

Planning Commission Staff Report

Meeting Date: May 09, 2022

From: Shilpi Bharti, Planner *SB*

Location: East of N Eatherton Road

Petition: **P.Z. 03-2022 530 N. Eatherton Road (Rise Development)**: A request for a zoning map amendment from the “NU” Non-Urban District to “PI” Planned Industrial for 16.6 acres located on the east side of North Eatherton Road (17W130064).

SUMMARY

RISE Development has submitted a request for a zoning map amendment from the “NU” Non-Urban District to “PI” Planned Industrial District to develop the land for warehousing use. A Public Hearing was held for this petition on April 11, 2022.



Figure 1: Subject Site Aerial

SITE HISTORY

The subject property was zoned “NU” Non-Urban District by St. Louis County prior to the incorporation of the City of Chesterfield. A Public Hearing was held in March 2022 for a change to “LI- Light Industrial”. After the Public Hearing, it was determined that the restrictions on hours of operation in the LI district were problematic, so the applicant amended their request to “PI-Planned Industrial District”, and a new Public Hearing was held.

SURROUNDING LAND USE AND ZONING

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

North: The property north of the subject site is zoned “NU” Non-Urban District.

South: The site overlooks the Precision Plaza which is zoned “PI” Planned Industrial District.

East: Property east of the site is zoned “NU” Non-Urban District.

West: North Eatherton Road runs to the west of the subject site and overlooks Wildwood city subdivision which is zoned M3.

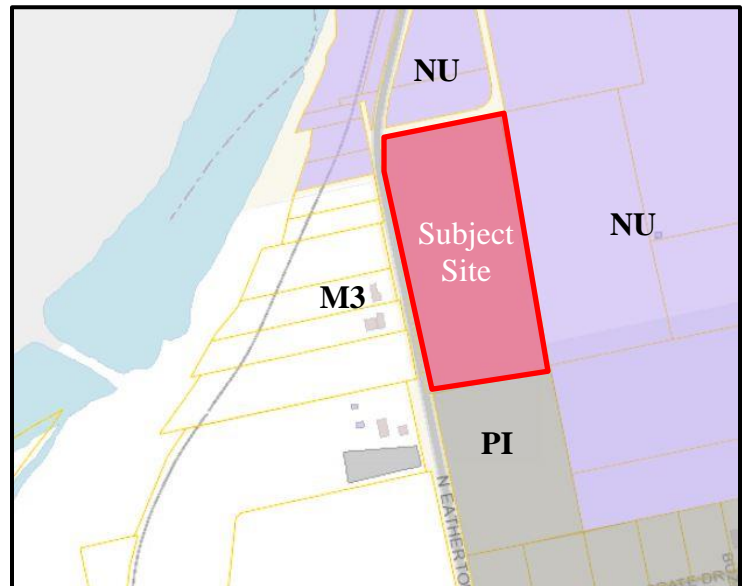


Figure 2: Surrounding Zoning map

COMPREHENSIVE PLAN

The subject site is located within Ward 4 of the City of Chesterfield. The City of Chesterfield Comprehensive Plan contains the City of Chesterfield Land Use Plan, which is helpful in determining the future use of the site. As per the City of Chesterfield Land Use Plan, the subject site is within the Industrial land use. The subject site is surrounded by Industrial on the east, north and south. The Industrial land use typically supports manufacturing and production uses, including warehousing, distribution, light manufacturing, airport support businesses and assembly operations. They are found in close proximity to major transportation corridors and are generally buffered from surrounding development by traditional uses or landscaped areas that shield the view of structures, loading docks, or outdoor storage from adjacent properties. Below are the development policies for the Industrial land use designation as described in the City of Chesterfield Comprehensive Plan.

- Limit curb cuts on arterial streets, and where possible concentrate access at shared entrance points.
- Primary entrance points should be aligned with access points immediately across the street.
- Connectivity may vary as industrial parks may have low connectivity due to dead ends and lack of connection to adjacent areas.
- Landscape buffering should be utilized between roadways to screen areas of surface parking.
- Residential projects should be limited to areas outside of the Chesterfield Valley.

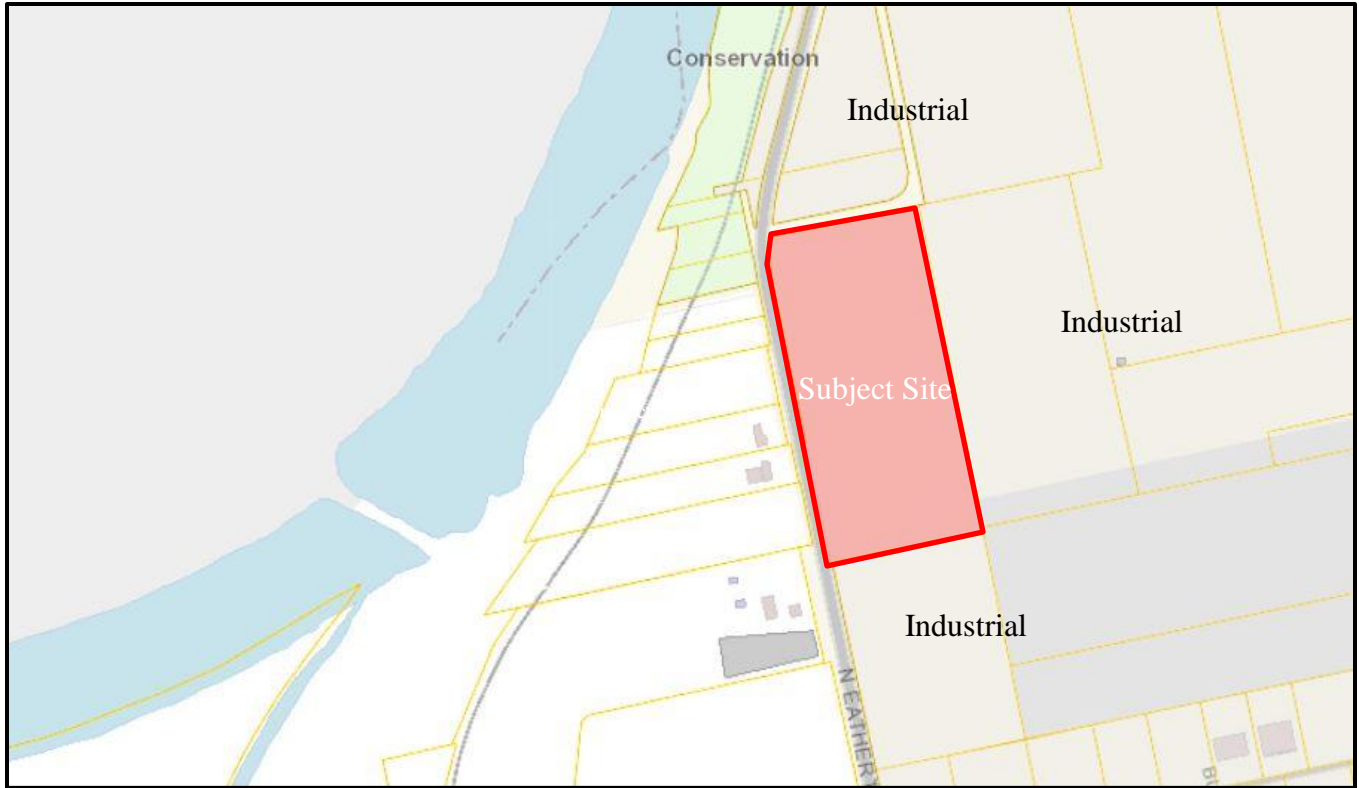


Figure 3: Comprehensive Land Use Plan

PI - PLANNED INDUSTRIAL DISTRICT

City of Chesterfield Unified Development Code regulations of the PI District offer a method for the industrial and selected commercial development of land in the City of Chesterfield that allows flexibility in applying certain zoning standards. The requirements are designed to offset the impact of changes in development standards allowed through these provisions. As per City Unified Development Code, the PI regulations should have the following outcomes:

- Ensure consistency with the Comprehensive Plan.
- Promote building styles and architectural styles that complement one another, as well as the surrounding area.
- Promote more efficient use of land.
- Incorporate site features, such as topography, views, vegetation, water features, and other factors into the design so they become assets to the development.
- Promote the most efficient arrangement of circulation systems, land use, and buildings.
- Promote environmentally sensitive developments.
- Allow development, under a specifically approved design concept and site plan.

The development standards for Planned Industrial District as described under City of Chesterfield UDC are:

Density	Maximum fifty-five hundredths (0.55) FAR
Open space	Thirty-five percent (35%)
Minimum front, side, and rear yard building setback	Thirty-five (35) feet
Minimum front, side, and rear yard parking setback	Twenty-five (25) feet

PUBLIC HEARING

A public hearing for this request was held on April 11, 2022. There were no issues raised.

REQUEST

The applicant has submitted a Preliminary Development Plan and narrative for review. As shown in the Preliminary Development Plan, the applicant is proposing twenty-one buildings with proposed uses as office-general and warehouse-general. As per the applicant, 17,440 square feet of area will be used for Office space and 163,960 square feet of area will be used as Warehouse space. The proposed access will be from N Eatherton Road.

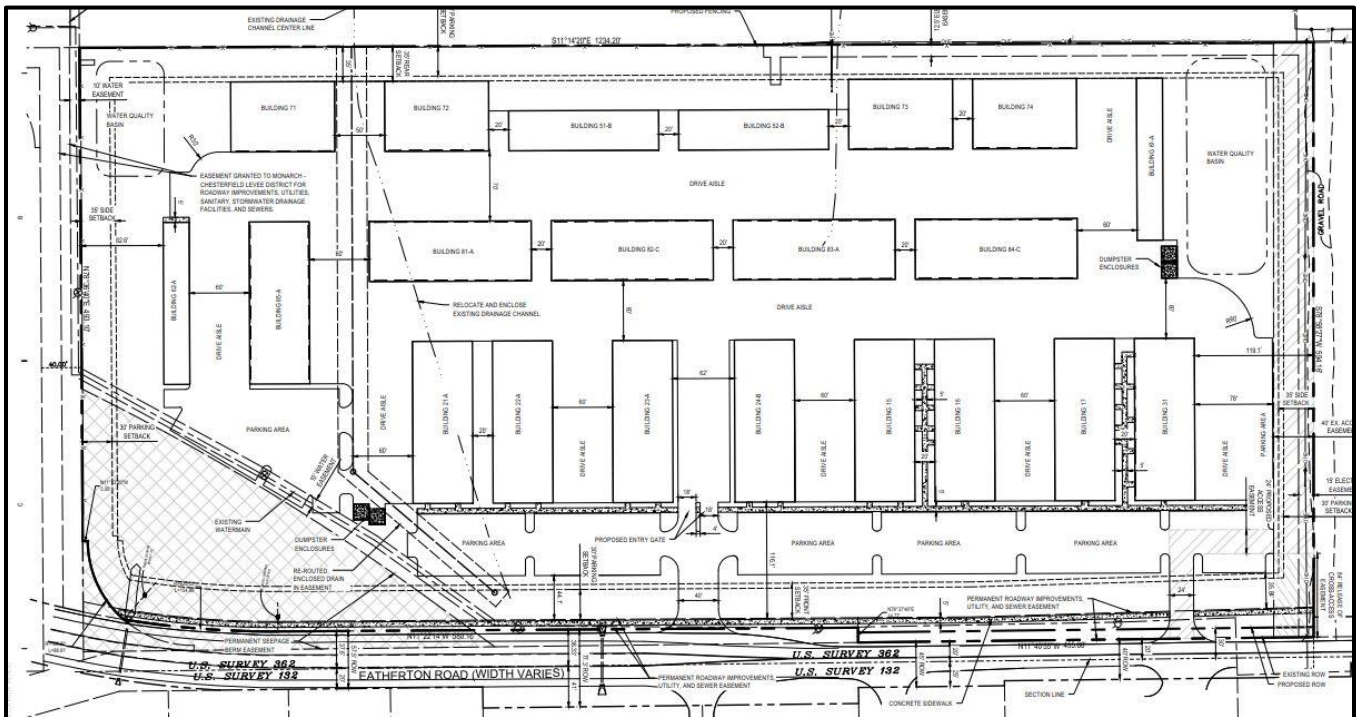


Figure 4: Preliminary Development Plan

The Development Standards requested by the applicant are:

Development Standards	PI District	Applicant Request
Maximum Height of structure	-	25 feet
Building setback from property line	35 feet	35 feet
Parking setback from property line	25 feet	30 feet
Density Requirement	Maximum fifty-five hundredths (0.55) FAR	Maximum fifty-five hundredths (0.55) FAR
Open space	35%	35.5 %

DEPARTMENTAL INPUT

Staff has completed review of this petition and has prepared the Attachment A reflecting this request for consideration by the Planning Commission. All agency comments have been received. The Preliminary Development Plan has been reviewed by Staff and is marked hereto as Attachment B. Staff has no further comments or outstanding issues on the zoning request before the Commission.

The petition has met all filing requirements and procedures of the City of Chesterfield. Additionally, all agency comments have been received and comments are represented in the provided Attachment A. Staff requests action on P.Z. 03-2022.

Upon receiving recommendation on this petition from the Planning Commission, this zoning request will be forwarded to both the Planning and Public Works Committee and City Council for review. If approved, the Site Development Plan process will then commence.

Attachments

1. Attachment A
2. Attachment B - Preliminary Development Plan
3. Applicant Narrative Statement

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. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
 - b. Mail order sales warehouse
 - c. Industrial sales, service, and storage
 - d. Professional and technical service facility
 - e. Office general
 - f. Warehouse, general
2. Hours of Operation.
 - a. Hours of operation for this "PI" District shall not be restricted.
3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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 35 feet.
2. Building Requirements
 - a. A minimum of 35% openspace is required for each lot within this development.
 - b. This development shall have a maximum F.A.R. of fifty-five hundredths (0.55).

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. The minimum building setback shall be thirty-five (35) feet from front, side and rear of the property line

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. The minimum parking setback shall be twenty-five (25) feet from front, side, and rear of the property line.

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. 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.

E. LANDSCAPE AND TREE REQUIREMENTS

The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code, with the exception of 25' landscape buffer shall be provided along North Eatherton Road.

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. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction shall be reviewed by the City of

Chesterfield/Saint Louis County Department of Transportation 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.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be as shown on the Preliminary Development Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
2. 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 Transportation.
3. Roadway improvements shall be as directed by the St. Louis County Department of Transportation and shall be per the concept plan approved by the City of Chesterfield/St. Louis County Department of Transportation.
4. The existing 40 foot wide access easement along the southern property line shall be partially vacated and a new easement granted, that allows those parties with rights to the easement access to N. Eatherton Road by way of the access locations depicted on the Preliminary Site Plan. The owner of the property to which this ordinance applies shall be responsible for coordinating the vacation and reestablishment of the access easement with those parties which have rights to the easement.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Transportation. No gate installation will be permitted on public right-of-way.

2. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.
3. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the Eatherton Road frontage of the site. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within the Eatherton Road right-of-way, if permitted by St. Louis County or on private property within a 6 foot wide sidewalk, public access and utility easement dedicated to the City and maintained by the property owner.

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and St. Louis County 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. MONARCH-CHESTERFIELD LEVEE DISTRICT

Plans shall be submitted to Levee District and MSD for approval/comments.

M. POWER OF REVIEW

The development shall adhere to the Power of Review Requirements of the City of Chesterfield Code.

N. 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 connected to an adequate piped system.
2. Provide stormwater management facilities as required by the City of Chesterfield, the Metropolitan St. Louis Sewer District, and the Monarch-Chesterfield Levee District. The location and types of storm water management facilities shall be identified on all Site Development Plans.
3. 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.

4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield, the Metropolitan Saint Louis Sewer District, and the Monarch-Chesterfield Levee District.

O. SANITARY SEWER

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

P. 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 Public Services. 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.

R. MISCELLANEOUS

1. All utilities will be installed underground.
2. 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 City of Chesterfield and Saint Louis County Department of Transportation. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
3. 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. 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 a 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 St. Louis County 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.

III. TRUST FUND CONTRIBUTION

The developer shall be required to contribute to the **TGA**. Traffic generation assessment contributions shall be deposited with St. Louis County/ City of Chesterfield (as directed by City of Chesterfield) 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.

A. ROADS

1. The developer shall be required to 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:

<u>Type of Development</u>	<u>Required Contribution</u>
General Retail	\$2,477.85/parking space
General Office	\$825/parking space
Warehouse	\$1,156.36/parking space

(Parking spaces as required by the City of Chesterfield Code.)

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

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 Transportation 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 contribution shall be deposited with Saint Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to the issuance of building permits for each phase of development. Funds shall be payable to Treasurer, Saint Louis County/ City of Chesterfield.

B. WATER MAIN

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$996.57 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 Transportation. The deposit shall be made before Saint Louis County approval of the Site Development Plan or Concept Plan unless otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, Saint Louis County/City of Chesterfield.

C. STORM WATER

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 \$3,161.89 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 Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to Treasurer, Saint Louis County/ City of Chesterfield.

D. SANITARY SEWER

The sanitary sewer contribution is collected as the Caulk Creek impact fee.

The sanitary sewer contribution within Chesterfield Valley area shall be deposited with the Metropolitan Saint Louis Sewer District as required by the District.

The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2023, 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 Transportation/ City of Chesterfield.

IV. 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.

V. 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.



April 29, 2022

City of Chesterfield
Department of Planning
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: Project Narrative
RISE Commercial District – 530 North Eatherton Road

To whom it may concern:

Following is a narrative statement for the rezoning application as required in section IX.10 of the rezoning application.

- A. The RISE facilities meet the last-mile distribution and supply chain logistics needs of companies by offering business flex space. RISE facilitates business growth by providing flexible office and warehouse space with short term, scalable leases.
- B. Only one tract exists on this site, and the proposed use will be office-general and warehouse-general. The adjacent properties are zoned NU and PI and are compatible with the proposed use. Proposed uses will be office-general and warehouse-general.
- C. Proposed building setbacks are 35' on the front, rear, and sides. Twenty-two buildings are proposed with a total area of approximately 181,400 square feet. The property is 16.587 acres, so the resulting proposed density is 25.1% which is less than the maximum FAR of 55% in the PI district.
- D. Proposed parking setback is 30' on all sides.
- E. Proposed open space requirement is 35%. The open space provided is 35.5%.
- F. Proposed maximum building height for PI District is 35 feet. The proposed buildings will be single story with varying building heights and a maximum height of approximately 25 feet to the roof peak.
- G. No variances are requested at this time.
- H. Table of Proposed Uses with approximate areas:

Warehouse	Office	Public	Total
163,960 sft	17,440 sft	0 sft	181,400 sft
- I. Dedication of land is not anticipated for public use or streets. Roads for the development are proposed to be private.
- J. Sufficient parking will be provided on the site to ensure no overflow of vehicular parking will affect adjacent properties. A minimum of 60 feet is provided between buildings to allow for sufficient loading and access to the buildings internal to the site. Parking lot lighting will be designed with cutoff fixtures and photometric plan will be designed to ensure there is no light spill from crossing the property lines.
- K. The project will be constructed in two phases. Approximate dates are:
 - a. Phase 1 – 9/1/22 start and 8/31/23 completion.
 - b. Phase 2 – 2/1/24 start and 7/31/24 completion.
- L. The current site use is agricultural and there are no trees on site to preserve. The proposed landscaping will be designed in accordance with the City of Chesterfield zoning ordinance.

Sincerely,

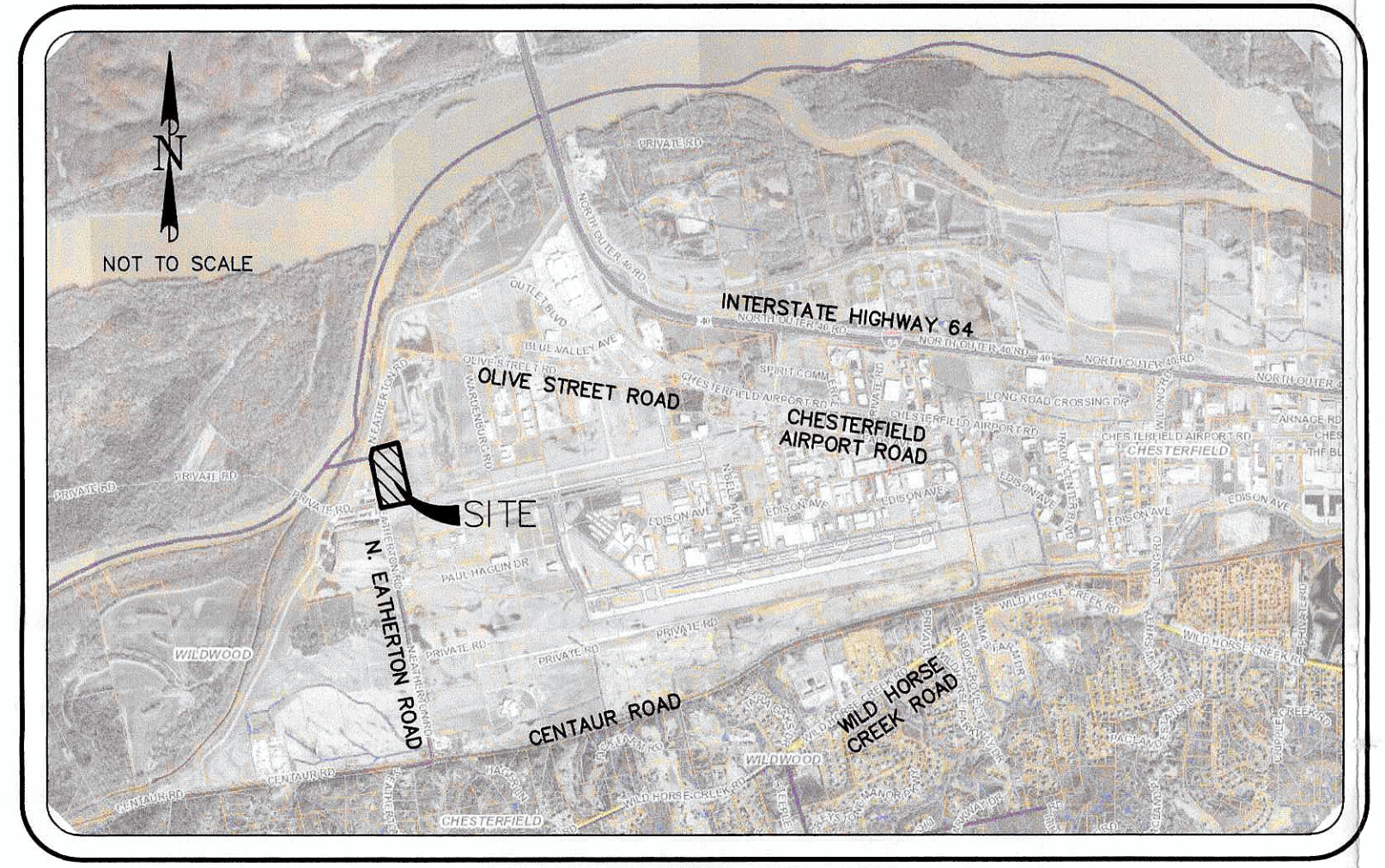
Joshua Manion, PE

jpm
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Progressive AE, Inc.

Corporate Office: | 1811 4 Mile Road NE | Grand Rapids, MI 49525 | 616.361.2664 | progressiveae.com
Regional Office: | 330 South Tryon Street, Suite 500 | Charlotte, NC 28202 | 704.731.8080 | progressiveae.com

ALTA/NSPS LAND TITLE SURVEY
 A TRACT OF LAND BEING
 PART OF LOT 2 OF
 "SUBDIVISION OF E. KROENUNG ESTATE"
 PLAT BOOK 11 PAGE 11
 IN U.S. SURVEY 362
 TOWNSHIP 45 NORTH, RANGE 3 EAST
 CITY OF CHESTERFIELD,
 ST. LOUIS COUNTY, MISSOURI



VICINITY MAP

LEGEND

GRAVEL	BENCHMARK
ASPHALT	STONE OR CONCRETE MONUMENT
FLARED END SECTION	CROSS
WATER VALVE	FOUND MONUMENT
FIRE HYDRANT	SET MONUMENT
POWER POLE	(SUR) SURVEYED DISTANCE
GUY WIRE	(R1) P.B. 153 PG. 9
OVERHEAD UTILITIES	(R2) P.B. 11 PG. 11
GAS BURIED GAS	(R3) D.B. 17599 PG. 3937
BURIED WATER	(R4) D.B. 6522 PG. 829
	(XX) TITLE COMMITMENT ITEM

PROPERTY DESCRIPTION FROM TITLE COMMITMENT

LOT TWO (2) OF THE SUBDIVISION OF E. KROENUNG ESTATE, IN U.S. SURVEYS 133, 362 AND 1937, TOWNSHIP 45 NORTH, RANGE 3 EAST, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11 PAGE 11 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS;

EXCEPTING THEREFROM THE FOLLOWING:

THAT PART CONVEYED TO COUNTY OF ST. LOUIS FOR THE RELOCATION OF EATHERTON ROAD BY DEED RECORDED IN BOOK 540 PAGE 510 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS;

THAT PART CONVEYED TO ST. LOUIS COUNTY, MISSOURI, FOR ROADWAY PURPOSES BY DEED RECORDED IN BOOK 6522 PAGE 829 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS;

THAT PART CONVEYED TO JACK J. SCHWARTZ AND PATRICIA M. SCHWARTZ, HIS WIFE BY DEED RECORDED IN BOOK 6999 PAGE 657 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS;

THAT PART CONVEYED TO ST. LOUIS COUNTY, MISSOURI, BY DEED RECORDED IN BOOK 17599 PAGE 3937 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS;

AS-SURVEYED PROPERTY DESCRIPTION

A TRACT OF LAND BEING PART OF LOT 2 OF "SUBDIVISION OF E. KROENUNG ESTATE"; A SUBDIVISION ACCORDING TO THE INSTRUMENT RECORDED IN PLAT BOOK 11 PAGE 11 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS, IN U.S. SURVEY 362, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND STONE MARKING THE NORTHEAST CORNER OF LOT 3 OF "PRECISION PLAZA"; A SUBDIVISION ACCORDING TO THE INSTRUMENT RECORDED IN PLAT BOOK 357 PAGE 286 OF SAID RECORDS; THENCE WESTWARDLY ALONG THE NORTH LINE OF SAID LOT 3 OF "PRECISION PLAZA" AND ALONG THE DIRECT WESTWARDLY PROLONGATION THEREOF, SOUTH 78 DEGREES 58 MINUTES 27 SECONDS WEST 594.16 FEET TO THE EAST RIGHT OF WAY LINE OF EATHERTON ROAD (WIDTH VARIES); THENCE NORTHWARDLY ALONG SAID EAST RIGHT OF WAY LINE OF EATHERTON ROAD (WIDTH VARIES) THE FOLLOWING COURSES AND DISTANCES: NORTH 11 DEGREES 40 MINUTES 55 SECONDS WEST 455.66 FEET; NORTH 78 DEGREES 37 MINUTES 46 SECONDS EAST 147.77 FEET; NORTH 11 DEGREES 22 MINUTES 14 SECONDS WEST 580.16 FEET; ALONG A CURVE TO THE RIGHT, BEARING NORTH 78 DEGREES 37 MINUTES 46 SECONDS EAST 925.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 154.00 FEET ALONG A CURVE TO THE RIGHT, BEARING SOUTH 59 DEGREES 54 MINUTES 13 SECONDS EAST 105.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 88.91 FEET; AND NORTH 11 DEGREES 22 MINUTES 14 SECONDS WEST 5.00 FEET TO A POINT IN THE SOUTH LINE OF FORMER OLD EATHERTON ROAD (40 FEET WIDE); NORTH 78 DEGREES 36 MINUTES 40 SECONDS EAST 493.10 FEET TO THE WEST LINE OF PROPERTY CONVEYED TO BURKHARDT FAMILY INVESTMENTS, LLC ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 17445 PAGE 485 OF SAID RECORDS; THENCE SOUTHWARDLY ALONG SAID WEST LINE OF THE BURKHARDT FAMILY INVESTMENTS PROPERTY AND ALONG THE WEST LINE OF PROPERTY CONVEYED TO ST. LOUIS COUNTY, MISSOURI, ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 12257 PAGE 1819 OF SAID RECORDS, SOUTH 11 DEGREES 14 MINUTES 20 SECONDS EAST 1234.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.587 ACRES.

TITLE COMMITMENT NOTES

THIS PROPERTY AND THE EASEMENTS THEREOF ARE REFERENCED IN A TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT FILE NO. 108110421-NBY, WITH AN EFFECTIVE DATE OF NOVEMBER 23, 2021. THIS TITLE COMMITMENT WAS RELIED UPON TO DISCLOSE ALL EASEMENTS AND OTHER MATTERS OF RECORD WHICH AFFECT THIS PROPERTY.

SCHEDULE B - SECTION II ITEMS ARE AS FOLLOWS:

ITEM 1. NO COMMENT BY THE SURVEYOR.

ITEM 2. PROPERTY MAY BE SUBJECT TO RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

ITEM 3. PROPERTY MAY BE SUBJECT TO EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.

ITEMS 4 THRU 6. NO COMMENT BY THE SURVEYOR.

ITEM 9. PROPERTY IS SUBJECT TO EASEMENTS, RESTRICTIONS AND SETBACK LINES AS PER PLAT, RECORDED IN PLAT BOOK 11, PAGE 11. NO EASEMENTS OR SETBACK LINES WERE DEDICATED ON SAID PLAT.

ITEM 10. RIGHT OF WAY OF EATHERTON ROAD OVER THAT PORTION OF THE HEREIN DESCRIBED PROPERTY EMBRACED THEREIN. NO COMMENT BY THE SURVEYOR.

ITEM 11. PROPERTY MAY BE SUBJECT TO LEGAL EXECUTE BY LENORA B. BAYER AND EDWARD J. BAYER, HER HUSBAND, TO W. M. MITCHELL, JR. AS LONG AS OIL OR GAS ARE PRODUCED ON SAID PREMISES, ACCORDING TO INSTRUMENT RECORDED IN BOOK 524, PAGE 74. HOWEVER, THE DESCRIPTION CONTAINED IN SAID INSTRUMENT IS VAGUE AND COULD NOT BE PLOTTED AND LOCATION COULD NOT BE ASCERTAINED.

ITEM 12. PROPERTY IS SUBJECT TO EASEMENTS GRANTED TO UNION ELECTRIC COMPANY BY THE INSTRUMENTS RECORDED IN BOOK 6549, PAGE 1000 AND IN BOOK 7604, PAGE 2299. EASEMENTS LOCATED AS SHOWN HEREON.

ITEM 13. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RIGHTS AND OR TAKING OF LAND BY MONARCH-CHESTERFIELD LEVEE DISTRICT, IF ANY.

ITEM 14. PROPERTY IS SUBJECT TO A PERMANENT SEEPAGE BERM EASEMENT AND MAINTENANCE CONDITIONS GRANTED TO MONARCH-CHESTERFIELD LEVEE DISTRICT ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 17599, PAGE 3929. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 15. PROPERTY IS SUBJECT TO PERMANENT ROADWAY IMPROVEMENT, MAINTENANCE, UTILITY AND SEWER EASEMENT GRANTED TO MONARCH-CHESTERFIELD LEVEE DISTRICT ACCORDING TO THE INSTRUMENT RECORDED IN BOOK, 17599, PAGE 3946. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 16. PROPERTY MAY BE SUBJECT TO A MEMORANDUM OF EASEMENT GRANTED TO MONARCH-CHESTERFIELD LEVEE DISTRICT TO CONSTRUCT, IMPROVE, REPAIR AND REPLACE AND FORESEE MAINTAIN ROADWAY IMPROVEMENTS, UTILITIES AND SANITARY AND STORMWATER DRAINAGE FACILITIES DATED MAY 31, 2007 AND RECORDED JULY 2, 2007 IN BOOK 17599, PAGE 3983. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 17. PROPERTY IS SUBJECT TO A PERMANENT ACCESS EASEMENT GRANTED TO BURKHARDT FAMILY INVESTMENTS, LLC ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 17910, PAGE 4916 AS CORRECTED IN BOOK 18125, PAGE 1929. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 18. PROPERTY IS SUBJECT TO A GENERAL UTILITY EASEMENT GRANTED TO MONARCH-CHESTERFIELD LEVEE DISTRICT, CITY OF CHESTERFIELD, MISSOURI, METROPOLITAN ST. LOUIS SEWER DISTRICT, MISSOURI-AMERICAN WATER COMPANY, AMEREN UE, SOUTHWESTERN BELL TELEPHONE COMPANY, LACLEDE GAS COMPANY AND CHARTER CABLE COMPANY, ACCORDING TO THE INSTRUMENT RECORDED IN BOOK 17910, PAGE 4923. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 19. PROPERTY MAY BE SUBJECT TO A GENERAL UTILITY EASEMENT GRANTED TO MONARCH-CHESTERFIELD LEVEE DISTRICT, CITY OF CHESTERFIELD, MISSOURI, METROPOLITAN ST. LOUIS SEWER DISTRICT, MISSOURI-AMERICAN WATER COMPANY, AMEREN UE, SOUTHWESTERN BELL TELEPHONE COMPANY, LACLEDE GAS COMPANY AND CHARTER CABLE COMPANY RECORDED JUNE 11, 2008 IN BOOK 17910, PAGE 4935. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 20. PROPERTY IS SUBJECT TO A PERMANENT ROADWAY IMPROVEMENTS, MAINTENANCE, UTILITY AND SEWER EASEMENT DATED MAY 30, 2008 GRANTED TO MONARCH-CHESTERFIELD LEVEE DISTRICT, COUNTY OF ST. LOUIS, MISSOURI, MISSOURI, THE METROPOLITAN ST. LOUIS SEWER DISTRICT, MISSOURI-AMERICAN WATER COMPANY, AMEREN UE, SOUTHWESTERN BELL TELEPHONE COMPANY, LACLEDE GAS COMPANY AND CHARTER CABLE COMPANY RECORDED JUNE 11, 2008 IN BOOK 17910, PAGE 4935. EASEMENT IS LOCATED AS SHOWN HEREON.

ITEM 21. THE TERMS AND PROVISIONS OF ORDINANCE NO. 12969 OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT, A COPY OF WHICH IS RECORDED IN BOOK 19465, PAGE 2891 DO NOT AFFECT SUBJECT PROPERTY.

ITEM 22 THRU 25. NO COMMENT BY THE SURVEYOR.

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HEREON ARE TAKEN FROM UTILITY LOCATIONS AS CONTRACTED THROUGH DIGRITE AND MARKED IN THE FIELD BY VARIOUS UNDERGROUND UTILITY LOCATORS, INCLUDING USIB.

DIGRITE TICKET NUMBER: #213542392 (12/20/2021).

AMEREN MISSOURI ELECTRIC: "CLEAR/NO CONFLICT" PER EMAIL MESSAGE FROM TICKETCHECK.

ATT DISTRIBUTION: "CLEAR/NO CONFLICT" PER EMAIL MESSAGE FROM TICKETCHECK.

CHARTER COMMUNICATIONS: "CLEAR/NO CONFLICT" PER EMAIL MESSAGE FROM TICKETCHECK.

MARATHON PIPELINE: "CLEAR/NO CONFLICT" PER EMAIL MESSAGE FROM TICKETCHECK.

MISSOURI AMERICAN WATER CO: "MARKED" PER EMAIL MESSAGE FROM TICKETCHECK. NO MARKS WERE FOUND.

SPIRE MO EAST: "CLEAR/NO CONFLICT" PER EMAIL MESSAGE FROM TICKETCHECK.

ST. LOUIS METROPOLITAN SEWER: "CLEAR/NO CONFLICT" PER EMAIL MESSAGE FROM TICKETCHECK.

ALL UTILITY MARKS FOUND IN THE FIELD WERE LOCATED BY THE SURVEYOR AND ARE SHOWN HEREON. THE SURVEYOR CLAIMS NO RESPONSIBILITY AS TO THE ACCURACY OR COMPLETENESS OF SAID UTILITY MARKS.

UTILITIES ARE ALSO SHOWN HEREON AS SCALED FROM MAPS OBTAINED FROM SPIRE, MSD AND MAW AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN, AND SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

SITE IS SUBJECT TO PRIVATE UTILITY INSTALLATIONS. PRIVATE UTILITY INSTALLATIONS DO NOT APPEAR ON UTILITY BASE MAPS, NOR DO UTILITY LOCATORS MARK PRIVATE UTILITIES.

CONTROL DATUM NOTES

THE HORIZONTAL COORDINATES WERE ESTABLISHED AND VERIFIED BY GPS OBSERVATIONS USING A LEXAR EQUIPPED TRIMBLE AND COLLECTOR TSC3 DATA COLLECTOR AND BASED ON THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION GLOBAL NAVIGATION SATELLITE REAL TIME NETWORK FOR CONTINUOUS OPERATING REFERENCE STATIONS, WHICH UTILIZES THE NAD83(2011) EPOCH 2010.00 GPS NETWORK.

A SITE GRID AZIMUTH AND GRID FACTOR (COMBINED SCALE FACTOR AND ELEVATION FACTOR) WAS CALCULATED UTILIZING THE TRIMBLE TSC3 DATA COLLECTOR SURVEY CONTROLLER SOFTWARE ON FIELD CONTROL POINT 1.

FIELD CONTROL POINT 1 HAS A LATITUDE OF 38°39'56.96787"N AND LONGITUDE OF 90°40'31.39661"W.

PROJECT COORDINATES ARE MODIFIED "MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE" COORDINATES AND WERE GENERATED BY SCALING THE COORDINATES BY THE INVERSE OF SAID GRID FACTOR (1.000001016) ABOUT FIELD CONTROL POINT 1. THE COORDINATES WERE THEN CONVERTED TO FEET BY MULTIPLYING THE METRIC VALUES BY 3.280833333 (39.37 INCHES PER METER/12 INCHES PER FOOT).

THE GEOD USED TO OBTAIN PROJECT COORDINATES IS G12826.

TO THE BEST OF OUR KNOWLEDGE, THE MODIFIED MISSOURI STATE PLANE, EAST ZONE, COORDINATES MEET THE ACCURACY REQUIREMENTS OF CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS (20 CSR 2030-16.040) AS AN URBAN CLASS SURVEY.

PROJECT ELEVATIONS UTILIZE THE NAVD 88 VERTICAL DATUM AND WERE GENERATED BY GPS OBSERVATIONS USING A CELLULAR EQUIPPED TRIMBLE 88 GNSS ROVER AND TRIMBLE TSC3 DATA COLLECTOR AND ARE BASED ON THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION GLOBAL NAVIGATION SATELLITE REAL TIME NETWORK FOR CONTINUOUS OPERATING REFERENCE STATIONS.

REFERENCE BENCHMARK: "STANDARD ALUMINUM DISK" STAMPED SL-41 1990 DISK IS SET ALONG THE EAST SIDE OF EATHERTON ROAD JUST NORTH OF THE SHELL PIPELINE MARKER. 19' EAST OF THE CENTERLINE OF EATHERTON ROAD JUST NORTH OF THE EAST PIPELINE MARKER. APPROXIMATELY 1.1 MILE SOUTH OF THE INTERSECTION OF OLIVE STREET ROAD AND EATHERTON ROAD. (#330 EATHERTON) ELEVATION = 461.10 (NAVD88).

SITE BENCHMARK (NAVD 88) - CHISELED CROSS IN SQUARE ON TOP OF FLARED END SECTION LOCATED ON SUBJECT PROPERTY AND ALONG THE EAST SIDE OF N. EATHERTON ROAD (ELEVATION=470.16). LOCATED AS SHOWN HEREON.

GENERAL NOTES

1. BASIS OF BEARINGS IS THE "MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE" (GRID NORTH).
2. ALL THE SHOWN HEREON ARE PERPENDICULAR TO THE PROPERTY LINES TO WHICH THEY ARE TIED UNLESS NOTED OTHERWISE.
3. TO DETERMINE THE LOCATION OF FLOOD DESIGNATIONS AND BOUNDARIES, WE DETERMINED THE HORIZONTAL LOCATION OF THIS TRACT OF LAND BY SCALING THE FOLLOWING FLOOD INSURANCE RATE MAP (FIRM): ST. LOUIS COUNTY, MISSOURI AND INCORPORATED AREAS, MAP NUMBER 291802048K, WITH AN EFFECTIVE DATE OF FEBRUARY 4, 2015.

COMMUNITY: CITY OF CHESTERFIELD
 NUMBER: 290896
 PANEL: 0145
 SURVEY: X

BY EXPRESS REFERENCE TO THIS MAP AND ITS LEGEND, THIS TRACT OF LAND IS INDICATED TO BE WITHIN ZONE X (HATCHED) - OTHER FLOOD AREAS - AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

THE EVALUATION PROVIDED IN THIS NOTE IS RESTRICTED TO SIMPLY INDICATING THE APPARENT HORIZONTAL LOCATION OF THE PROPERTY WITH RESPECT TO THE FEATURES DISPLAYED ON THE MAP. NO FIELD STUDY OF THE DRAINAGE CHARACTERISTICS TO WHICH THIS PROPERTY MAY BE SUBJECT TO HAS BEEN CONDUCTED AND NO REPRESENTATION CONCERNING THE INSURABILITY OF THIS PROPERTY OR THE POTENTIAL SUSCEPTIBILITY TO FLOODING HAS BEEN MADE. BAX ENGINEERING MAKES NO REPRESENTATION CONCERNING THE ACCURACY OF THE ABOVE REFERENCED FIRM MAP WHICH INCLUDES A NOTE THAT "THIS MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. IT DOES NOT NECESSARILY IDENTIFY ALL AREA SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE.

THIS FLOOD ZONE DETERMINATION AND THE FLOOD ZONE LIMITS SHOWN HEREON, IF ANY, WERE MADE USING FEMA INFORMATION WHICH WAS AVAILABLE ON THE DATE THIS SURVEY WAS SIGNED AND SEALED.

4. THE SUBJECT PROPERTY CONTAINS 0 REGULAR PARKING SPACES AND 0 HANDICAPPED PARKING SPACES. THIS INCLUDES ONLY PARKING SPACES WHICH ARE CLEARLY DESIGNATED BY STRIPING ON THE GROUND.
5. THERE WAS NO OBSERVED EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WHILE CONDUCTING THE FIELDWORK OF THIS SURVEY.
6. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WHILE CONDUCTING THE FIELDWORK OF THIS SURVEY. THE SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES.
7. DIGRITE (MISSOURI ONE CALL) WAS CONTACTED AND REQUESTED TO MARK BURIED UTILITIES. HOWEVER, THE UTILITY LOCATOR MADE AN INCOMPLETE RESPONSE. THIS RESULTED IN AN INCOMPLETE DESIGNATION OF BURIED UTILITIES ON THIS SURVEY. THE INDIVIDUAL RESPONSES TO THE DIGRITE TICKETS(S) ARE SHOWN HEREON IN "UTILITY NOTES". IT SHOULD BE NOTED THAT SOME OF THE BURIED UTILITIES DESIGNATED AS "MARKED" ON THE RESPONSE FROM MISSOURI ONE CALL TICKETCHECK WERE NEVER ACTUALLY MARKED, OR MARKED INCOMPLETELY, IN THE FIELD AT THE TIME OF SURVEY FIELD WORK.
8. THE "AS-SURVEYED" LEGAL DESCRIPTION FOR SUBJECT PROPERTY IS INTENDING TO DESCRIBE THE SAME PROPERTY AS IS REFERENCED TITLE COMMITMENT. THE "AS-SURVEYED" LEGAL DESCRIPTION REFLECTS THE ACTUAL MEASUREMENTS MADE BY THE LAND SURVEYOR.
9. THIS SURVEY CONFORMS TO CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL LANDSCAPE ARCHITECTS UNDER THE RULES OF THE DEPARTMENT OF COMMERCE AND INSURANCE (20 CSR 2030-16).

ALTA/NSPS SURVEYOR'S CERTIFICATION

TO:

• FIRST AMERICAN TITLE INSURANCE COMPANY
 • ESAP INDIANA, LLC AND ITS AFFILIATES, SUCCESSORS, ASSIGNS, AND NOMINEES

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 7A, 8, 9, 11S, 17, 19, AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 3, 2022.

DATE OF PLAT OR MAP: JANUARY 13, 2022

ANDY D. BECK
 MO LICENSE NO. PL-2015017835
 abeck@axengineering.com

REVISIONS

NO.	DATE	DESCRIPTION

ALTA/NSPS SURVEYOR'S CERTIFICATION

ANDY D. BECK
 MISSOURI PROFESSIONAL LAND SURVEYOR
 LICENSE NO. PL-2015017835
 1-13-22

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 City of Chesterfield Department of Planning

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 Missouri State Certificate of Authority
 Engineering #000655
 Missouri State Certificate of Authority
 Surveying #000144

01-13-2022
 21-18588
 PROJECT NUMBER
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