



VII.C

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Planning Commission Staff Report

Subject: Rezoning Vote Report

Meeting Date: October 22, 2007

From: Justin Wyse, Project Planner

Location: 18730 Olive Street Road

Petition: P.Z. 42-2007 Spirit Valley Business Park II

Proposal Summary

Michael Doster, on behalf of Spirit Valley Development, L.L.C., has submitted an application for a change of zoning from “NU” Non Urban District to “PI” Planned Industrial District per the regulations of City of Chesterfield Zoning Ordinance Section 1003.150. The location of the site is north of Olive Street Road and west of Wardenburg.

Staff Recommendation

The Attachment A for this request meets all of the development requirements of the City of Chesterfield and therefore, Staff recommends approval of the change of zoning from “NU” Non Urban District to “PI” Planned Industrial District.

Zoning Analysis

A preliminary plan accompanies all rezoning requests when the change of zoning is to a Planned District. When a vote is taken on a rezoning request, the vote is to approve the change of zoning with an Attachment A written by Staff. The vote is not to approve the accompanying preliminary plan which is provided for informational purposes only.

While preparing the Attachment A for this development, Staff reviewed the conditions established in the Comprehensive Plan and Zoning Ordinance. The Attachment A requires that this development will adhere to the requirements of both.

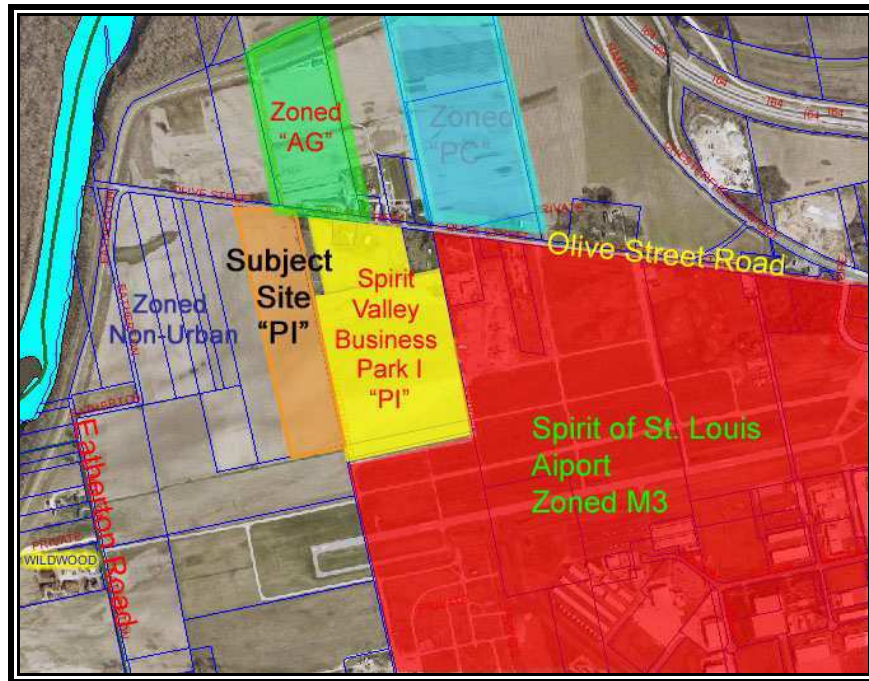
The rezoning request, along with the uses requested, is compatible with this area and the surrounding developments.

Surrounding Land Use and Zoning

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

North/South/West: The properties to the north, south, and west are zoned "NU" Non-Urban District.

East: The property to the east is predominately zoned "PI" Planned Industrial District. There is a residence located at 18668 Olive Street Road that is zoned "NU" Non-Urban District.



View looking southwest across the subject site.



View of residential structure located on the eastern side of the subject site.

Comprehensive Plan Analysis

The subject site is located within Ward 4 of the City of Chesterfield. The Comprehensive Plan calls for this area to be Low-Intensity Industrial. This subject site is located in Sub Area 1 of the Comprehensive Plan which identifies additional development criteria which have been incorporated into the Attachment A.

The parking requirement for this Sub Area is 4 parking spaces per every 1,000 square feet of development. The Petitioner is requesting instead that the parking regulations of the City of Chesterfield Zoning Ordinance Section 1003.165 be applied which establishes parking requirements on the use for each building.

Site Area History

The subject site was zoned "NU" Non Urban District by St. Louis County in 1965 prior to the incorporation of the City of Chesterfield. No structures are located on the site.

Issues

A public hearing was held on this request on October 8, 2007. At that time there were no speakers on this matter other than the Petitioner. At the hearing, several issues were identified. Those issues along with the Petitioner's responses are attached. Currently, all issues have been addressed. The Petitioner is requesting that parking for this development adhere to the requirements in Section 1003.165 of the Zoning Ordinance in lieu of the Comprehensive Plan requirement of 4 spaces for every 1,000 square feet of development.

Request

Staff recommends approval of the change of zoning from "NU" Non Urban District to a "PI" Planned Industrial District with the Attachment A as written. Staff is also requesting action on Petitioner's request regarding the parking requirement.

Respectfully submitted,



Justin Wyse
Project Planner

Attachments

1. Attachment A
2. Preliminary Plan
3. Response Letter from Petitioner

St. Louis
17107 Chesterfield Airport Rd.
Suite 300
Chesterfield, Missouri 63005
(636) 532-0042
(636) 532-1082 (fax)



Kansas City
4600 Madison
Suite 711
Kansas City, Missouri 64112
(816) 531-1888
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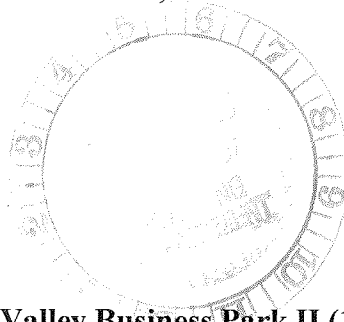
Michael J. Doster
mike_doster@dmjulaw.com

Reply to St. Louis Office

October 10, 2007

HAND DELIVERED

Ms. Aimee E. Nassif, Senior Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017



RE: P.Z. 42-2007 — Spirit Valley Business Park II (18730 Olive Street Road)

Dear Aimee:

In response to the issues identified at the October 8, 2007 Public Hearing for the above-mentioned petition and specified in your letter dated October 9, 2007, we offer the following responses:

CITY OF CHESTERFIELD COMMENTS

1. Please provide an amended list of requested permitted uses to be identical to those permitted in Spirit Valley Business Park Phase I.

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

2. Please be advised that this development is located within Sub Area 1 of the Comprehensive Plan. As such, parking requirements are 4 spaces per 1,000 square feet of development. As you are requesting to be identical to Spirit Valley Business Park Phase I, please be advised that a modification in parking requirements was approved for the development.

Response: We believe the uses proposed for this development, as amended, are consistent with the Comprehensive Land Use Plan for this area of Chesterfield Valley.

3. Please advise on whether a sign package is requested for this development.

Response: Yes, we are requesting a Sign Package provision in Attachment "A".

The following conditions related to site specific issues shall be applied to the petition. This is not an exhaustive list; these items may be modified as the rezoning process continues.

Openspace

1. Until such time as the connection of the site to a permanent sanitary sewer system, a minimum fifty percent (50%) openspace is required for this development. Upon connection to a sanitary sewer system, a minimum of thirty percent (30%) openspace will be required for this development.

Response: We acknowledge the 30% openspace requirement upon connection to sanitary sewer.

Building Height

1. The maximum height of the buildings, exclusive of roof screening, shall not exceed forty (40) feet.

Response: We acknowledge the forty (40) foot building height limitation, exclusive of roof screening.

Setbacks

1. 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. Fifty (50) feet from the right-of-way of Olive Street Road.
 - b. Fifty (50) feet from 18668 Olive Street Road.
 - c. Fifty (50) feet from the eastern, western and southern property lines of this development.

Response: We acknowledge these setback requirements.

2. No parking stall, loading space, internal driveway or roadway except points of ingress and egress will be located within the following setbacks:
 - a. Thirty five (35) feet from the right-of-way of Olive Street Road.

Response: We acknowledge this setback requirement.

- b. Ten (10) feet from the internal property lines, with the exception of shared driveways.

Response: We acknowledge this setback requirement.

- c. Twenty (20) feet from the principal internal street.

Response: We acknowledge this setback requirement.

- d. Fifteen (15) feet from the eastern and western property lines of this development.

Response: We acknowledge this setback requirement.

- e. The parking setback along the eastern property line contiguous to 18668 Olive Street Road for the first 175 feet from Olive Street Road shall be thirty (30) feet. The parking setback for the remainder of this property line shall be fifteen (15) feet.

Response: We acknowledge this setback requirement.

Landscaping

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

Response: We acknowledge this requirement.

2. The landscape buffer along the eastern property line shall be as follows:

- a. A thirty (30) foot landscape buffer measuring no less than 175 feet in length from Olive Street Road will be required along the eastern property line contiguous to the residential structure at 18668 Olive Street Road.

Response: We acknowledge this requirement

- b. A fifteen (15) foot landscape buffer shall be required for the remainder of the eastern property line.

Response: We acknowledge this requirement

- c. If the residential structure at 18668 Olive Street Road is re-developed into a use other than residential, the thirty (30) foot landscape buffer requirement may be reduced to fifteen (15) feet as directed by the City of Chesterfield.

Response: We acknowledge this requirement

Access

1. Access to Olive Street Road shall be limited to one (1) street approach, as directed by the Department of Planning and Public Works and St. Louis County Department of Highways and Traffic.

Response: We acknowledge this requirement

2. Provide cross access, as directed by the City of Chesterfield, to the Horobec property adjoining this development to the east. The location of the access should allow for future connection to the internal roadway system within this development.

Response: We acknowledge this requirement.

3. All area between the internal road right of way and the western line of the property governed by this ordinance must be covered by a cross access easement or dedicated as right of way, as directed by the City of Chesterfield. The easement and/or right of way shall cover the area located between the internal road right of way and the western line and extend south for a distance of 1800 feet from the Olive Street Road right of way. The cross access easement and/or right of way must also be coordinated with the required 20 foot Chesterfield Valley Storm Water Easement along the western property line.

Response: We acknowledge this requirement

Road Improvements

1. Provide a street connection to Spirit Valley Business Park I. The connection shall align with the connection approved as part of Spirit Valley Business Park Phase I.

Response: We acknowledge this requirement.

2. Improve Olive Street Road to one-half of a sixty (60) foot right-of-way and a thirty-eight (38) foot pavement with seven (7) foot full depth shoulders and all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.

Response: We acknowledge this requirement.

3. All roadway and related improvements to Olive Street Road shall be constructed prior to 60% occupancy of the development.

Response: We acknowledge this requirement.

4. Provide a 40 foot right of way with a minimum of 10 foot roadway improvement, maintenance, utility and sewer easements on both sides for all interior roadways.

Minimum roadway sections shall provide a 26 foot travel way with 7 foot shoulders on both sides and appurtenant storm drainage facilities as required by the City of Chesterfield.

Response: We acknowledge this requirement.

Pedestrian Circulation

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Olive Street Road frontage of the site and a 4 foot sidewalk along one side of the interior roadway, as directed by the City of Chesterfield. 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 Olive Street Road right of way.

Response: We acknowledge this requirement.

2. No parking shall be permitted on any roadway in or adjacent to the development. The parking restriction and requirement for signage shall be indicated on the Site Development Plan and improvement plans. Signage shall be posted within 30 days of the placement of street pavement.

Response: We acknowledge this requirement.

3. As this development is in Sub Area 1 of the Comprehensive Plan, the parking requirement for this development is 4 spaces per 1,000 square feet of development.

Response: We believe 4 spaces/1,000 square-feet of development is excessive parking for the proposed development. We would rather apply the Zoning Ordinance standards to each section plan as it is submitted to the City for review. Many of the uses would need less parking than this standard.

Storm Water

1. The property bound by this ordinance shall be required to conform to the Chesterfield Valley Master Storm Water Plan as directed by the City of Chesterfield. Drainage from this property shall be directed to the future reservoir to be located to the west of the property governed by this ordinance. In the event that the required permanent improvements are not constructed prior to or concurrently with this development, interim storm water improvements consisting of a temporary 24-inch pipe, constructed according

to current Chesterfield Valley Master Storm Water Plan flow line elevations, shall be required along the Olive Street Road frontage and for an approximate distance of 500 feet along the western property line. The temporary 24-inch culvert shall be terminated in the reservoir.

Response: We acknowledge this requirement.

2. Provide a 20 foot wide Chesterfield Valley Storm Water Easement, as directed by the City of Chesterfield, along the west line of the property governed by the ordinance. The easement should begin at the Olive Street Road right of way line and extend south for a distance of 500 feet. The easement shall be dedicated exclusively for the purpose of constructing and maintaining drainage features associated with the Chesterfield Valley Master Storm Water Plan.

Response: We acknowledge this requirement.

3. Provide a 50 foot wide Chesterfield Valley Storm Water Easement, as directed by the City of Chesterfield, adjacent to the existing 15 foot wide utility easement along the Olive Street Road frontage. The required easement shall be located immediately south of the existing utility easement and shall be dedicated exclusively for the purpose of constructing and maintaining drainage features associated with the Chesterfield Valley Master Storm Water Plan.

Response: We acknowledge this requirement.

Sanitary Sewers

1. Certification will be required from the City of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.

Response: We acknowledge this requirement.

2. Treatment for water quality, in accordance with MSD regulations dated February 2006, shall be required.

Response: We acknowledge this requirement.

3. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.

Response: We acknowledge this requirement.

4. Easement may be required. Encroachments will not be allowed.

Response: We acknowledge this requirement.

5. Construction of offsite pumping stations and extension of offsite sanitary sewers will be required to serve this site.

Response: We acknowledge this requirement.

6. Formal plan submittal and approval will be required by the District prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

Response: We acknowledge this requirement.

Traffic Studies

1. Provide a traffic study as directed by the City of Chesterfield and/or 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. Traffic issues can be addressed during site plan review.

Furthermore, the City of Chesterfield recommends the following standard general conditions be applied to the petition.

Geotechnical Report

- G-4. 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.

Verification Prior to Record Plat Approval

G-10. The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners.

Response: We acknowledge this requirement.

Final Release of Subdivision Deposits

G-11. 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.

Response: We acknowledge this requirement.

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

- An exclusive 20 foot Chesterfield Valley Storm Water Easement is required along the western property line for a distance of 500 feet from the Olive Street Road right of way. The preliminary plan appears to depict a proposed water main within an exclusive 10 foot easement. Please be advised that based upon this layout the proposed internal road would require a 10 foot shift to the east to accommodate both easements. This issue will be addressed during review of the Site Development Plan.

Response: Acknowledged.

- The current plan depicts a 20 foot spite strip along the western property line. All area between the right of way and western property line must either be dedicated as right of way or a cross access easement dedicated such that the spite strip is eliminated. Please keep in mind this issue must also be coordinated with the required 20 foot wide Chesterfield Valley Storm Water Easement required along the western property line. The issue will be addressed during review of the Site Development Plan.

Response: Acknowledged.

- It appears the site may contain a US Survey corner which may be disturbed by construction activities. U.S. Survey corners must be protected or restored. The corner in

Ms. Aimee Nassif

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question is located between U.S. Surveys 153, 133, 1937 and 368 along the east property line of the site.

Response: Acknowledged.

- Access management principals to be applied to this development can be found in Chapter 26 of the City code.

Response: Acknowledged.

- Any structure built within 200 feet of the master plan drainage channels must be elevated to 1 foot above the 100 year water surface calculated by the model. Please reference Chapter 14 of the City code for flood damage prevention requirements.

Response: Acknowledged.

- The typical section provided for the internal roadway system omitted sidewalks from both sides of the roadway. The sidewalks should be located outside the roadway improvement, maintenance, utility, and sewer easement adjacent to the right of way.

Response: Acknowledged.

- Please be advised that a letter for the beneficiary of the pipeline easement will be required prior to approval of the Site Development Section Plans.

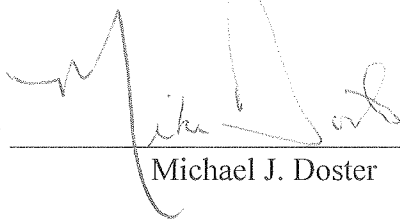
Response: Acknowledged.

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: Dan Hayes, NAI Desco
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. Animal hospitals, veterinary clinics.
 - b. Meat packing facilities.
 - c. Broadcasting studios for radio and television.
 - d. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
 - e. Business, professional, and technical training schools.
 - f. Business service establishments.
 - g. Cafeterias for employees and guests only.
 - h. Churches shall be allowed on tracts of land of at least one (1) acre in size.
 - i. Financial institutions.
 - j. Filling stations, including emergency towing and repair services.
 - k. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private).
 - l. Storage and charter of boats on land, repair facilities for boats, and sale of fuel and other supplies for marine use.
 - m. Highway department garages.
 - n. Hotels and motels.
 - o. Laundries and dry cleaning plants, not including personal and individual drop-off and pick-up service.
 - p. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - i. Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - ii. Placed underground; or
 - iii. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to

the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- q. Mail order sale warehouses.
- r. Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - i. Facilities producing or processing explosives or flammable gases or liquids;
 - ii. Facilities for animal slaughtering or rendering;
 - iii. Sulphur plants, rubber reclamation plants, or cement plants; and
 - iv. Steel mills, foundries, or smelters.
- s. Medical and dental offices.
- t. Office or office buildings.
- u. 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.
- v. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- w. Police, fire, and postal stations.
- x. Printing and duplicating services.
- y. Public utility facilities.
- z. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- aa. Restaurants, fast food.
- bb. Restaurants, sit down.
- cc. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- dd. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- ee. Service facilities, studios, or work areas, for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- ff. Storage and repair garages for public mass transit

- vehicles.
- gg. Storage yards for lumber, coal, and construction materials.
- hh. Stores, shops, markets, service facilities, and automotive vending facilities in which goods or services of any kind, including sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
- ii. Union halls and hiring halls.
- jj. Vehicle repair facilities.
- kk. Vehicle service centers.
- ll. Welding, sheet metal, and blacksmith shops.
- mm. Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

2. The following Ancillary Uses shall be permitted:

- a. Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.

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

1. HEIGHT

- a. The maximum height of the buildings, exclusive of roof screening, shall not exceed forty (40) feet.

2. BUILDING REQUIREMENTS

- a. Until such time as the connection of the site to a permanent sanitary sewer system, a minimum fifty percent (50%) open space is required for this development. Upon connection to a sanitary sewer system, a minimum of thirty percent (30%) openspace will be 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. Fifty (50) feet from the right-of-way of Olive Street Road.

- b. Fifty (50) feet from 18668 Olive Street Road.
- c. Fifty (50) feet from the eastern and western property lines of this development.
- d. Fifty (50) feet from the southern property line of this development.

2. **PARKING SETBACKS**

No parking stall or loading space will be located within the following setbacks:

- a. Thirty five (35) feet from the right-of-way Olive Street Road.
 - b. Ten (10) feet from the internal property lines, with the exception of shared driveways.
 - c. Twenty (20) feet from the principal internal street.
 - d. Fifteen (15) feet from the eastern and western property lines of this development.
 - e. The parking setback along the eastern property line contiguous to 18668 Olive Street Road for the first 175 feet from Olive Street Road shall be thirty (30) feet. The parking setback for the remainder of this property line shall be fifteen (15) feet.
3. No 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 Olive Street Road.
 - b. Three hundred fifty (350) feet from the southern property line.
 - c. Twenty (20) feet from the western property line of this development, with the exception of shared driveways.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development shall be as required in the City of Chesterfield Code.

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.
3. Parking shall be prohibited along both sides of the main driveway. Parking lot aisles, where possible, should intersect the main and minor driveways at right angles and be logically located opposite minor driveways and other parking lot aisles. The main and minor driveways shall not have speed bumps. "Stop" signs shall not be installed for traffic on the main driveway. Minor driveways shall not intersect the main driveways closer than one hundred (100) feet from Olive Street Road.
4. The parking restriction and requirement for signage shall be indicated on the Site Development Plan and improvement plans. Signage shall be posted within thirty (30) days of the placement of street pavement.
5. No construction related parking shall be permitted within the Olive Street Road right of way.
6. No parking shall be permitted on any roadway in or adjacent to the development. The parking restriction and requirement for signage shall be indicated on the Site Development Plan and improvement plans. Signage shall be posted within 30 days of the placement of street pavement.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. The landscape buffer along the eastern property line shall be as follows:
 - a. A thirty (30) foot landscape buffer measuring no less than 175 feet in length from Olive Street Road will be required along the eastern property line contiguous to the residential structure at 18668 Olive Street Road.

- b. A fifteen (15) foot landscape buffer shall be required for the remainder of the eastern property line.
- c. If the residential structure at 18668 Olive Street Road is re-developed into a use other than residential, the thirty (30) foot landscape buffer requirement may be reduced to fifteen (15) feet as directed by the City of Chesterfield.

F. SIGN REQUIREMENTS

- 1. Sign package submittal materials shall be required for this development. All sign packages shall be reviewed and approved by the City of Chesterfield Planning Commission.
- 2. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the City of Chesterfield and/or the St. Louis County Department of Highways and Traffic for sight distance consideration and approved prior to installation or 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, colored 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.

4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Olive Street Road shall be restricted to one (1) commercial entrances, having a three lane section of a minimum thirty-six (36) foot pavement for a minimum distance of one hundred (100) feet, in order to provide separate left and right turn lanes for outbound traffic along with a single inbound lane. These driveways shall be 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 and the City of Chesterfield.
2. 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 Departments of Planning and Highways and Traffic.
3. 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.
4. Access to Olive Street Road shall be limited to one street approach as directed by the City of Chesterfield and St. Louis County Department of Highways and Traffic.
5. Provide cross access, as directed by the City of Chesterfield, to the Horobec property adjoining this development to the east. The location of the access should allow for future connection to the internal roadway system within this development.
6. All area between the internal road right of way and the western line of the property governed by this ordinance must be covered by a cross access easement or dedicated as right of way, as directed by the City of Chesterfield. The easement and/or right of way shall

cover the area located between the internal road right of way and the western property line and extend south for a distance of 1800 feet from the Olive Street Road right of way. The cross access easement and/or right of way must also be coordinated with the required 20 foot Chesterfield Valley Storm Water Easement along the western property line.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Improve Olive Street Road to one-half of a sixty (60) foot right-of-way and a thirty-eight (38) foot pavement with seven (7) foot full depth shoulders and all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.
2. Provide a street connection to Spirit Valley Business Park Phase I. The connection shall align with the connection approved as part of Spirit Valley Business Park Phase I.
3. Provide any additional right of way and construct any improvements to Olive Street Road as required by St. Louis County Department of Highways and Traffic.
4. All roadway and related improvements to Olive Street Road shall be constructed prior to 60% occupancy of the development.
5. Provide a 40 foot right of way with a minimum of 10 foot wide roadway improvement, maintenance, utility and sewer easements on both sides for all interior roadways. Minimum roadway sections shall provide a 26 foot travel way with 7 foot shoulders on both sides and appurtenant storm drainage facilities as required by the City of Chesterfield.
6. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Olive Street Road frontage of the site and a 4 foot sidewalk along one side of the interior roadway, as directed by the City of Chesterfield. The sidewalk shall be privately maintained; therefore, no public easements shall be required.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and/or 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.

L. MONARCH-CHESTERFIELD LEVEE DISTRICT

1. Stormwater ditches shall match the latest provided by the City of Chesterfield.
2. Easements for the proposed utilities along Olive Street Road shall be shown on the site development concept and section plans.

M. POWER OF REVIEW

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.

N. STORMWATER

1. The property bound by this ordinance shall be required to conform to the Chesterfield Valley Master Storm Water Plan as directed by the City of Chesterfield. Drainage from this property shall be directed to the future reservoir to be located to the west of the property governed by this ordinance. In the event that the required permanent improvements are not constructed prior to or concurrently with this development, interim storm water improvements consisting of a temporary 24-inch pipe, constructed according to current Chesterfield Valley Master Storm Water Plan flow line elevations, shall be required along the Olive Street Road frontage and for an approximate distance of 500 feet along the western property line. The temporary 24-inch culvert shall be terminated in the reservoir.
2. Provide a 20 foot wide Chesterfield Valley Storm Water Easement, as directed by the City of Chesterfield, along the west line of the property governed by the ordinance. The easement should begin at

the Olive Street Road right of way line and extend south for a distance of 500 feet. The easement shall be dedicated exclusively for the purpose of constructing and maintaining drainage features associated with the Chesterfield Valley Master Storm Water Plan.

3. Provide a 50 foot wide Chesterfield Valley Storm Water Easement, as directed by the City of Chesterfield, adjacent to the existing 15 foot wide utility easement along the Olive Street Road frontage. The required easement shall be located immediately south of the existing utility easement and shall be dedicated exclusively for the purpose of constructing and maintaining drainage features associated with the Chesterfield Valley Master Storm Water Plan.

O. SANITARY SEWER

1. Certification will be required from the City of Chesterfield that stormwater will be controlled as required by the Chesterfield Valley Master Facility Plan.
2. Treatment for water quality, in accordance with MSD regulations dated February 2006, shall be required.
3. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.
4. Easements may be required. Encroachments will not be allowed.
5. Construction of offsite pumping stations and extension of offsite sanitary sewers will be required to serve this site.
6. Formal plan submittal and approval will be required by the District prior to the issuance of permits. Formal plan approval is subject to the requirements of detailed review.

P. 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.

Q. MISCELLANEOUS

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 within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's Traffic Generation Assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

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

- A. The developer shall submit a concept plan within 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 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 (1) additional year.

IV. GENERAL CRITERIA

- A. Site Development Concept Plan, Site Development Section Plan, Site Development Plans.**
 - 1. Any site development plan shall show all information required on a sketch plan 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, St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and St. Louis County Department of Highways and Traffic.

V. TRUST FUND CONTRIBUTION

The developer shall be required to contribute to the Chesterfield Valley Trust Fund. Traffic Generation Assessment contributions shall be deposited with St. Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to issuance of building permits for each phase of development.

Roads

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

Type of Development	Required Contribution
Commercial	\$2.07/sq. ft. of building space
Office	\$1.44/sq. ft. of building space
Industrial	\$4,986.59/acre

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

Credits for roadway improvements required will be awarded as directed by the St. Louis County Highways and Traffic. Any portion of the roadway improvement contribution that remains, following completion of road improvements required by the development, shall be retained in the appropriate Trust Fund.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to “Treasurer, St. Louis County”.

Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$654.66 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 St. Louis County Department of Highways and Traffic. The deposit shall be made before approval of the Site Development Plan by the St. Louis Department of Highways and Traffic. Funds shall be payable to “Treasurer, St. Louis County”.

The stormwater 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 stormwater from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the stormwater contribution will be computed based on \$2,077.15 per acre for the total area as approved on the Site Development Plan. The stormwater contributions to the Trust Fund shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made before the issuance of a Special Use Permit (S.U.P.) by St. Louis County Highways and Traffic or a Building Permit by St. Louis County Public Works Department. Funds shall be payable to "Treasurer, St. 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.

The amount of these required contributions for the roadway, stormwater and primary water line improvements, if not submitted by January 1, 2008, 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 St. Louis County Department of Highways and Traffic.

Trust Fund contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits.

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. VERIFICATION PRIOR TO RECORD PLAT APPROVAL

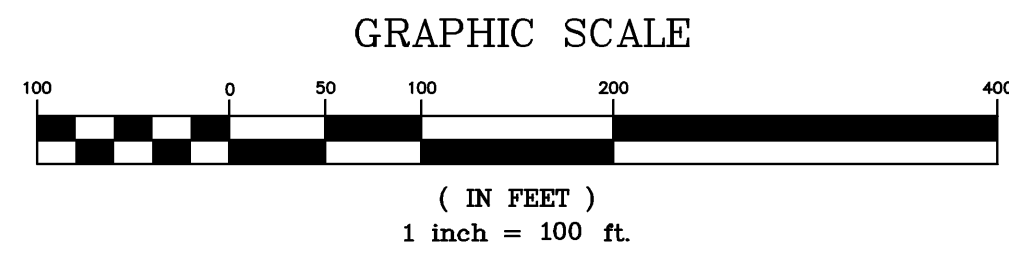
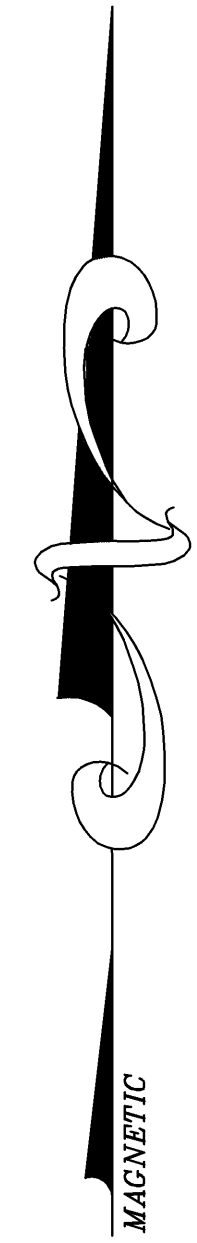
The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners.

VIII. FINAL RELEASE OF SUBDIVISION DEPOSITS

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.

IX. ENFORCEMENT

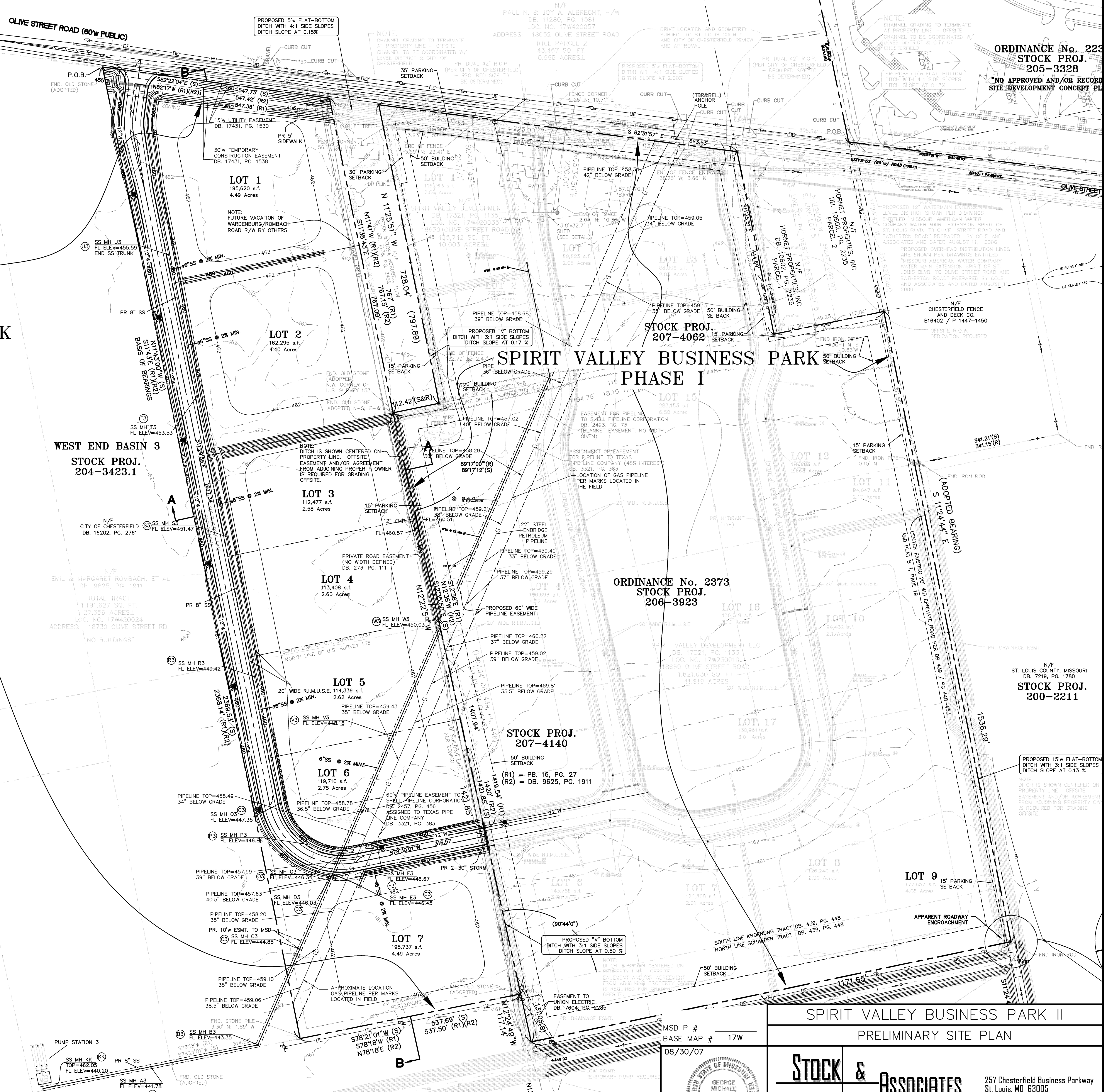
- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits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



SPIRIT VALLEY BUSINESS PARK PHASE II

WEST END BASIN 3
STOCK PROJ.
204-3423.1

SPIRIT VALLEY BUSINESS PARK PHASE I



ORDINANCE No. 223
STOCK PROJ.
205-3328
NO APPROVED AND/OR RECORDED
SITE DEVELOPMENT CONCEPT PL

STOCK PROJ.
207-4062

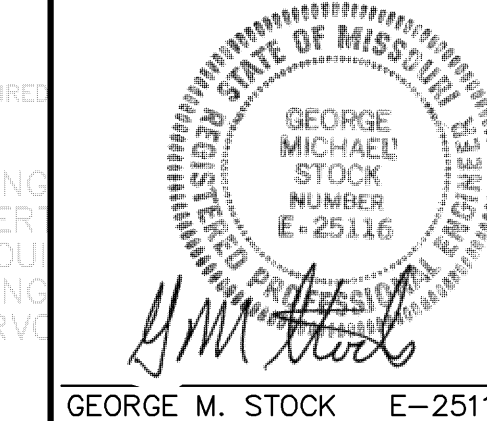
ORDINANCE No. 2373
STOCK PROJ.
206-3923

STOCK PROJ.
207-4140

STOCK PROJ.
200-2211

STOCK PROJ.
204-3423.2

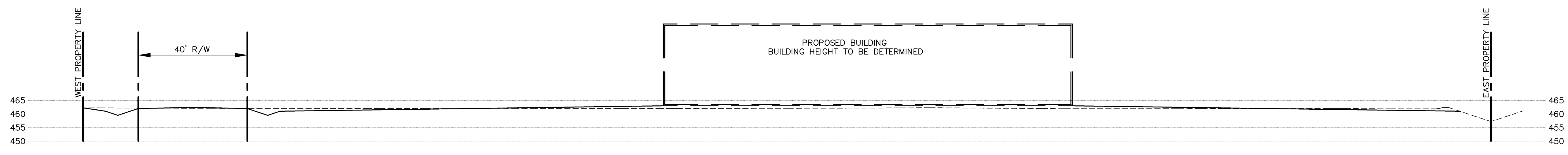
MSD P #
BASE MAP # 17W
08/30/07



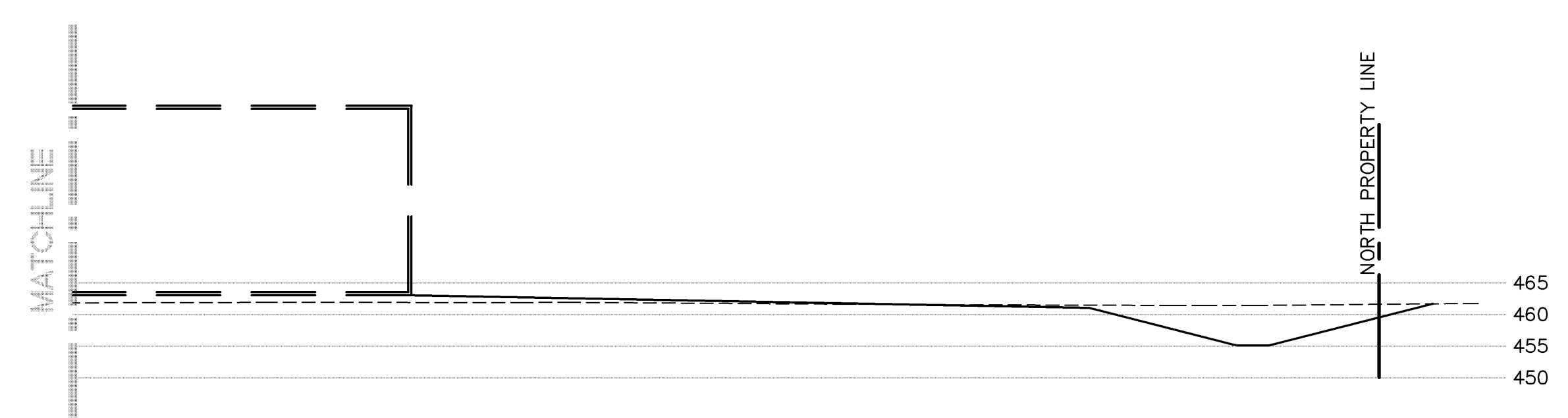
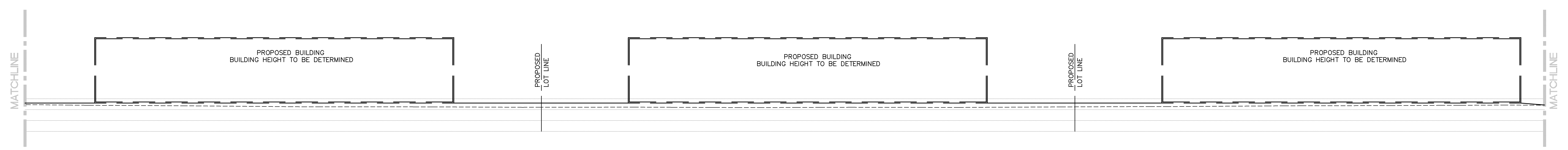
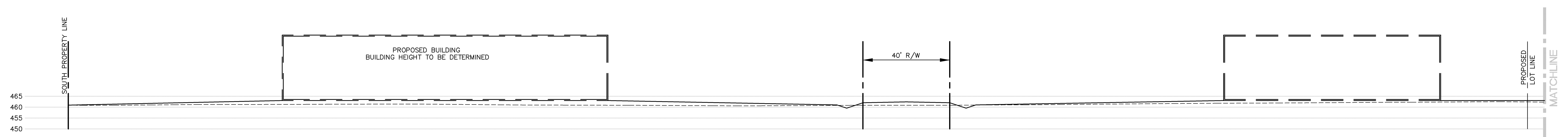
SPIRIT VALLEY BUSINESS PARK II
PRELIMINARY SITE PLAN

Stock & Associates Consulting Engineers, Inc.	257 Chesterfield Business Parkway St. Louis, MO 63005 PH. (636) 530-9100 FAX (636) 530-9130 e-mail: general@stockassoc.com Web: www.stockassoc.com
	DRAWN BY: E.J.B. DATE CHECKED BY: G.M.S. DATE: 08/30/07 JOB NUMBER: 207-4080 SHEET: 2 of 4

DATE: 08/30/07 DRAWN BY: E.J.B. CHECKED BY: G.M.S. PLOTTED: 08/30/07 PLOTTED BY: rcohen

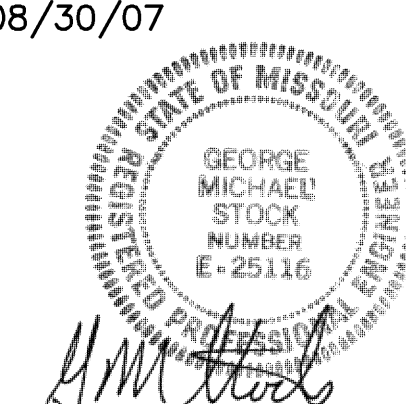


SECTION A-A
 SCALE: HORIZONTAL 1"=20'
 VERTICAL 1"=20'



SECTION B-B
 SCALE: HORIZONTAL 1"=20'
 VERTICAL 1"=20'

DRAWING FILE: G:\104\104000\104000\104000.dwg PLOT DATE: 08/30/07 PLOTTED BY: rick.burke

MSD P # _____
 BASE MAP # 17W
 08/30/07

 GEORGE M. STOCK E-25116

SPIRIT VALLEY BUSINESS PARK II	
PROPOSED BUILDING SECTIONS	
	257 Chesterfield Business Parkway St. Louis, MO 63005 PH. (636) 530-9100 FAX (636) 530-9130 e-mail: general@stockassoc.com Web: www.stockassoc.com
DRAWN BY: E.J.B. DATE: 08/30/07	CHECKED BY: G.M.S. DATE: 08/30/07
JOB NUMBER: 207-4080	SHEET: 3 of 4