	Pine, Austrian	11.8	3	
22	Pear, Bradford	4.6	3	
23	Elm, Siberian	8.8	3	
24	Elm, Siberian	8.0	3	
25	Pear, Bradford	4.2	3	
26	Maple, Silver	35	1	Heavily trimmed on south side for power lines - Approximate diameter
27	Maple, Silver	46	1	Heavily trimmed on south side for power lines - Approximate diameter
28	Maple, Silver	32	1	Heavily trimmed on south side for power lines - Approximate diameter
29	Maple, Silver	44	1	Heavily trimmed on south side for power lines - Approximate diameter

PICKETT, RAY & SILVER INC.
 CIVIL ENGINEERING, LAND SURVEYING,
 AND NATURAL RESOURCES SERVICES
 New Town St. Peters
 3320-1 Rue Royale St. Charles, MO 63301
 Branson 3027 W. Hwy 76, Suite B Branson, MO 65616
 Phone (636) 397-1211 Fax (636) 397-1104
 www.prs3.com 1-800-708-3918

Tree Survey
 A tract of land being Lot 2 and Outlot A of McGrath Plaza, part of Lot 6 of the Subdivision of R. H. Stevens Farm and part of U. S. Survey 102, Township 45 North - Range 3 East, St. Louis County, Missouri
 Prepared For:
Energy Marketing 709 LLC
 2130 Klenk Avenue
 St. Louis, MO 63121-5505
 314-383-3700

REVISIONS NO.	DATE	DESCRIPTION	CHANGED NAME FOR DRAWING
1	11-08-2013		

RECEIVED
 City of Chesterfield
 Department of Public Services
 JUL 31 2014

PROJECT # 09056.EMKT.OOS
 TASK # 1 FIELD BOOK 1287
 TREE STAND DELINEATION
 18423 OLIVE ST. RD.
 SHEET 1 OF 1
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