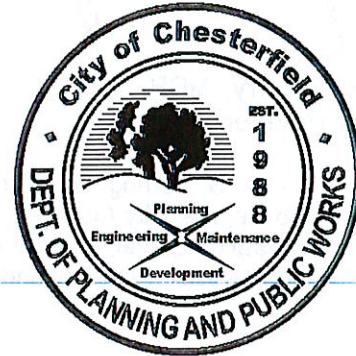


**Memorandum
Department of Planning & Public Works**



To: Planning and Public Works Committee
From: Mara M. Perry, Senior Planner
Date: 12/3/2010
RE: **P.Z. 09-2010 Four Seasons West (Schuyer Corp.):** A request for a change of zoning from a "PC" Planned Commercial District to a new "PC" Planned Commercial District for a 2.35 acre tract of land located on the southwest corner of the intersection of Olive Street Road and River Valley Drive. (16Q230260)

Summary

Doering Engineering, on behalf of Schuyer Corp., is requesting a change of zoning from "PC" Planned Commercial District to a new "PC" Planned Commercial District. The site has an existing retail center and the rezoning is to add additional uses for the site. The petitioner is not requesting to make any exterior improvements to the already developed site.

At the November 22, 2010 meeting of the Planning Commission, a recommendation for approval of the above-referenced matter was approved by a vote of 7-0.

As part of the request for a change in zoning, the petitioner requested a modification to the required open space. The "PC" Planned Commercial District regulations require 35% open space. The petitioner requested that 23% open space be required to match the current conditions on the site. A separate 2/3 affirmative vote was required for a positive recommendation regarding the modification to the open space requirement. The motion passed by a vote of 7-0. The following change will be made to the Attachment A:

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

2. Building Requirements

- a. A minimum of ~~thirty-five~~ **twenty-three** percent (35~~23~~%) openspace is required for this development.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mara M. Perry". The signature is written in a cursive, flowing style with a large initial "M".

Mara M. Perry, AICP
Senior Planner

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



VIII.A.

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Planning Commission Vote Report

Subject: Rezoning Vote Report

Meeting Date: November 22, 2010

From: Mara M. Perry, AICP, Senior Planner

Location: Southwest corner of the intersection of Olive Street Road and River Valley Drive. (16Q230260)

Petition: **P.Z. 09-2010 Four Seasons West (Schuyer Corp.)**

Proposal Summary

Doering Engineering, on behalf of Schuyer Corp., is requesting a change of zoning from “PC” Planned Commercial District to a new “PC” Planned Commercial District for a 2.35 acre tract of land located on the southwest corner of the intersection of Olive Street Road and River Valley Drive. The change requested is to add additional permitted uses under the new “PC” Planned Commercial District regulations. The City’s Comprehensive Land Use Plan designates this area as Community Retail.

Department Input

As part of the request for a change in zoning, the petitioner is also seeking a modification to the required open space. The “PC” Planned Commercial District regulations require 35% open space. The petitioner is asking that 23% open space be required to match the current conditions on the site. A separate vote regarding open space is required from the Planning Commission. All other aspects of the accompanying Attachment A meet the development requirements of the City of Chesterfield.

The preliminary plan is required to be approved by City Council as a part of the site specific Ordinance under the new “PC” Planned Commercial District requirements.

Zoning Analysis

The surrounding properties to the south and west of the subject site are residential. The continuation of retail with Four Seasons Plaza is to the east. The Dierbergs Meditation Park and a bank are located across Olive Street Road. The property has been zoned for commercial uses since 1984.

Surrounding Land Use and Zoning

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

North: The property to the north across Olive Street Road is Dierberg's Meditation Park zoned "PS" Park and Scenic District and Montgomery Bank zoned "PC" Planned Commercial District.

South: The property to the south is Four Seasons zoned "R3" Residence District

East: The property to the east is Four Seasons Plaza zoned "PC" Planned Commercial District.

West: The property to the west is Westbury Manor zoned "R2" Residence District and "R3" Residence District.



View looking west along Olive Street Road.



View looking east along Olive Street Road



View looking into the site

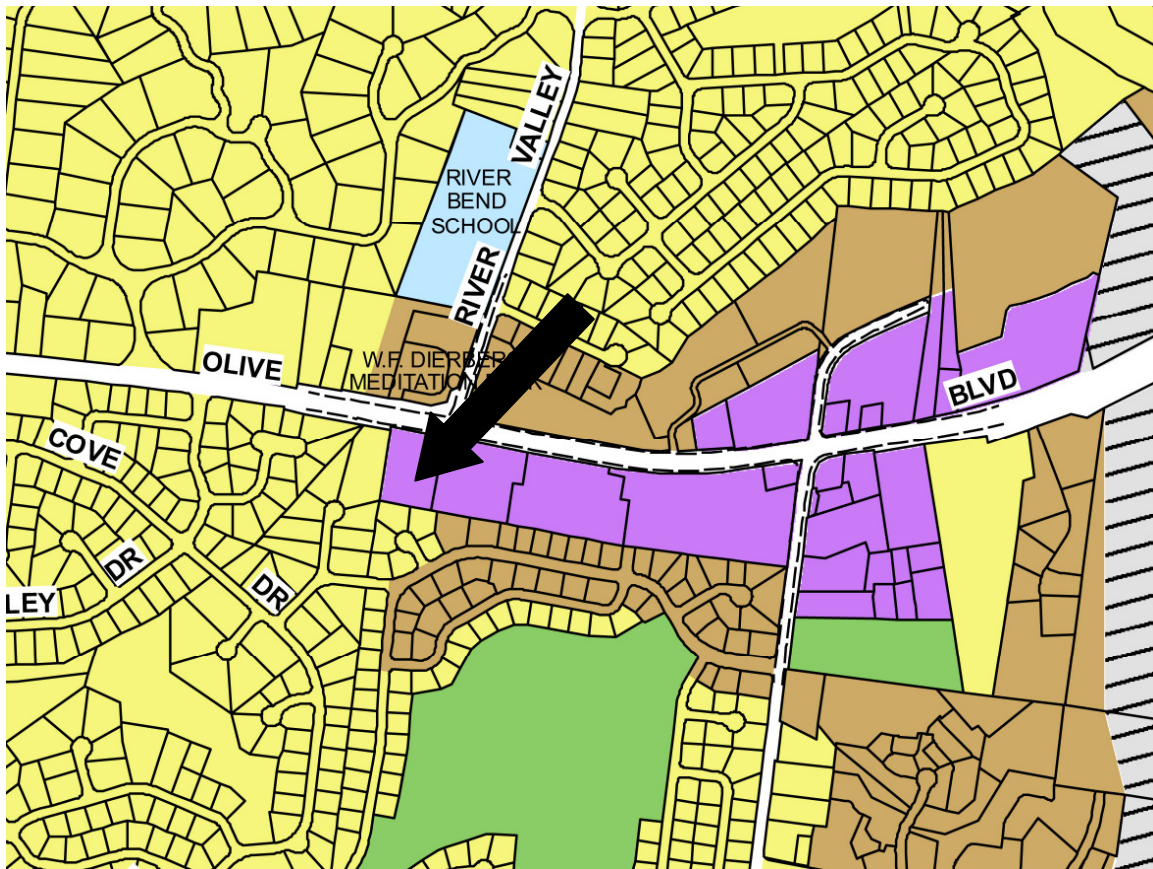


View looking west at the end cap of the existing building

Comprehensive Plan Analysis

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

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



Site Area History

In January 1984, Four Seasons Plaza West was zoned "C8" Planned Commercial via St. Louis County Ordinance Number 11,355. Later in 1984, Ordinance Number 11,355 was amended by St. Louis County Ordinance Number 11,775. The development was constructed that same year.

The City of Chesterfield passed Ordinance Number 775 on April 19, 1993, which amended the two previous St. Louis County Ordinances and added physical therapy as a permitted use on the site. The square footage of that use was limited to only 2,200 square feet. On September 6, 2006, the City of Chesterfield approved Ordinance Number 2297, repealing Ordinance 775, which provided for the addition of financial institutions, medical and dental offices, restaurants and limited drive through facilities on the subject site.

In August of 2009, the property was rezoned from a "C8" Planned Commercial District to a "PC" Planned Commercial District. At that time changes were made to the location of the drive through use allowed on the site.

Issues

A Public Hearing was held on November 8, 2010 and there was one speaker on this matter in addition to the Petitioners. At that time several issues were identified. A copy of the City of Chesterfield's Issues letter and the Petitioner's response are attached.

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

Hours of Operation/ Noise

There was a concern about the current hours of operation as they relate to noise from the development. Both staff and the petitioner researched the issue brought up during the public meeting regarding the noise in the early mornings. It does not appear that the current businesses have the type of deliveries or the timing of deliveries to cause the noise. Staff contacted the adjacent property owner who has stated that it has been a while since they have heard the noise. Trash deliveries are currently limited to no earlier than 8:00 am. Staff has placed hours of operation for the development in the Attachment A with additional limitations on delivery times.

The petitioner has spoken with the tenant who used the outdoor loud speaker and the speaker has been disconnected.

Uses

The Planning Commission requested that Staff compare the proposed uses with the original uses on the site. The original 1984 St. Louis County Ordinances contained three broad permitted uses for the site: offices; retail stores and shops; and service establishments. The service establishments had language that stated "*such as* barber shops, beauty parlors, dance studios, travel agencies, and tailor shops". In 1993, one use of physical therapy was added with a limitation on 2,200 square feet.

In 2006, four uses were added to include: medical and dental offices; financial institutions; restaurants, fast food, excluding drive up facilities; and restaurants, sit down.

Most of the proposed uses are already allowed under the existing ordinance. The "PC" Planned Commercial District has a new set of uses which can be requested. Staff has compared the requested uses with those in the current site specific ordinance.

See the Use Comparison Chart on the following page.

Comparison of the Current and Proposed Uses. – Four Seasons Plaza West

Current Permitted Uses	Proposed Permitted Uses	Notes
Office or Office Buildings	Administrative office for educational or religious facility Office, general	
Retail Stores and Shops	Retail sales establishment, community Drug store and pharmacy	
Service Establishments	Commercial service facility Professional and technical service facility Dry cleaning establishment	
Barber Shops and Beauty Parlors	Barber or beauty shop	
Dance Studios	Art gallery, Art studio	
Travel Agencies		
Tailor Shops		
Financial Institutions	Financial Institution	
Medical and Dental Offices	Office, dental Office, medical	
Restaurants, fast food, excluding drive up facilities	Bakery Coffee Shop Restaurant, take out	
Restaurants, sit down	Restaurant, sit down Restaurant, outdoor customer dining areas	
RESTRICTIONS		
Drive Up Facilities – limited to one (1)	Financial institution, drive-thru	
Physical Therapy – square footage limited		
	Day care center, child	Limited to part of a 24 hour day
	Day care center, adult	Limited to part of a 24 hour day
	Grocery – neighborhood *	Limited to 5,000 square feet
	Public safety facility	Government facility
	Veterinary clinic	Boarding only for animals during their convalescence

* The original 1984 Ordinance from St. Louis County prohibited convenience stores and food markets. That prohibition carried through all the subsequent ordinances.

Staff has reviewed the proposed uses as compared to the existing uses and has no issues. The Attachment A has been written to limit the number of drive through facilities to match the previous site specific ordinance requirement.

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

Request

Staff has reviewed the Change of Zoning request and the Attachment A as written adheres to all applicable requirements of the City of Chesterfield with the exception of open space. The applicant has requested that the required 35% open space requirement be reduced to 23%. This will require a separate vote of Planning Commission with a two-thirds vote for recommendation of approval. Staff requests action on the Change of Zoning for P.Z. 09-2010 Four Seasons Plaza West (Schuyer Corp.).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mara M. Perry". The signature is written in a cursive, flowing style.

Mara M. Perry, AICP
Senior Planner

Attachments

1. Attachment A
2. Issues letter dated November 9, 2010
3. Response from petitioner dated November 10, 2010
4. Preliminary Plan

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PC" Planned Commercial District shall be:
 - a. Administrative office for educational or religious facility
 - b. Art gallery; Art studio
 - c. Bakery
 - d. Barber or beauty shop
 - e. Coffee shop
 - f. Commercial service facility
 - g. Day care center, child
 - h. Day care center, adult
 - i. Drug store and pharmacy
 - j. Dry cleaning establishment
 - k. Financial institution
 - l. Financial institution, drive-thru
 - m. Grocery – neighborhood
 - n. Office, dental
 - o. Office, general
 - p. Office, medical
 - q. Professional and technical service facility
 - r. Public safety facility

- s. Restaurant, outdoor customer dining areas
 - t. Restaurant, sit down
 - u. Restaurant, take out
 - v. Retail sales establishment, community
 - w. Veterinary clinic
2. The above uses in the "PC" Planned Commercial District shall be restricted as follows:
- a. Use "l" above will be restricted to one (1) drive-thru in this development which can be in the form of a stand alone ATM or attached to the building.
3. Hours of Operation.
- a. Hours of operation for this "PC" Planned Commercial District shall be 7:00 AM to 10:00 PM.
 - b. Refuse collection for the site shall commence no earlier than 8:00 AM.
 - c. Deliveries to the site shall commence no earlier than 6:30 AM.

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

1. Height
- a. The maximum height of the building, exclusive of roof screening, shall not exceed one (1) story.
2. Building Requirements
- a. A minimum of thirty-five percent (35%) openspace is required for this development.
 - b. This development shall have a maximum F.A.R. of 0.24.

C. SETBACKS

1. Structure Setbacks

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

- a. Sixty (60) feet from the right-of-way of Olive Boulevard on the northern boundary of the "PC" Planned Commercial District.

- b. Thirty (30) feet from the eastern, western and southern boundaries of the "PC" Planned Commercial District.
2. Parking Setbacks

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

 - a. Fifteen (15) feet from the right-of-way of Olive Boulevard on the northern boundary of the "PC" Planned Commercial District.
 - b. Twenty (20) feet from the western and southern boundaries of the "PC" Planned Commercial District.
 - c. Five (5) feet from the eastern boundary of the "PC" Planned Commercial District.

D. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
3. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. The developer will collaborate with the adjacent residential neighbors on said Landscape Plan to provide sufficient landscaping against the uses on the subject site.

F. SIGN REQUIREMENTS

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

G. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. Lighting for the site, with the exception of security lighting, shall be turned off by 10:00 PM, seven (7) days a week.

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance No. 2103 and as may be amended from time to time.
2. Access to this "PC" Planned Commercial development shall be provided via the cross access established on the adjacent parcel to the east. The nearest edge of the entrance may not be spaced closer than 100 feet from the right of way line for Olive Boulevard. Any existing entrances that do not meet this requirement must be removed and/or closed off from use as directed by the Department of Planning and Public Works.

3. Remove the first raised island off of Olive Boulevard when entering the subject site then re-stripe for separate left, right and through lanes. In addition, provide additional green space, if possible in the area where cross access is to be removed as directed in #2 above.
4. Ingress and egress must conform to the Missouri Department of Transportation (MoDOT) Access Management Guidelines and must be reviewed and approved by MoDOT. Any changes to the entrance geometrics and drainage design shall be in accordance with MoDOT standards and shall be reviewed and approved by MoDOT.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Olive Boulevard frontage of the site as directed. The sidewalk may be located within State right of way, if permitted by MoDOT, or within a six (6) foot wide sidewalk, maintenance and utility easement.
2. Obtain approvals from the Department of Planning and Public Works and MoDOT for areas of new dedication and roadway improvements.
3. Any work within MoDOT's right of way will require a MoDOT permit.

K. POWER OF REVIEW

The City Council shall review and provide final approval of the Site Development Plan for the proposed development subsequent to Planning Commission review.

L. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
3. The petitioner shall provide adequate detention and/or hydraulic calculations for review and approval of all storm water that will encroach on MoDOT right of way.

4. All drainage detention storage facilities shall be placed outside of the setbacks set in this ordinance, or fifteen (15) feet from the new or existing right of way, whichever is greater.

M. SANITARY SEWER

1. Formal plan submittal and approval will be required by the Metropolitan St. Louis Sewer District. Formal plan approval is subject to the requirements of detailed review.
2. Encroachments over public sewers should be avoided; relocation of the sewers and/or vacation of the easements may be required.

N. GEOTECHNICAL REPORT

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

O. MISCELLANEOUS

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

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

- A. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.

- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT 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 and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. 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.

VI. 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.



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

November 9, 2010

Mark A. Doering
Doering Engineering
5030 Griffin Road
St. Louis, MO 63128

RE: P.Z. 09-2010 Four Seasons Plaza West (Schuyer Corp.)

Dear Mr. Doering,

A Public Hearing was held for the project referenced above on November 8, 2010. At that time, several issues were raised by the Planning Commission for review. Those issues, as well as those raised by Staff, the public and any site specific ordinance requirements are listed below. Please be advised that additional ordinance requirements will be added upon request of various agencies and that a draft of the governing ordinance will be made available to you prior to the Planning Commission Issues Meeting on this project.

1. Please clarify the proposed hours of operation for the entire site.
2. Confirm whether the outdoor loud speaker is still connected and working.
3. Please identify when delivery trucks are delivering to the development and what type of vehicles and delivery methods they are using.

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

Building Requirements

- a. A minimum of twenty-three percent (23%) openspace is required for this development.
- b. This development shall have a maximum F.A.R. of (0.24).

Finally, the petitioner should be advised of the following items which may impact the project during the later stages of the development process. The following item was received from the Metropolitan Sewer District:

- Preliminary plans and MSD records do not indicate whether a grease trap, sampling manhole, and/or sampling tee exist on this property. The need for any

or all of these private sanitary facilities is dependent upon the building use. Should the building use(s) change to one of the proposed uses listed in Public Hearing Notice 09-2010, formal plans should be submitted to MSD (1) showing that appropriate facilities exist for the use(s) proposed or (2) proposing any facilities required to comply with MSD requirements.

Before submitting your written response to these issues, please set up an issues meeting with the Department of Planning and Public Works. A written response to each issue listed in this letter should be submitted.

This project will not be placed on the Planning Commission agenda for an Issues meeting until all items are addressed in writing. Please do not hesitate to contact me at 636-537-4744 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mara M. Perry". The signature is written in a cursive, flowing style.

Mara M. Perry, AICP
Senior Planner

Cc: Aimee Nassif, Planning and Development Services Director
Sue Mueller, Principal Engineer
Project File

November 10, 2010

City of Chesterfield Department of Planning
690 Chesterfield Parkway
Chesterfield, MO 63017-0760
Attn: Ms. Mara Perry

RE: P.Z. 09-2010 Four Seasons Plaza West (Schuyer Corp.)

Dear Ms. Perry:

I have attached "Notes from Art Sommer's inquiry into the noise situation at Four Seasons Plaza" for your use.

In response to your letter dated November 9, 2010, please note the corresponding numbered items:

1. The bakery's first employee arrives at 5:45 a.m. and it closes at 6:30 p.m. The real estate company may have employees working until 10:00 p.m. on occasion. We therefore request that the hours of operation be from 5:45 a.m. until 10:00 p.m.
2. The outdoor loud speaker is not in operation.
3. There is one truck for deliveries to the bakery at 6:30 each morning. The truck is a small box truck less than 25 feet long.

We understand and concur with the remainder of the letter.

Thank you for your assistance in this matter and if I can be of any further service to you, Please do not hesitate to call.

Sincerely,



Mark A. Doering
President

Cc: Steve Bahn
Art Sommer

Notes from Art Sommer's inquiry into the noise situation at Four Seasons Plaza

At 8:30 a.m. on 11/9/10 I met with the staff at McArthur's bakery. They told me that their delivery truck arrives no earlier than 6:30 a.m. each morning. One of their employees arrives at 5:45 a.m. each morning but the truck never arrives that early. She told me that the truck is equipped with a sliding door which goes up into the roof of the truck. This allows them to simply roll the carts with the baked goods into the store directly from the truck. I also asked her when their trash was picked up and she did not know.

I called Veolia trash service and was told that they are now operated by Allied Waste at 636.947.5959. I talked to a representative who told me that they were very aware of Chesterfield's ordinance against trash removal before 8:00 a.m. and actually pick up the trash at the Four Seasons in the afternoon.

A police officer in patrol car #11 was parked in the bowling alley lot so I visited with him about the noise at the Four Seasons Plaza. He said he often parks next to McArthur's bakery very early in the morning when he is on traffic patrol. He had never heard any loud noise there and assured me that this was a very quiet spot. He also said that all the trash trucks line up near the Seven Eleven East of Chesterfield in the morning waiting to come into the city at 8:00 a.m.

I also visited with Laverne Thoman who is the manager at the Coldwell Banker real estate office. She was aware that they once had a loud speaker in the back which they used to page agents who were on break. She did not think they had used it in years because of the advent of cell phones but would check it out. She called me later in the afternoon and said that it was working but was not on now. She assured me that they would not turn it on and have no plans to reactivate it in the future. She was very excited that we were coming into the center and looked forward to having LADS as a neighbor.

It seems that the noise issue is a past problem which has been corrected and will not occur again.

