



AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Tuesday, January 17, 2023
6:00 PM

I. Appointments – Mayor Bob Nation

II. Council Committee Reports

A. Planning and Public Works Committee – Chairperson Dan Hurt, Ward III

1. Proposed Bill No. 3418 - P.Z. 11-2022 Estates at Fire Rock (St. Austin School) – An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “PUD” Planned Unit Development to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 11-2022 Estates at Fire Rock (St. Austin School) 18V130099, 18V140065, & 18V140098). (Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.
2. 18122 Chesterfield Airport Rd. (Scott Properties) – An Amended Site Development Plan and Amended Architectural Elevations located on a 12-acre tract of land located north of Edison Avenue, east of Spirit of St. Louis Blvd, south of Chesterfield Airport Road, and west of Crown Industrial Ct. zoned “M3” Planned Industrial. (Voice Vote) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.
3. Next Meeting – Thursday, January 19, 2023 (5:30pm)

B. Finance and Administration Committee – Chairperson Barbara McGuinness, Ward I

1. Proposed Bill No. 3419 - Fee Increase – An Ordinance of the City of Chesterfield amending section 405.09.020 Public Hearing petitions and applications and 405.09.030 Permit and Inspection Fees. (Second Reading)
2. Proposed Bill No. 3420 - Permits for Non-Compliant Properties – An ordinance amending Section 600.085 of the municipal code related to liquor licenses, 605.070 related to business licenses, 605.610 related to licenses for tourist camps, 605.770 related to licenses for pawn brokers, 605.1270 related to licenses for adult entertainment businesses, 610.210 related to alarm system licenses, 605.1040 related to licenses for tobacco sales, 210.680 related to licenses for

outdoor events, and 375.040 related to parades, and adopting section 605.250 related to appealing a decision to deny a license by reason of violations of Chapter 215 and/or Chapter 405 of the City's municipal code. (Second Reading)

3. Proposed Bill No. 3421 - Recreational Marijuana Sales Tax Ballot Proposal – An ordinance imposing a sales tax of 3 percent (3%) on retail sales of adult use marijuana pursuant to the authority granted by and subject to the provision of the Missouri Constitution Article XIV Section 2: Providing that this retail sales tax shall be in addition to any and all other tangible personal property retail sales taxes allowed by law; and providing for submission to the qualified voters of the City for their approval at the general municipal election called to be held in the City on April 4th, 2023. (Second Reading)

4. Next Meeting – Monday, February 13, 2023 (4:00pm)

C. Parks, Recreation and Arts Committee – Chairperson Gary Budoor, Ward IV

1. Next Meeting – Not yet scheduled

D. Public Health and Safety Committee – Chairperson Aaron Wahl, Ward II

1. Next Meeting – Not yet scheduled

III. Report from the City Administrator & Other Items Requiring Action by City Council – Mike Geisel

IV. Other Legislation

- A. Proposed Bill No. 3422 – Use Tax Ballot Proposal – An ordinance providing submission of the proposal to the qualified voters of the City of Chesterfield for their approval at the General election on April 4th, 2023. (Second Reading)
- B. Proposed Bill No. 3424 - Boundary Adjustment Plat – Schoettler Grove, Lots 24 & 25 – An ordinance providing for the approval of a Boundary Adjustment Plat for Lot 24 and Lot 25 of Schoettler Grove (20R220890, 20R220881). (First & Second Readings) Department of Planning recommends approval.

V. Unfinished Business

VI. New Business

VII. Adjournment

NOTE: City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3)1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.



AGENDA
CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Tuesday, January 17, 2023
7:00 PM

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. City Council Meeting Minutes** – January 03, 2023
 - B. Executive Session Minutes** – January 03, 2023
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
 - A. Thursday, January 19, 2023 – Planning & Public Works (5:30pm)**
 - B. Monday, January 23, 2023 – Planning Commission (7:00pm)**
 - C. Monday, February 06, 2023 – City Council Meeting (7:00pm)**
- VII. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
- VIII. APPOINTMENTS** – Mayor Bob Nation
- IX. COUNCIL COMMITTEE REPORTS**
 - A. Planning and Public Works Committee** – Chairperson Dan Hurt, Ward III

- 1. Proposed Bill No. 3418 - P.Z. 11-2022 Estates at Fire Rock (St. Austin School)** – An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “PUD” Planned Unit Development to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 11-2022 Estates at Fire Rock (St. Austin School) 18V130099, 18V140065, & 18V140098). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 2. 18122 Chesterfield Airport Rd. (Scott Properties)** – An Amended Site Development Plan and Amended Architectural Elevations located on a 12-acre tract of land located north of Edison Avenue, east of Spirit of St. Louis Blvd, south of Chesterfield Airport Road, and west of Crown Industrial Ct. zoned “M3” Planned Industrial. **(Voice Vote) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**
- 3. Next Meeting – Thursday, January 19, 2023 (5:30pm)**

B. Finance and Administration Committee – Chairperson Barbara McGuinness, Ward I

- 1. Proposed Bill No. 3419 - Fee Increase** – An ordinance of the City of Chesterfield amending section 405.09.020 Public Hearing petitions and applications and 405.09.030 Permit and Inspection Fees. **(Second Reading)**
- 2. Proposed Bill No. 3420 - Permits for Non-Compliant Properties** – An ordinance amending Section 600.085 of the municipal code related to liquor licenses, 605.070 related to business licenses, 605.610 related to licenses for tourist camps, 605.770 related to licenses for pawn brokers, 605.1270 related to licenses for adult entertainment businesses, 610.210 related to alarm system licenses, 605.1040 related to licenses for tobacco sales, 210.680 related to licenses for outdoor events, and 375.040 related to parades, and adopting section 605.250 related to appealing a decision to deny a license by reason of violations of Chapter 215 and/or Chapter 405 of the City’s municipal code. **(Second Reading)**
- 3. Proposed Bill No. 3421 - Recreational Marijuana Sales Tax Ballot Proposal** – An ordinance imposing a sales tax of 3 percent (3%) on retail sales of adult use marijuana pursuant to the authority granted by and subject to the provision of the Missouri Constitution Article XIV Section 2: Providing that this retail sales tax shall be in addition to any and all other tangible personal property retail sales taxes allowed by law; and providing for submission to the qualified voters of the City for

their approval at the general municipal election called to be held in the City on April 4th, 2023. **(Second Reading)**

4. Next Meeting – Monday, February 13, 2023 (4:00pm)

C. Parks, Recreation and Arts Committee – Chairperson Gary Budoor,
Ward IV

1. Next Meeting – Not yet scheduled

D. Public Health and Safety Committee – Chairperson Aaron Wahl, Ward II

1. Next Meeting – Not yet scheduled

X. REPORT FROM THE CITY ADMINISTRATOR – Mike Geisel

XI. OTHER LEGISLATION

A. Proposed Bill No. 3422 – Use Tax Ballot Proposal – An ordinance providing submission of the proposal to the qualified voters of the City of Chesterfield for their approval at the General Election on April 4th, 2023. **(Second Reading)**

B. Proposed Bill No. 3424 - Boundary Adjustment Plat – Schoettler Grove, Lots 24 & 25 – An ordinance providing for the approval of a Boundary Adjustment Plat for Lot 24 and Lot 25 of Schoettler Grove (20R220890, 20R220881). **(First & Second Readings) Department of Planning recommends approval.**

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. ADJOURNMENT

***NOTE:** City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

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AGENDA REVIEW – TUESDAY, JANUARY 17, 2023 – 6:00 PM

An AGENDA REVIEW meeting has been scheduled to start at **6:00 PM, on Tuesday, January 17, 2023.**

Please note that an executive session has been scheduled immediately following the work session Tuesday evening, providing for privileged communications with the City's legal counsel. A separate informational packet related to the closed session will be distributed prior to the meeting.

RSMo 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

RSMo 610.021 (2) Leasing, purchase or sale of real estate.

Please let me know, ASAP, if you will be unable to attend these meetings.



**CITY OF CHESTERFIELD - PUBLIC NOTICE
EXECUTIVE SESSION (CLOSED MEETING)
TUESDAY, JANUARY 17, 2023**

An Executive Session (closed meeting) has been scheduled to take place immediately following the Agenda Review Meeting on Tuesday, January 17, 2023, which itself is scheduled to begin immediately after the agenda review meeting.

The purpose of this meeting is to provide the opportunity for confidential communication by/among the City's elected officials, their City Attorney, and appropriate City Staff.

The discussion during this Executive Session is scheduled to include the following:

RSMo 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

RSMo 610.021 (2) Leasing, purchase or sale of real estate.

Any/all questions, in advance of this meeting, should be directed to the undersigned.

A handwritten signature in cursive script, appearing to read "m. Geisel".

Michael O. Geisel
City Administrator
Chesterfield, Missouri

City of Chesterfield
Excess Checks (=> \$5,000)
December 2022

DATE	CHECK #	VENDOR	DESCRIPTION	CHECK AMT	FUND
12/1/2022	1204	BYRNE & JONES	CVAC TURF PROJECT	\$ 395,500.00	137
12/15/2022	1219	KOZENY-WAGNER, INC.	CONSTRUCTION FOR EBERWEIN PARK PROJECT	158,973.36	137
12/22/2022	1221	GAMMA TREE EXPERTS	2022 CONTRACTED STUMP REMOVAL	18,900.35	137
12/29/2022	1223	HEAVY DUTY EQUIPMENT	TRAILER	5,055.00	137
12/1/2022	49700	BYRNE & JONES	TURF FIELDS	173,825.08	119
12/1/2022	49702	GERALD A. BOSCHERT	(2) SOUND TECHS	15,900.00	119
12/1/2022	49709	METROPOLITAN ST. LOUIS SEWER DISTRICT	16365 LYDIA HILL DR, ACCT #0472321-9	16,345.12	119
12/1/2022	49713	SPORTSPRINT	TURKEY TROT T-SHIRTS	24,877.50	119
12/8/2022	49716	BIG RIVER RACE MANAGEMENT	TURKEY TROT	8,337.00	119
12/8/2022	49717	BOMBSHELL CONSTRUCTION SERVICES	LOGAN PARK	53,675.00	119
12/8/2022	49721	HEAVY DUTY EQUIPMENT	COMPACT LOADER	34,327.65	119
12/15/2022	49740	LANDSCAPE STRUCTURES INC	LOGAN PARK PLAYGROUND AND SAFETY SURFACING	67,976.00	119
12/22/2022	49787	GR ROBINSON SEED & SERVICE CO	20-0-10	5,840.00	119
12/22/2022	49802	PORTOLITE PITCHING MOUNDS	SPIKED MATS	11,192.00	119
12/22/2022	49806	SWT DESIGN, INC	LOGAN PARK PHASE I & II PROFESSIONAL SERVICES, DESIGN CONSULTATION - LOGAN PARK	21,000.00	119
12/29/2022	49808	AMERICAN READY MIX COPANY	(2) CONCRETE	5,541.25	119
12/1/2022	68212	ARMSTRONG TEASDALE LLP	PROFESSIONAL SERVICES THROUGH OCT 31,2022 - NID FOREST SUB, CHESTERFIELD MALL REDEVELOPMENT PROJECT, WILDHORSE VILLAGE, LP	10,714.68	001
12/1/2022	68221	E. MEIER CONTRACTING, INC.	2022 SIDEWALK REPLACEMENT PROJECT A	12,247.16	120
12/1/2022	68222	ENERGY PETROLEUM CO.	7,049 GALLONS OF MID RFG GASOLINE 89 OCT, 903.2 - MIDGRADE RFG GASOLINE	23,071.73	001
12/1/2022	68223	FLOCK GROUP INC	LICENSE PLATE RECOGNITION CAMERA	8,500.00	121
12/1/2022	68225	GEOTECHNOLOGY INC.	2022 CONSTRUCTION AND INSPECTION TESTING SERVICES	6,738.48	120
12/1/2022	68238	PNC BANK	OCT-NOV 2022 PNC MONTHLY STATEMENT	7,924.36	001
12/1/2022	68242	REJIS COMMISSION	REJIS CONTRACTUAL FEES	5,124.00	121
12/1/2022	68249	TOPE INC	389 BRANCHPORT - SEWER REPAIR	5,717.00	110
12/1/2022	68250	TOPE INC	1957 LANCHESTER - SEWER REPAIR	5,216.00	110
12/8/2022	68261	AVENTURA AT WILD HORSE CREEK, LLC	RELEASE OF TREE PRESERVATION DEPOSIT-AVENTURA-WILD HORSE CREEK, RELEASE OF LANDSCAPE SURETY-AVENTURA AT WILDHORSE CREEK ROAD RIPARIAN TRAIL PROJECT-ENG. DESIGN AND CONSTRUCTION SERVICES	137,020.00	808
12/8/2022	68268	GEORGE BUTLER ASSOCIATES, INC.	CHESTERFIELD PARKWAY LIGHTS, PARKWAY LIGHTS OLIVE AND HIGHWAY 40	25,869.71	120
12/8/2022	68269	GERSTNER ELECTRIC, INC.	2022 STREET TREE AND STUMP REMOVALS	28,796.82	001/120
12/8/2022	68271	HANSEN'S TREE SERVICE AND ENVIRONMENTAL	2022 SELECTIVE SLAB REPLACEMENT PROJECTS A & B	14,287.00	001
12/8/2022	68276	LAMKE TRENCHING & EXCAVATING, INC.	ASPHALT PARKING LOT RESURFACING	130,812.63	120
12/8/2022	68277	LERITZ CONTRACTING, INC.	7/1/22-7/1/23 WORK COMP/GENERAL-POLICE-AUTO LIABILITY	23,149.22	120
12/8/2022	68289	ST. LOUIS AREA INSURANCE TRUST	(2) REPLACE MAIN DOORS AT PWF	454,575.00	001
12/8/2022	68296	TOTAL LOCK AND SECURITY INC.	2022 WINTER CITIZENS NEWSLETTER	7,717.50	001
12/15/2022	68299	A GRAPHIC RESOURCE, INC	690 CHESTERFIELD PKWY W-0627147004	5,576.00	001
12/15/2022	68302	AMEREN MISSOURI	21.1 GALLONS OF REG RFG GASOLINE, 40 GALLONS OF DIESEL #2 ULTRA , 6,969 GALLONS OF #2 DIESEL ULS	8,662.76	001
12/15/2022	68312	ENERGY PETROLEUM CO.	2022 SUPPLEMENTAL TREE REMOVAL	19,257.08	001
12/15/2022	68313	GAMMA'S SHIELD SHADE TREE INC	AMMUNITION	10,900.00	001
12/15/2022	68314	GULF STATES	CONSTRUCTION ENGINEERING FOR EBERWEIN PARK	7,050.00	121
12/15/2022	68317	HORNER & SHIFRIN INC.	2 FORD F150S	10,207.00	120
12/15/2022	68320	JOE MACHENS FORD	690 CHESTERFIELD PKWY W-3433311000	55,994.00	001
12/15/2022	68336	SPIRE ENERGY	SUBDIVISION MAINTENANCE DEPOSIT PARTIAL RELEASE-WV, LOT 6	5,103.98	001
12/15/2022	68347	WILDHORSE VILLAGE LP	2022 SELECTIVE SLAB REPLACEMENT PROJECTS A & B	18,519.41	808
12/22/2022	68365	LAMKE TRENCHING & EXCAVATING, INC.	EQUIPMENT TRAILER	39,902.95	120
12/22/2022	68368	LUBY EQUIPMENT SERVICES	SUBDIVISION CONSTRUCTION DEPOSIT PARTIAL RELEASE-ALEXANDER WOODS	9,935.00	001
12/22/2022	68375	PAYNE FAMILY HOMES	DEC 2022 LIFE, LONG&SHORT TERM DIS,ACC&CRITICAL ILL INS	173,949.17	808
12/22/2022	68384	THE HARTFORD-PRIORITY ACCOUNTS	SUBDIVISION CONSTRUCTION DEPOSIT PARTIAL RELEASE-WV, LOT 1	15,901.42	001
12/22/2022	68393	WILDHORSE VILLAGE LP	2022 CONSTRUCTION AND INSPECTION TESTING SERVICES	116,611.61	808
12/29/2022	68403	GEOTECHNOLOGY INC.	NOV-DEC 2022 PNC MONTHLY STATEMENT	5,491.45	120
12/29/2022	68411	PNC BANK		12,793.06	001
				\$ 2,440,601.49	

Respectfully submitted by,
John Hughes, Assistant Finance Director

<u>Fund Legend</u>	
General Fund	001
Sewer lateral fund	110
Police forfeiture fund	114
Parks	119
Capital Improvements	120
Public Safety	121
Am Rescue Plan Act	137
Trust & Agency	808
TGA Trust Fund	810



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 690 CHESTERFIELD PARKWAY WEST

JANUARY 3, 2023

The meeting was called to order at 7:07 p.m.

Mayor Bob Nation led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Bob Nation
Councilmember Mary Monachella
Councilmember Barbara McGuinness
Councilmember Aaron Wahl
Councilmember Mary Ann Mastorakos
Councilmember Dan Hurt
Councilmember Michael Moore
Councilmember Merrell Hansen
Councilmember Gary Budoor

APPROVAL OF MINUTES

The minutes of the December 14, 2022 Special City Council meeting were submitted for approval. Councilmember Moore made a motion, seconded by Councilmember Hansen, to approve the December 14, 2022 Special City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the December 14, 2022 Executive Session were submitted for approval. Councilmember Moore made a motion, seconded by Councilmember Monachella, to approve the December 14, 2022 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced that City Hall would be closed on Monday, January 16, in observance of Martin Luther King Day.

Mayor Nation announced that the next meeting of City Council is scheduled for Tuesday, January 17, at 7 p.m.

COMMUNICATIONS AND PETITIONS

The following individuals spoke negatively about the City’s response to the Drag Queen Christmas Show at The Factory:

Mr. David Robertson, 114 Valley Trail Drive, Apt. C, Ballwin
Ms. Virginia Hollingsworth, 508 Oak Creek Meadows Court
Ms. Joan Quincy, Key West Drive, Arnold
Ms. Pat Tocco, 14720 Whitebrook Drive
Ms. Frances Siddons, 16573 Wildhorse Creek Road
Mr. Michael Hollingsworth, 508 Oak Creek Meadows Court

APPOINTMENTS

There were no appointments scheduled for action at this meeting.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Bill No. 3418 Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of the “PUD” Planned Unit Development to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 11-2022 Estates at Fire Rock (St. Austin School) 18V130099, 18V140065, & 18V140098) **(First Reading)**
Planning Commission recommends approval. Planning & Public Works Committee recommends approval

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Hansen, for the first reading of Bill No. 3418. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3418 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Budoor, to approve the updated Memorandum of Understanding with Monarch-Chesterfield Levee District regarding stormwater management in Chesterfield Valley and authorize the City Administrator to execute related documents. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee is scheduled for Thursday, January 5, at 5:30 p.m.

Finance and Administration Committee

Councilmember Wahl made a motion, seconded by Councilmember Moore, to approve establishment of the Chesterfield Alternative Court and the associated budget transfer. A roll call vote was taken with the following results: Ayes – Wahl, Hurt, Budoor, Moore, Monachella, Hansen and Mastorakos. Nays – McGuinness. Mayor Nation declared the motion passed.

Bill No. 3419 Amends Section 405.09.020 Public Hearing Petitions and Applications and 405.09.030 Permit and Inspection Fees **(First Reading)**

Councilmember Barbara McGuinness, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3419. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3419 was read for the first time.

Bill No. 3420 Amends Section 600.085 of the municipal code related to liquor licenses, 605.070 related to business licenses, 605.610 related to licenses for tourist camps, 605.770 related to licenses for pawn brokers, 605.1270 related to licenses for adult entertainment businesses, 610.210 related to alarm system licenses, 605.1040 related to licenses for tobacco sales, 210.680 related to licenses for outdoor events, and 375.040 related to parades, and adopts section 605.250 related to appealing a decision to deny a license by reason of violations of Chapter 215 and/or Chapter 405 of the City's municipal code **(First Reading)**

Councilmember McGuinness made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3420. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3420 was read for the first time.

Bill No. 3421 Imposes a sales tax of 3 percent (3%) on retail sales of adult use marijuana pursuant to the authority granted by and subject to the provision of the Missouri Constitution Article XIV Section 2: Providing that this retail sales tax shall be in addition to any and all

other tangible personal property retail sales taxes allowed by law; and providing for submission to the qualified voters of the City for their approval at the general municipal election called to be held in the City on April 4th, 2023 **(First Reading)**

Councilmember McGuinness made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 3421. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3421 was read for the first time.

Councilmember McGuinness announced that the next meeting of this Committee, scheduled for Monday, January 9, at 4:00 p.m., has been canceled.

Parks, Recreation & Arts Committee

Councilmember Gary Budoor, Chairperson of the Parks, Recreation & Arts Committee, indicated that there were no action items scheduled on the agenda for this meeting.

Public Health & Safety Committee

Councilmember Aaron Wahl, Chairperson of the Public Health & Safety Committee, indicated that there were no action items scheduled on the agenda for this meeting.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that The Red Chili, located at 963 Chesterfield Center (formerly Twin Peaks), has requested a new liquor license, for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, including package sales not to be consumed on premise, plus Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Monachella made a motion, seconded by Councilmember Budoor, to approve issuance of a new liquor license to The Red Chili. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

OTHER LEGISLATION

Bill No. 3423 Provides for the approval of a Boundary Adjustment Plat for Lot C and Lot D of TSG Chesterfield Airport Road to create a 1.106-acre tract of land and a 1.392-acre tract of land, located north of Chesterfield Airport Road, west of Jaguar Land Rover Way, and south of Arnage Road (17U230412, 17U230403) **(First & Second Readings) Department of Planning recommends approval**

Councilmember Hansen made a motion, seconded by Councilmember Hurt, for the first and second readings of Bill No. 3423. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3423 was read for the

first and second time. A roll call vote was taken for the passage and approval of Bill No. 3423 with the following results: Ayes – Budoor, Moore, McGuinness, Hurt, Hansen, Mastorakos, Wahl and Monachella. Nays – None. Whereupon Mayor Nation declared Bill No. 3423 approved, passed it and it became **ORDINANCE NO. 3219**.

Bill No. 3422 Provides submission of the proposal to the qualified voters of the City of Chesterfield for their approval at the General election on April 4th, 2023 (**First Reading**)

Councilmember Wahl made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3422. A voice vote was taken with an affirmative result (Councilmembers McGuinness and Mastorakos voted “Nay”) and the motion was declared passed. Bill No. 3422 was read for the first time.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda for this meeting.

NEW BUSINESS

There was no new business.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:04 p.m.

Mayor Bob Nation

ATTEST:

Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

- A. Thursday, January 19, 2023 – Planning & Public Works (5:30pm)**
- B. Monday, January 23, 2023 – Planning Commission (7:00pm)**
- C. Monday, February 06, 2023 – City Council Meeting (7:00pm)**

COMMUNICATIONS AND PETITIONS

This section provides time for the public to speak and express their views during public comment. Each speaker is limited to not more than four minutes, after which, the City Administrator will indicate that their time has expired. It is important to remember that this section of the agenda is not intended or appropriate for debate or question and answer period. This is the public's opportunity to share their comments in a public forum.

APPOINTMENTS

There are no appointments scheduled for tonight's meeting.

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Hurt

Vice-Chair: Councilmember Monachella

Proposed Bill No. 3418 - P.Z. 11-2022 Estates at Fire Rock (St. Austin School)

– An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “PUD” Planned Unit Development to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 11-2022 Estates at Fire Rock (St. Austin School) 18V130099, 18V140065, & 18V140098). **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

18122 Chesterfield Airport Rd. (Scott Properties) – An Amended Site Development Plan and Amended Architectural Elevations located on a 12-acre tract of land located north of Edison Avenue, east of Spirit of St. Louis Blvd, south of Chesterfield Airport Road, and west of Crown Industrial Ct. zoned “M3” Planned Industrial. **(Voice Vote) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**

NEXT MEETING

The next Planning and Public Works Committee is scheduled for Thursday, January 19th, 2023, at 5:30 pm.

If you have any questions or require additional information, please contact Director of Planning - Justin Wyse, Director of Public Works – Jim Eckrich, or me prior to Tuesday’s meeting.

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning *JW*
James Eckrich, Director of Public Works/City Engineer *JME*

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, January 5, 2023



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, January 5, 2023 in Conference Room 101.

In attendance were: **Chair Dan Hurt** (Ward III), **Councilmember Mary Monachella** (Ward I), **Councilmember Mary Ann Mastorakos** (Ward II), and **Councilmember Merrell Hansen** (Ward IV).

Also in attendance were: Jim Eckrich, Director of Public Works/City Engineer; Justin Wyse, Director of Planning; Planning Commissioner Khalid Chohan; Alyssa Ahner, Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the December 8, 2022 Committee Meeting Summary

Councilmember Hansen made a motion to approve the Meeting Summary of December 8, 2022. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0**.

II. UNFINISHED BUSINESS – None.

III. NEW BUSINESS

- A. **POWER OF REVIEW: 18122 Chesterfield Airport Rd. (Scott Properties) ASDP:**
An Amended Site Development Plan and Amended Architectural Elevations located on a 12-acre tract of land located north of Edison Avenue, east of Spirit of St. Louis Blvd, south of Chesterfield Airport Road, and west of Crown Industrial Ct. zoned "M3" Planned Industrial. (Ward 4)

STAFF PRESENTATION

Alyssa Ahner, Planner, presented the Amended Site Development Plan and Amended Architectural Elevations for a multi-building development located across from Gateway Studios. After being called for Power of Review in 2020, a Site Development Plan was approved by City Council with the following conditions:

1. Preserve existing tree on the northwest portion of the site, as recommended by the Planning Commission.

2. Limit access to this site from Chesterfield Airport Road to a right-in/right-out with both acceleration and deceleration lanes, as approved by St. Louis County.
3. Restrict/limit retail by only allowing retail on the first floor of building number 4.

At the County's request, a traffic assessment was completed and the County has determined that a right-in/right-out access would have a negative impact on the adjacent traffic signal. The County has provided conceptual approval for a 3/4 access at Chesterfield Airport Road thus requiring the property owner to amend the Site Development Plan which was previously approved in 2020. The Applicant has since submitted an Amended Site Development Plan and Amended Architectural elevations.

The project was approved by the Architectural Review Board on October 13, 2022 by a vote of 4-0 with one condition. On December 12, 2022, the Planning Commission unanimously approved the project by a vote of 8-0. On December 15, 2022, Power of Review was called for reasons pertaining to site access.

DISCUSSION

To provide some background, Justin Wyse, Director of Planning, explained that a right in/right out access at Chesterfield Airport Road was ultimately approved by the City in 2020. St. Louis County, who owns and maintains Chesterfield Airport Road, expressed the need for full access. The County asked that a traffic study be conducted, which the Applicant provided. Mr. Wyse stated that he has been working with the County for over a year advocating for a right-in/right-out access, which the City feels is a safer alternative, but the County ultimately required a 3/4 access. Therefore, the Applicant has submitted an Amended Site Development Plan.

On behalf of Scott Properties, George Stock, Stock & Associates, stated that when the City approved the project in 2020 with the condition of a right-in/right-out access, Stock & Associates completed the plans and submitted the Site Development Plan to St. Louis County to apply for a special use permit. The County rejected the plans and stated that they had approved a full-access Concept Plan. The County further said that if the City wants restricted access, then a traffic study must be done. Upon review and approval of the traffic study, the County would require an Amended Concept Plan. After reviewing the traffic study, the County then approved a 3/4 access.

Mr. Stock further explained that from the County's perspective, Chesterfield Airport Road is a five-lane arterial roadway. The County wants cars coming from the east and heading west to be able to make a left turn into the site. Scott Properties was agreeable to right-in/right-out access and did not request the 3/4 access. After the traffic study was submitted, it took several months for County to respond. They finally agreed to a 3/4 access in lieu of full access.

From his interpretation of the traffic study, Mr. Wyse stated that the study revealed that right-in/right-out access was adequate to serve the site. However, if traffic conditions were to substantially worsen within the next 20 years, the access could then be retrofitted to a 3/4 access. The County determined it was most advantageous to require the 3/4 access now. From the County's standpoint, limited access would send more traffic through the traffic signal to the west and degrade the level of service at the signal. Therefore they required the 3/4 access.

General discussion followed regarding the methodology of the County's decision.

The Committee also discussed adding a median that would extend into the subject site to separate northbound and southbound motorists leaving the site to prohibit them from making a left turn onto Chesterfield Airport Road.

Councilmember Hansen made a motion that a median separating northbound and southbound motorists shall be extended a minimum of 100 feet southward into the subject site from the proposed 3/4 access to Chesterfield Airport Road. The motion was seconded by Councilmember Monachella and **passed** by a voice vote of 4-0.

Councilmember Mastorakos made a motion to forward 18122 Chesterfield Airport Road (Scott Properties) ASDP, as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Hansen and **passed** by a voice vote of 4-0.

Note: This is a Site Development Plan which requires a voice vote at the January 17, 2023 City Council Meeting.

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on 18122 Chesterfield Airport Road (Scott Properties) ASDP.]

IV. OTHER

Councilmember Hansen recalled that in May of 2022, Mr. Eckrich sent a letter to St. Louis County requesting that accommodations be considered for Baxter Road to help pedestrians safely cross Baxter Road at the August Hill Drive/Benton Taylor Drive intersection. This area continues to be of concern and she asked if there had been any response from the County.

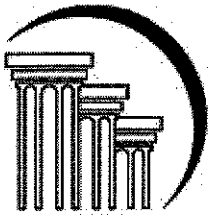
Jim Eckrich, Director of Public Works/City Engineer, stated that the County never formally responded to his letter. However, they did respond to a resident via email in which he was copied. The County indicated that the pedestrian and vehicle counts did not meet the warrants for any kind of signalization at that intersection. He indicated that there was nothing further that he could do unless Council directs him to pursue this further.

Councilmember Hansen indicated that without a formal response from the County, she is unable to adequately respond to residents' questions. Councilmember Hansen asked if County Councilmember Harder should be contacted regarding this matter. Discussion was held during which the Commission determined that a letter should be sent to County Councilmember Harder. Mr. Eckrich stated that he would be comfortable sending a letter to County staff, but if a letter is going to be sent or "cc'd" to Councilmember Harder, it would be preferable that someone else send that letter.

It was decided that Chair Hurt would ask the Mayor to send a letter to the County requesting the consideration of pedestrian accommodations for that intersection.

V. ADJOURNMENT

The meeting adjourned at 6:07 p.m.



**DOSTER NATIONS
ULLOM & BOYLE, LLC**
ATTORNEYS AT LAW

16150 Main Circle Drive
Suite 250
Chesterfield, MO 63017
(636) 532-0042
(636) 532.1082 Fax

Michael J. Doster
mdoster@dubllc.com

January 11, 2023

VIA REGULAR MAIL AND ELECTRONIC MAIL

Justin Wyse, Director of Planning
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: P.Z. 11-2022 Estates at Fire Rock (St. Austin School)

Dear Justin:

With regard to the matter referenced above, I request a postponement of the second reading of the proposed bill which is scheduled for Tuesday, January 17, 2023. This request is being made because the Seller and Buyer of the property are working on resolving some contract issues. Thank you.

Very truly yours,

Michael J. Doster

MJD/ab

BILL NO. 3418

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “PUD” PLANNED UNIT DEVELOPMENT TO THE “E-1AC” ESTATE ONE ACRE DISTRICT FOR A 35.0-ACRE TRACT OF LAND LOCATED AT 17803, 17815 AND 17831 WILD HORSE CREEK ROAD (P.Z. 11-2022 Estates at Fire Rock (St. Austin School) 18V130099, 18V140065, & 18V140098).

WHEREAS, the petitioner, St. Austin School, has requested a change in zoning from the “PUD” Planned Unit Development to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 14, 2022; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the change of zoning, as presented; and,

WHEREAS, the Planning and Public Works Committee recommended approval of the change of zoning, as presented; and,

WHEREAS, the City Council, having considered said request voted to approve the change of zoning request.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing an “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road and as described as follows:

A tract of land being all of Adjusted Parcel B of “Boundary Adjustment Plat of ‘A Tract of Land in U.S. Survey 102, Township 45 North – Range 3 East, St. Louis County, Missouri” according to the plat thereof recorded in Plat Book 338 Page 96 of the St. Louis County, Missouri Records and part of Adjusted Tract A of “Boundary Adjustment Plat of ‘A Tract of Land in U.S. Survey 102, in Township 45 North – Range 3 East, St. Louis County, Missouri” according to the plat

thereof recorded in Plat Book 346 Page 353 of said records, all located in U.S. Survey 102, Township 45 North, Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a point being the southeast corner of above-said Adjusted Parcel B, said corner being the intersection of the north right-of-way line of Wild Horse Creek Road (width varies) and the northeast line of above-said U.S. Survey 102; thence along said north right-of-way line the following courses and distances: along a line being 30 feet north of and parallel to the centerline of said Wild Horse Creek Road, South 55°36'40" West, 375.00 feet; North 12°03'12" West, 16.22 feet; and along a line being 45 feet north of and parallel to said centerline, South 55°36'40" West, 124.28 feet to a point on the east line of a tract of land conveyed to Trustee of the Melvin L. Fick and Lillian K. Fick, Joint Revocable Living Trust Agreement by document recorded in Deed Book 7996 Page 1316 of the above-said records; thence leaving said right-of-way line and along the east and north lines of said Fick tract the following courses and distances: North 32°41'08" West, 308.72 feet and South 81°07'48" West, 226.56 feet to a point on the west line of above-said Adjusted Tract A; thence leaving said north line of Fick tract and along the west line of said Adjusted Tract A the following courses, distances and curves: North 22°46'12" West, 687.49 feet; North 57°30'33" West, 199.99 feet to a point of curvature; along a curve to the right with a radius of 175.00 feet, whose chord bears North 18°35'43" West, 219.85 feet, an arc distance of 237.71 feet to a point of tangency; North 20°19'07" East, 143.40 feet; and North 22°46'12" West, 200.68 feet to the northwest corner of said Adjusted Tract A, said point being on the south right-of-way line of Chicago, Rock Island and Pacific Railroad (100 feet wide); thence leaving said west line and along said south right-of-way line, along a curve to the right being non-tangential to the previous course, with a radius of 3519.70 feet, whose chord bears North 67°52'46" East, 889.74 feet, an arc distance of 892.13 feet to a point of tangency; thence continuing along said south right-of-way line, North 75°08'27" East, 176.95 feet to a point being the northeast corner of said Adjusted Tract A; thence leaving said south right-of-way line and along the east line of said Adjusted Tract A and its prolongation, being the east line of said Adjusted Parcel B, South 12°03'12" East, 1644.66 feet to the Point of Beginning and contains 1,527,037 square feet, or 35.056 acres, more or less according to survey performed by The Sterling Company during the month of August, 2021 under Order Number 20-07-232.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations.

Section 3. The City Council, pursuant to the petition filed by St. Austin School in P.Z. 11-2022, requesting the amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 14th day of November 2022, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warning and summons for violations as set out in Article 8 of the City of Chesterfield Unified Development Code.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2023

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 01/03/2023

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning *JW*
Date: January 17, 2023



RE: POWER OF REVIEW - 18122 Chesterfield Airport Rd. (Scott Properties) ASDP: An Amended Site Development Plan and Amended Architectural Elevations located on a 12-acre tract of land located north of Edison Avenue, east of Spirit of St. Louis Blvd, south of Chesterfield Airport Road, and west of Crown Industrial Ct, zoned “M3” Planned Industrial. (17V420157).

Summary

Stock and Associates, on behalf of Scott Properties, has submitted an Amended Site Development Plan and Amended Architectural Elevations for a multi-building development. The proposed development consists of three (3) single-story service center buildings and one (1) two-story retail/office building.

On October 13, 2022, this project was reviewed by Architectural Review Board, who made a motion to recommend approval with one condition. The motion passed by a vote of 4-0.

On December 12, 2022, this project was reviewed by Planning Commission, who made a motion to approve. The motion passed by a vote of 8-0.

On December 15, 2022, Power of Review was called in accordance with Section 405.02.200 of the Unified Development Code.

On January 5, 2023, Planning & Public Works Committee made a motion to recommend approval of the Amended Site Development Plan and Amended Architectural Elevations with the condition that a median separating northbound and southbound motorists shall be extended a minimum of one-hundred (100) feet southward into the subject site from the proposed $\frac{3}{4}$ access to Chesterfield Airport Road. The motion passed by a vote of 4-0.

A full description of the applicant’s request, site history, and staff analysis pertaining to the project may be found in the December 12, 2022 Planning Commission report attached to this document.



Attachments:

- 1) December 12, 2022 Planning Commission Packet
- 2) 2022 Traffic Assessment
- 3) Preliminary drawing of proposed median



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Planning Commission Staff Report

Meeting Date: December 12, 2022

From: Alyssa Ahner, Planner

Location: 18122 Chesterfield Airport Rd.

Description: 18122 Chesterfield Airport Rd. (Scott Properties) ASDP: An Amended Site Development Plan and Amended Architectural Elevations located on a 12-acre tract of land located north of Edison Avenue, east of Spirit of St. Louis Blvd, south of Chesterfield Airport Road, and west of Crown Industrial Ct, zoned "M3" Planned Industrial.

PROPOSAL SUMMARY

Stock and Associates, on behalf of Scott Properties, has submitted an Amended Site Development Plan and Amended Architectural Elevations for a multi-building development. The proposed development consists of three (3) single-story service center buildings and one (1) two-story retail/office building.



HISTORY OF SUBJECT SITE

Pre-1988: Subject site zoned "M-3" Planned Industrial.

1998: Subject site rezoned from "M-3" Planned Industrial to "M-3" Planned Industrial under current governing Ordinance 1430.

2020: A Site Development Plan was approved by City Council following being called for Power of Review. The following conditions for approval were made: 1) Preserve existing tree on the northwest portion of the site, as recommended by the Planning Commission; 2) Limit access to this site from Chesterfield Airport Road to a right-in/right-out with both acceleration and deceleration lanes, as approved by St. Louis County; and 3) Restrict/limit retail by only allowing retail on the first floor of building #4. The conditions regarding the restriction of retail and tree preservation have been included as notes on this Amended Site Development Plan. The condition regarding access is addressed in the "Circulation, Parking, Access" section of this report.

ZONING & LAND USE

The subject site is zoned "M3" Planned Industrial under the provisions of Ordinance 1430.

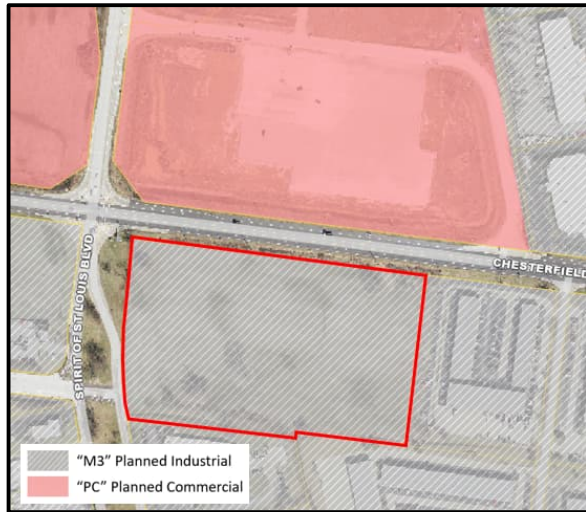


Figure 2: Zoning Map



Figure 3: Land Use Map

Direction	Zoning	Land Use
North	Planned Commercial	Proposed Music Studio
South	Planned Industrial	Industrial
East	Planned Industrial	Industrial
West	Planned Industrial	Car Rental/Undeveloped

COMPREHENSIVE PLAN

The City of Chesterfield Comprehensive Land Use Plan indicates the subject site as being part of the industrial land use designation. The City of Chesterfield provides a character description of this area: "*Conventional industrial park and associated activity involving an airport. These areas generally support 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 (i.e., highways and airports) and are generally buffered from surrounding development by transitional uses or landscaped areas that shield the view of structures, loading docks, or outdoor storage from adjacent properties.*"

Industrial areas have the following Development Policies:

- 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

STAFF ANALYSIS

a. Circulation, Parking, & Access

The Site Development Plan was initially approved in 2020. The project was called for Power of Review in accordance with Section 405.02.200 for reasons pertaining to the access of the site and the use of the buildings. A right in/right out access along Chesterfield Airport Road was ultimately approved by the City of Chesterfield. St. Louis County, who owns and maintains Chesterfield Airport Road, expressed the need for a full access. A traffic assessment has since been completed and St. Louis County has deemed a right in/right out access will have a negative impact on the adjacent signal function. Subsequently, St. Louis County has provided conceptual approval for a $\frac{3}{4}$ access along Chesterfield Airport Road thus requiring the property owner to amend the previously approved Site Development Plan.

There are no changes proposed to the parking or circulation of the site from what was previously approved in 2020. The parking calculations are broken down by the use of the four (4) buildings and all comply with the minimum parking requirements. The areas shaded in red in Figure 4 depict the $\frac{3}{4}$ access on Chesterfield Airport Road, access on Spirit of St. Louis Blvd, and two cross access easements on the east end of the site.



Figure 4: Access Locations

b. Landscape Design & Screening

There are no changes proposed to the previously approved Landscape Plan or screening plans.

c. Lighting

There are no changes proposed to the previously approved Lighting Plan.

d. Architectural Elevations

Building 4 (Retail/Office):

This building was previously approved featuring brick veneer as the primary material. There were accents of stone veneer located at the base of the building and on one offset. The parapet utilized for rooftop mechanical equipment screening was to be constructed of EIFS in the same light shade of beige as the remainder of the buildings (Nomadic Desert).

The applicant is proposing a variety of materials in the recent submission. The north and west elevations (facing Chesterfield Airport Road) will feature accents of three (3) variations of stone veneer, three (3) shades of painted concrete panels, and two (2) colors of boral cast fit. The south and east elevations of the building (not facing Chesterfield Airport Road) are to be primarily painted concrete tilt-up panel in a light shade of beige (Divine White). The parapet utilized for rooftop mechanical equipment screening is to be constructed of painted EIFS in the same light shade of beige (Divine White).

Buildings 1, 2, and 3 (Service Center):

There are no changes proposed to the previously approved elevations of Buildings 1, 2, and 3. These buildings will feature painted tilt-up concrete paneling with formliner accent wrapping around each side of the building. The majority of the tilt-up concrete panels are to be painted a light shade of beige (Nomadic Desert) while the formliner accents are to be painted a shade of brown (Steady Brown). The parapet utilized for rooftop mechanical equipment screening is to be constructed of EIFS in the same light shade of beige as the majority of the building (Nomadic Desert).

ARCHITECTURAL REVIEW BOARD

This project was reviewed by Architectural Review Board on October 13th, 2022. At that time, the Board made the motion to forward the project to the Planning Commission with a recommendation to approve with the following condition:

- The proposed common brick to be wrapped around the southeastern inset of the south and east facades to a logical break of Building 4.

The submittal has since been revised to meet the condition made by Architectural Review Board.

RENDERING OF REVISED BUILDING 4



RENDERING OF PREVIOUSLY APPROVED BUILDINGS 1-3



STAFF RECOMMENDATION

Staff has reviewed the Amended Site Development Plan and Amended Architectural Elevations and found that it meets the requirements to be presented to the Planning Commission for review, and staff recommends action.

MOTION

The following options are provided to the Planning Commission for consideration relative to this application:

- 1) "I move to approve (or deny) the Amended Site Development Plan and Amended Architectural Elevations for 18122 Chesterfield Airport Road (Scott Properties) as presented.

- 2) "I move to approve the Amended Site Development Plan and Amended Architectural Elevations for 18122 Chesterfield Airport Road (Scott Properties) with the following conditions..."

(Conditions may be added, eliminated, altered or modified)

Attachments:
Planning Commission Packet

SCOTT PROPERTIES SERVICE / RETAIL CENTER

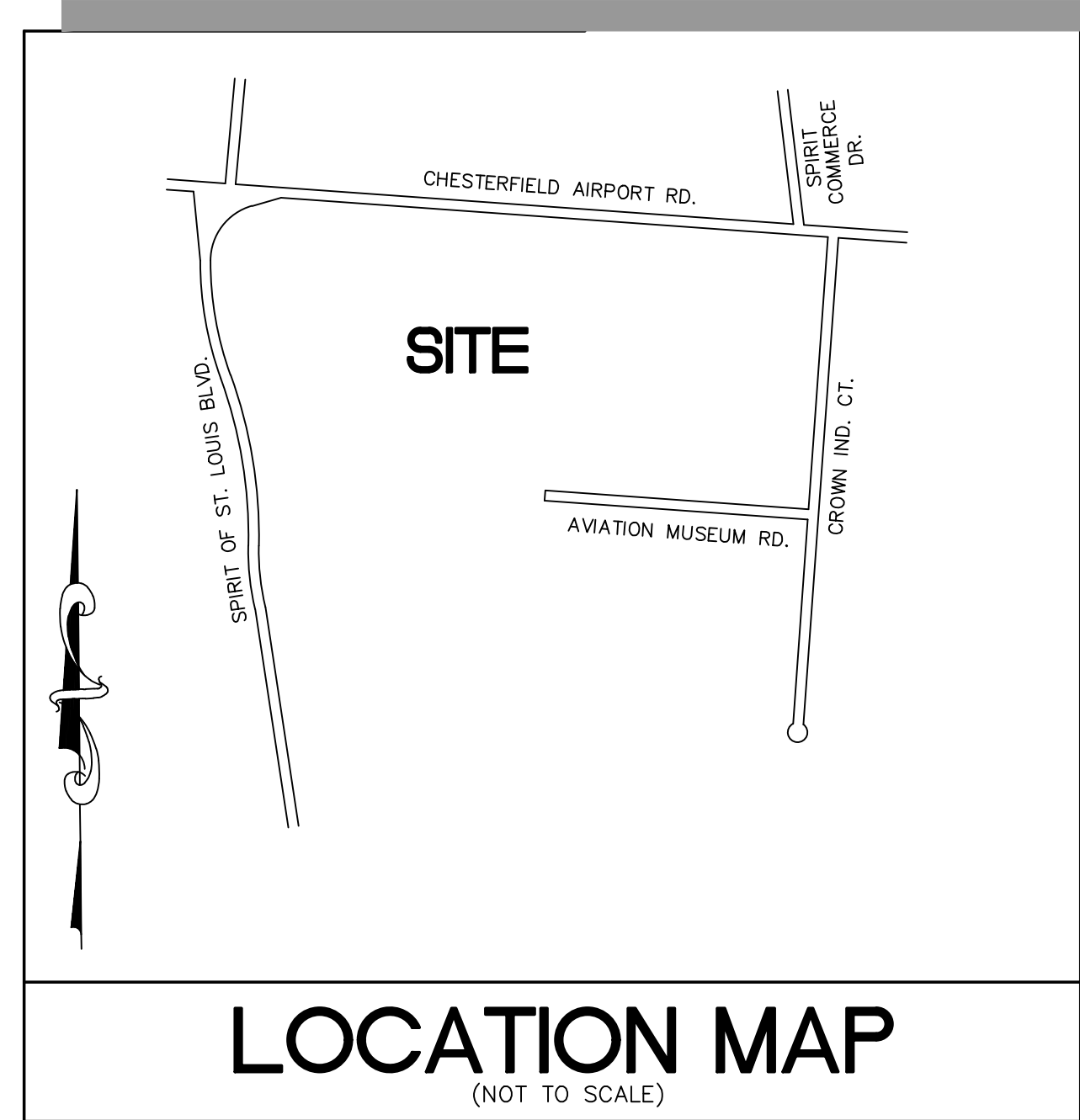
18122 CHESTERFIELD AIRPORT ROAD

A TRACT OF LAND BEING PART OF READJUSTED LOT A OF SPIRIT WEST INDUSTRIAL AIRPARK AS RECORDED IN PLAT BOOK 307, PAGE 99, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

AMENDED SITE DEVELOPMENT PLAN

LEGEND	
	BENCH MARK
	FOUND IRON ROD
	FOUND IRON PIPE
	RIGHT OF WAY MARKER
	UTILITY POLE
	SUPPORT POLE
	UTILITY POLE WITH LIGHT
	LIGHT STANDARD
	ELECTRIC METER
	ELECTRIC MANHOLE
	ELECTRIC PEDESTAL
	ELECTRIC SPLICE BOX
	GAS DRIP
	GAS METER
	GAS VALVE
	TELEPHONE MANHOLE
	TELEPHONE PEDESTAL
	TELEPHONE SPLICE BOX
	CABLE TV PEDESTAL
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	WATER MANHOLE
	WATER METER
	WATER VALVE
	POST INDICATOR VALVE
	CLEAN OUT
	STORM MANHOLE
	GRATED MANHOLE
	STORMWATER INLET
	GRATED STORMWATER INLET
	SANITARY MANHOLE
	TREE
	BUSH
	TRAFFIC SIGNAL
	PARKING METER
	STREET SIGN
	SPRINKLER
	MAIL BOX

ABBREVIATIONS	
C.O.	CLEANOUT
D.B.	DEED BOOK
E.	ELECTRIC
FL.	FLOWLINE
FT.	FEET
IND.	FOUND
G.	GAS
M.A.	MANHOLE
N/A	NOW OR FORMERLY
P.B.	PLAT BOOK
P.C.	PAGE
P.V.C.	POLYVINYL CHLORIDE PIPE
R.B.	RADIAL BEARING
R.C.P.	REINFORCED CONCRETE PIPE
SO.	SQUARE
T.	TELEPHONE CABLE
V.C.P.	VERTIFIED CLAY PIPE
W.	WATER
(86'W)	RIGHT-OF-WAY WIDTH



SHEET INDEX

1	TITLE SHEET
2	SITE DEVELOPMENT PLAN
2.1	SITE DEVELOPMENT PLAN
3	SITE PHOTOMETRIC PLAN
4	SKY EXPOSURE PLANE
5	ORDINANCE NO. 1430

ST. LOUIS COUNTY NOTES

- ALL PROPOSED IMPROVEMENTS WITHIN ST. LOUIS COUNTY RIGHT-OF-WAY SHALL BE CONSTRUCTED TO ST. LOUIS COUNTY STANDARDS.
- NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL) WITHIN ST. LOUIS COUNTY RIGHT-OF-WAY UNLESS JUSTIFIED BY A GEOTECHNICAL REPORT, WHICH HAS BEEN APPROVED BY ST. LOUIS COUNTY, AND DESIGNED IN FULL COMPLIANCE WITH ROADSIDE SAFETY STANDARDS.
- STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
- ALL PROPOSED ACCESS TO ST. LOUIS COUNTY ROADS SHALL MEET MINIMUM ST. LOUIS COUNTY SIGHT DISTANCE REQUIREMENTS.
- A SIGNED/SEALED NOTE SHALL BE ADDED TO THE CONSTRUCTION PLANS INDICATING THAT THE UNIMPROVED EXISTING SIDEWALK ALONG THE PROJECT FRONTAGE MEETS CURRENT ST. LOUIS COUNTY ADA STANDARDS.
- ALL GRADING AND DRAINAGE, IN ST. LOUIS COUNTY RIGHT-OF-WAY TO BE IN CONFORMANCE WITH ST. LOUIS COUNTY AND MSD STANDARDS.
- ALL ABOVE-GROUND UTILITIES OR OTHER POTENTIAL OBSTRUCTIONS WITHIN THE ST. LOUIS COUNTY ROAD RIGHT-OF-WAY, SHALL HAVE A MINIMUM SETBACK, AS DIRECTED BY THE ST. LOUIS COUNTY DEPARTMENT OF TRANSPORTATION, AS PRESCRIBED IN SECTION 5.10 OF THE ST. LOUIS COUNTY DESIGN CRITERIA MANUAL "ROADSIDE DESIGN REQUIREMENTS".
- ANY ENTITY THAT PERFORMS WORK ON ST. LOUIS COUNTY MAINTAINED PROPERTY SHALL PROVIDE THE COUNTY WITH A CERTIFICATE OF INSURANCE EVIDENCING GENERAL LIABILITY COVERAGE (BODILY INJURY AND PROPERTY DAMAGE) IN THE AMOUNTS SPECIFIED AS THE LIMITS OF LIABILITY SET BY THE STATE FOR PUBLIC ENTITIES. SUCH CERTIFICATE SHALL INCLUDE "ST. LOUIS COUNTY" AS AN ADDITIONAL INSURED AND SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF ANY PERMIT. CERTIFICATE SHALL PROVIDE FOR A 30 DAY POLICY CANCELLATION NOTICE TO ST. LOUIS COUNTY. UPON REQUEST, THE COUNTY WILL PROVIDE THE SPECIFIC AMOUNTS FOR BOTH PER PERSON AND PER OCCURRENCE LIMITS.
- PRIOR TO "SPECIAL USE PERMIT" ISSUANCE BY ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC, A SPECIAL CASH ESCROW OR A SPECIAL ESCROW SUPPORTED BY AN IRREVOCABLE LETTER OF CREDIT, MAY BE REQUIRED TO BE ESTABLISHED WITH THE ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC TO GUARANTEE COMPLETION OF THE REQUIRED ROADWAY IMPROVEMENTS.
- THE PERMIT PROCESS REQUIRES IMPROVEMENT PLAN SUBMITTAL TO THE DEPARTMENT OF TRANSPORTATION.

GENERAL NOTES

- BOUNDARY AND TOPOGRAPHIC SURVEY BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED.
- NO GRADE SHALL EXCEED 3:1 SLOPE.
- F.A.R. = 0.24 (127,100/524,466)
- BUILDING HEIGHT = 45'
- GRADING AND STORM WATER PER M.S.D., ST. LOUIS COUNTY, THE CITY OF CHESTERFIELD, MISSOURI, AND THE MONARCH LEVEE DISTRICT.
- STORM WATER SHALL BE DISCHARGED AT ADEQUATE NATURAL DISCHARGE POINTS.
- APPROVAL OF THIS PLAN DOES NOT CONSTITUTE APPROVAL OF SIGNAGE. SIGN APPROVAL IS A SEPARATE PROCESS.
- WATER QUALITY FOR THE SITE WILL BE PROVIDED THROUGH A COMBINATION OF BIORETENTION AND POROUS PAVEMENT TO BE DESIGNED WITH THE IMPROVEMENT PLANS.
- ALL ABOVE GROUND UTILITY FACILITIES TALLER THAN TWO (2) FEET IN HEIGHT OR COVERING IN EXCESS OF FOUR (4) SQUARE FEET IN SIZE SHALL BE SCREENED FROM PUBLIC VIEW. IF SCREENING IS COMPLETED BY LANDSCAPE MATERIAL, A LANDSCAPE PLAN IDENTIFYING THE SIZE, LOCATION, AND SPECIES SHALL BE SUBMITTED AND APPROVED BY THE CITY PRIOR TO INSTALLATION OF ANY FACILITY.
- ALL UTILITIES WILL BE INSTALLED UNDERGROUND.
- OPPORTUNITY FOR RECYCLING WILL BE PROVIDED.
- PRESERVE THE EXISTING TREE ON THE NORTHWEST PORTION OF THE SITE, AS RECOMMENDED BY THE PLANNING COMMISSION.
- RETAIL USES WITHIN BUILDING #4 SHALL BE LIMITED TO FIRST FLOOR ONLY.

PARKING CALCULATIONS

BUILDING 1 PARKING CALCULATIONS
BUILDING 1 = 12,202 S.F.
GENERAL OFFICE CRITERIA:
3.3 MIN. SPACE PER 1,000 S.F. FLOOR AREA
4.5 MAX. SPACE PER 1,000 S.F. FLOOR AREA
33% OFFICE SPACE
(12,202*0.33)/1,000 * 3.3 SPACES = 14 SPACES MIN. REQUIRED
(12,202*0.33)/1,000 * 4.5 SPACES = 19 SPACES MAX. REQUIRED
GENERAL WAREHOUSE CRITERIA:
2 MIN. SPACE FOR EVERY 3 EMPLOYEES ON THE MAXIMUM SHIFT
1.2 MAX. SPACE FOR EVERY EMPLOYEE ON THE MAXIMUM SHIFT
33 EMPLOYEES (ESTIMATED) * 2/3 SPACE = 23 SPACES MIN. REQUIRED
33 EMPLOYEES (ESTIMATED) * 1.2 SPACE = 40 SPACES MAX. REQUIRED
TOTAL REQUIRED = 37 MIN. SPACES (INCLUDING 2 H.C. SPACES)
59 MAX. SPACES
TOTAL PROVIDED = 54 SPACES (INCLUDING 4 H.C. SPACES)

BUILDING 2 PARKING CALCULATIONS
BUILDING 2 = 10,617 S.F.
GENERAL OFFICE CRITERIA:
3.3 MIN. SPACE PER 1,000 S.F. FLOOR AREA
4.5 MAX. SPACE PER 1,000 S.F. FLOOR AREA
20% OFFICE SPACE
(10,617*0.2)/1,000 * 3.3 SPACES = 8 SPACES MIN. REQUIRED
(10,617*0.2)/1,000 * 4.5 SPACES = 10 SPACES MAX. REQUIRED
GENERAL WAREHOUSE CRITERIA:
2 MIN. SPACE FOR EVERY 3 EMPLOYEES ON THE MAXIMUM SHIFT
1.2 MAX. SPACE FOR EVERY EMPLOYEE ON THE MAXIMUM SHIFT
33 EMPLOYEES (ESTIMATED) * 2/3 SPACE = 23 SPACES MIN. REQUIRED
33 EMPLOYEES (ESTIMATED) * 1.2 SPACE = 40 SPACES MAX. REQUIRED
TOTAL REQUIRED = 31 MIN. SPACES (INCLUDING 2 H.C. SPACES)
50 MAX. SPACES
TOTAL PROVIDED = 43 SPACES (INCLUDING 4 H.C. SPACES)

BUILDING 3 PARKING CALCULATIONS
BUILDING 3 = 26,858 S.F.
GENERAL OFFICE CRITERIA:
3.3 MIN. SPACE PER 1,000 S.F. FLOOR AREA
4.5 MAX. SPACE PER 1,000 S.F. FLOOR AREA
20% OFFICE SPACE
(26,858*0.2)/1,000 * 3.3 SPACES = 18 SPACES MIN. REQUIRED
(26,858*0.2)/1,000 * 4.5 SPACES = 25 SPACES MAX. REQUIRED
GENERAL WAREHOUSE CRITERIA:
2 MIN. SPACE FOR EVERY 3 EMPLOYEES ON THE MAXIMUM SHIFT
1.2 MAX. SPACE FOR EVERY EMPLOYEE ON THE MAXIMUM SHIFT
33 EMPLOYEES (ESTIMATED) * 2/3 SPACE = 23 SPACES MIN. REQUIRED
33 EMPLOYEES (ESTIMATED) * 1.2 SPACE = 40 SPACES MAX. REQUIRED
TOTAL REQUIRED = 41 MIN. SPACES (INCLUDING 2 H.C. SPACES)
65 MAX. SPACES
TOTAL PROVIDED = 48 SPACES (INCLUDING 3 H.C. SPACES)

BUILDING 4 PARKING CALCULATIONS
BUILDING 4 = 72,000 S.F.
GENERAL OFFICE CRITERIA:
3.3 MIN. SPACE PER 1,000 S.F. FLOOR AREA
4.5 MAX. SPACE PER 1,000 S.F. FLOOR AREA
50% RETAIL SPACE
(72,000*0.5)/1,000 * 3.3 SPACES = 119 SPACES MIN. REQUIRED
(72,000*0.5)/1,000 * 4.5 SPACES = 162 SPACES MAX. REQUIRED
RETAIL CRITERIA
4.0 MIN. SPACE PER 1,000 S.F. FLOOR AREA (0%–10% RESTAURANT USE)
4.5 MIN. SPACE PER 1,000 S.F. FLOOR AREA (21%–30% RESTAURANT USE)
50% RETAIL SPACE
(72,000*0.5)/1,000 * 4.0 SPACE = 144 SPACES MIN. REQUIRED
(72,000*0.5)/1,000 * 4.5 SPACE = 162 SPACES MIN. REQUIRED
TOTAL REQUIRED = 263 MIN. SPACES (INCLUDING 7 H.C. SPACES) (0%–10% RESTAURANT USE)
281 MIN. SPACES (INCLUDING 7 H.C. SPACES) (21%–30% RESTAURANT USE)
TOTAL PROVIDED = 298 SPACES (INCLUDING 8 H.C. SPACES)

LOADING SPACES:	REQUIRED	PROVIDED
BUILDING #1	1-10'x40'	1-10'x40'
BUILDING #2	1-10'x40'	1-10'x40'
BUILDING #3	2-10'x40'	18-12.7'x40'
BUILDING #4	2-10'x25' & 1-10'x40'	2-10'x25' & 1-10'x40'

PERTINENT DATA

TRACT AREA: 12.040± AC.
CURRENT OWNER: JOE H. SCOTT, SR AND LORETTA A. SCOTT, TRUSTEES UNDER TRUST AGREEMENT DATED SEPTEMBER 3, 1987
DEVELOPER: SCOTT PROPERTIES COMMERCIAL REAL ESTATE
c/o: MR. JOE SCOTT & NICK JOGGERST
SITE ADDRESS: 18122 CHESTERFIELD AIRPORT ROAD, 63005
LOCATOR NO: 17V420157
FEMA FLOOD MAP: 29189C0145K (REVISED FEBRUARY 4, 2015)
PAGE 20, GRID 18JJ
WUNNENBERG MAP: "M3", PLANNED INDUSTRIAL DISTRICT (ORDINANCE NO. 1430)
EXISTING ZONING: MONARCH FIRE PROTECTION DISTRICT
ROCKWOOD
SCHOOL DISTRICT: METROPOLITAN ST. LOUIS SEWER DISTRICT
SEWER DISTRICT: MISSOURI AMERICAN WATER COMPANY
WATER SHED: SPIRE INC.
WATER SERVICE: AMEREN MISSOURI
GAS SERVICE: AT&T
ELECTRIC SERVICE: CHARTER COMMUNICATIONS
PHONE SERVICE:
CABLE SERVICE:

FLOOD NOTE

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE SHADED X (AREAS WITH REDUCED FLOOD RISK DUE TO LEVEE) AND ZONE AH (BASE FLOOD ELEVATIONS, ELEV.=458) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP NUMBER 29189C0145K WITH AN EFFECTIVE DATE OF 02/04/2015.

BUILDING SETBACKS

FRONT YARD = NO STRUCTURE IS ALLOWED WITHIN THIRTY (30) FEET OF ANY ROADWAY RIGHT-OF-WAY LINE
SIDE YARD = NO STRUCTURE OR ANY STORAGE OR DISPLAY OF MATERIALS, EQUIPMENT, OR VEHICLES IS ALLOWED WITHIN TEN (10) FEET OF ANY SIDE OR REAR PROPERTY LINE
REAR YARD = NO STRUCTURE OR ANY STORAGE OR DISPLAY OF MATERIALS, EQUIPMENT, OR VEHICLES IS ALLOWED WITHIN TEN (10) FEET OF ANY SIDE OR REAR PROPERTY LINE

OPENSACE

TOTAL LOT AREA: 524,466 S.F. = 12,040 AC.
BUILDING: 87,323 S.F.
PAVEMENT: 272,035 S.F.
OPENSACE: 524,466 S.F. - 87,323 S.F. - 272,035 S.F. = 165,108 S.F.
PROVIDED OPENSACE: 165,108 S.F./524,466 S.F. = 31.48%

GEOTECHNICAL ENGINEER'S NOTE

Neither SCI Engineering, Inc. (SCI) nor the undersigned has prepared any part of these plans. The signature and seal are intended to confirm our review and professional opinion that these plans and revisions, through the date given below, comply with the *Geotechnical Report* dated December 2020 for the project, and are compatible with the soil and geologic conditions at the site, as anticipated from the exploration data.

Conditions may vary from those encountered during the exploration or can change due to construction activities, weather, or other conditions. Therefore, SCI must be involved during the construction of this project to observe the actual subsurface conditions and implementation of our recommendations relative to construction. Construction means and methods shall be left to the Contractor.

SCI ENGINEERING, INC.



SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS PREPARED THIS SITE DEVELOPMENT PLAN FROM A FIELD SURVEY AND DOES NOT REPRESENT A PROPERTY BOUNDARY SURVEY. THE INFORMATION SHOWN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.
L.S. NO. 222-D

WALTER J. PFLEGER, MISSOURI P.L.S. NO. 2008000728

DISCLAIMER

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. AND THE UNDERSIGNED ENGINEER HAVE NO RESPONSIBILITY FOR SERVICES PROVIDED BY OTHERS TO IMPLEMENT THE IMPROVEMENTS SHOWN ON THIS PLAN AND ALL OTHER DRAWINGS WHERE THE UNDERSIGNED ENGINEER'S SEAL APPEARS. THE CONSTRUCTION MEANS AND METHODS ARE THE SOLE RESPONSIBILITY OF THE OWNER AND CONTRACTOR. STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS NO RESPONSIBILITY TO VERIFY FINAL IMPROVEMENTS AS SHOWN ON THIS PLAN UNLESS SPECIFICALLY ENGAGED AND AUTHORIZED TO DO SO BY THE OWNER OR CONTRACTOR.

UTILITY NOTE

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND INFORMATION, AND, THEREFORE, DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NON-EXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE FACILITIES, STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS. THE UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ASSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319 RSMo.

TITLE SHEET

SHEET NO. 1

PREPARED BY: STOCK & ASSOCIATES Consulting Engineers, Inc.
757 Chesterfield Business Parkway
St. Louis, MO 63005 PH: (636) 590-9000
590-9000 FAX: (636) 590-9000
e-mail: general@stockassoc.com
Web: www.stockassoc.com

AMENDED SITE DEVELOPMENT PLAN FOR:
SCOTT PROPERTIES SERVICE / RETAIL CENTER
CHESTERFIELD, MISSOURI 63005



GEORGE M. STOCK E-25114
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996
12/5/2022

REVISIONS:

NO.	DATE	DESCRIPTION
1	11/09	CITY COMMENTS
2	12/11	CITY COMMENTS
3	01/14	CITY COMMENTS
4	02/01	CITY COMMENTS
5	02/16	CITY COMMENTS
6	07/02	CITY RESUBMITTAL
7	09/15	NOTE AT ENTRANCE
8	06/29	REVISED ACCESS OFF OF CHESTERFIELD AIRPORT RD
9	08/30	CITY COMMENTS
10	10/18	COUNTY COMMENTS
11	10/27	COUNTY COMMENTS
12	11/01	COUNTY SUBMITTAL
13	11/17	CITY COMMENTS
14	12/5	CITY RESUBMITTAL

DRAWN BY:	CHECKED BY:
T.P.G.	G.M.S.
DATE:	JOB NO:
10-01-2020	217-6057.2
WKS #	RACE WUP:
21MSD-00089	17-V
S.L.C. WAT #	WAT SUP #
WT-4114	137-169-B2
M.D.N.R. #	

TITLE SHEET

SHEET NO. 1

ST. LOUIS COUNTY BENCHMARK

ST. LOUIS COUNTY BENCHMARK
BENCHMARK #1122 N0629 Elev = 465.47
Cut "L" on the northernmost corner of the concrete base for a metal traffic signal control box situated southeast of the right turn lane from northbound Spirit of St. Louis Boulevard onto eastbound Chesterfield Airport Road, roughly 76 feet east of the centerline of Spirit of St. Louis Boulevard, 79 feet south of the centerline of Chesterfield Airport Road, and 23 feet west of the southwest corner of Spirit Airport entrance sign.

PREPARED FOR:
SCOTT PROPERTIES COMMERCIAL REAL ESTATE
1065 EXECUTIVE PARKWAY, SUITE 300
CONTACT:
NICK JOGGERST
PHONE: (314) 542-0105
EMAIL: NJOGGERST@SCOTTPROPERTIES.COM

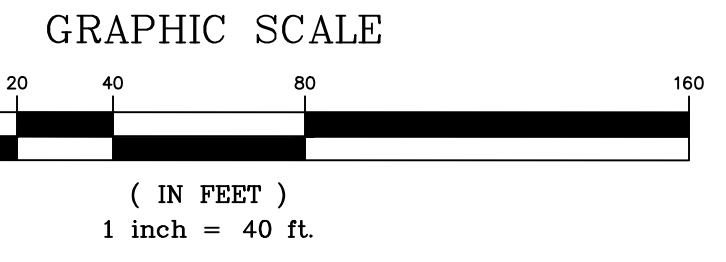
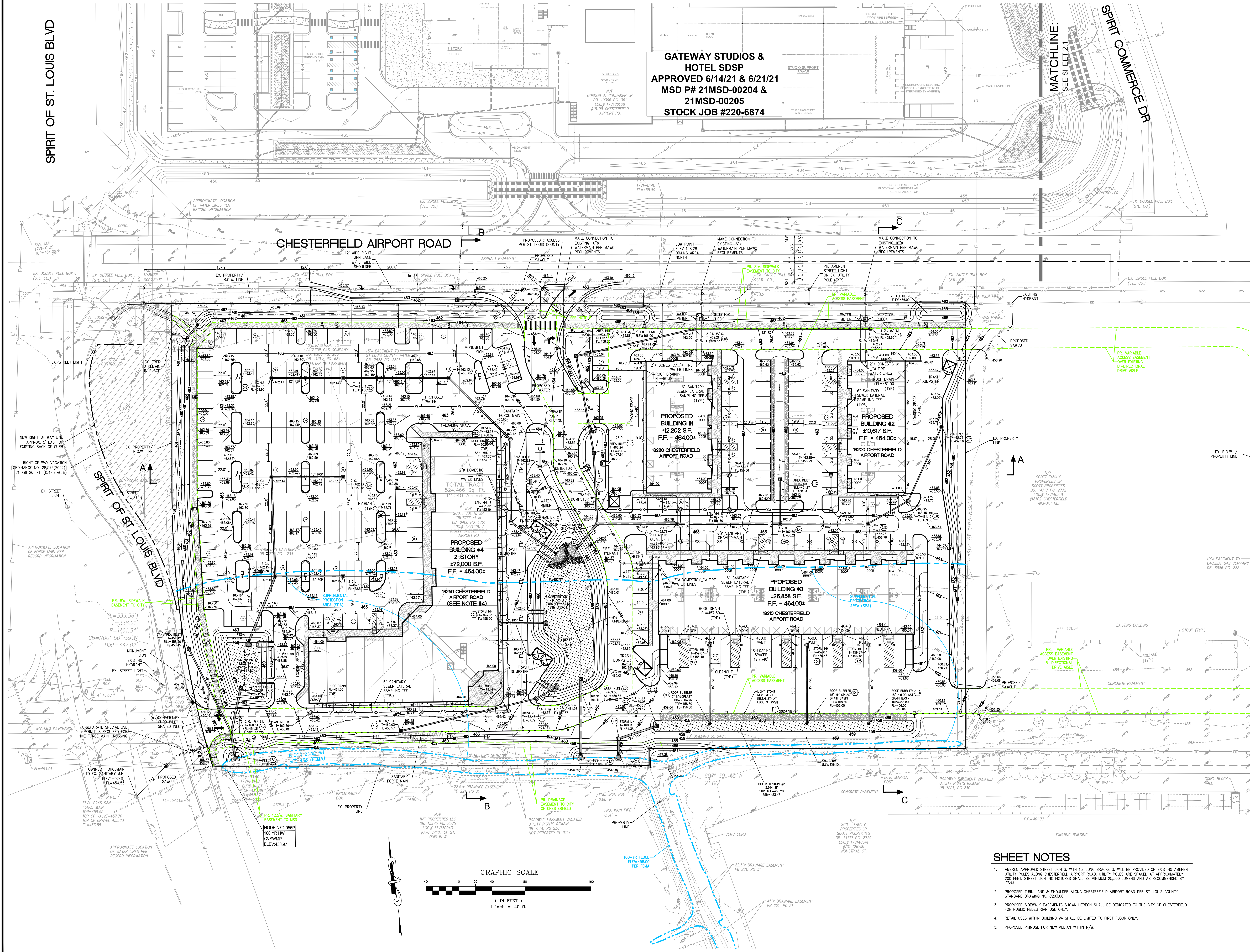
SPIRIT OF ST. LOUIS BLVD

GATEWAY STUDIOS & HOTEL SDSP
APPROVED 6/14/21 & 6/21/21
MSD P# 21MSD-00204 & 21MSD-00205
STOCK JOB #220-6874

MATCHLINE:
SEE SHEET 2.1

SPIRIT COMMERCE DR

CHESTERFIELD AIRPORT ROAD

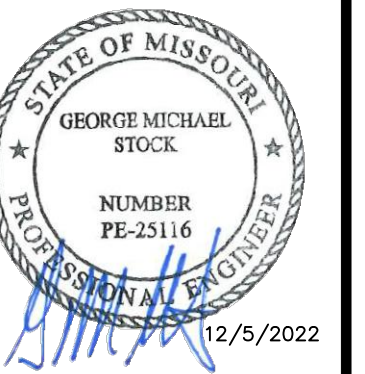


SHEET NOTES

- AMEN APPROVED STREET LIGHTS, WITH 15' LONG BRACKETS, WILL BE PROVIDED ON EXISTING AMEN UTILITY POLES ALONG CHESTERFIELD AIRPORT ROAD. UTILITY POLES ARE SPACED AT APPROXIMATELY 200 FEET. STREET LIGHTING FIXTURES SHALL BE MINIMUM 25,000 LUMENS AND AS RECOMMENDED BY ISNA.
- PROPOSED TURN LANE & SHOULDER ALONG CHESTERFIELD AIRPORT ROAD PER ST. LOUIS COUNTY STANDARD DRAWING NO. C203.66.
- PROPOSED SIDEWALK EASEMENTS SHOWN HEREON SHALL BE DEDICATED TO THE CITY OF CHESTERFIELD FOR PUBLIC PEDESTRIAN USE ONLY.
- RETAIL USES WITHIN BUILDING #4 SHALL BE LIMITED TO FIRST FLOOR ONLY.
- PROPOSED PRIMUSE FOR NEW MEDIAN WITHIN R/W.

PREPARED BY:
STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005 PH: (636) 500-9000
500-9000 FAX: (636) 500-9000
e-mail: general@stockinc.com
Web: www.stockinc.com

AMENDED SITE DEVELOPMENT PLAN FOR:
**SCOTT PROPERTIES
SERVICE / RETAIL CENTER**
CHESTERFIELD, MISSOURI 63005



GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:

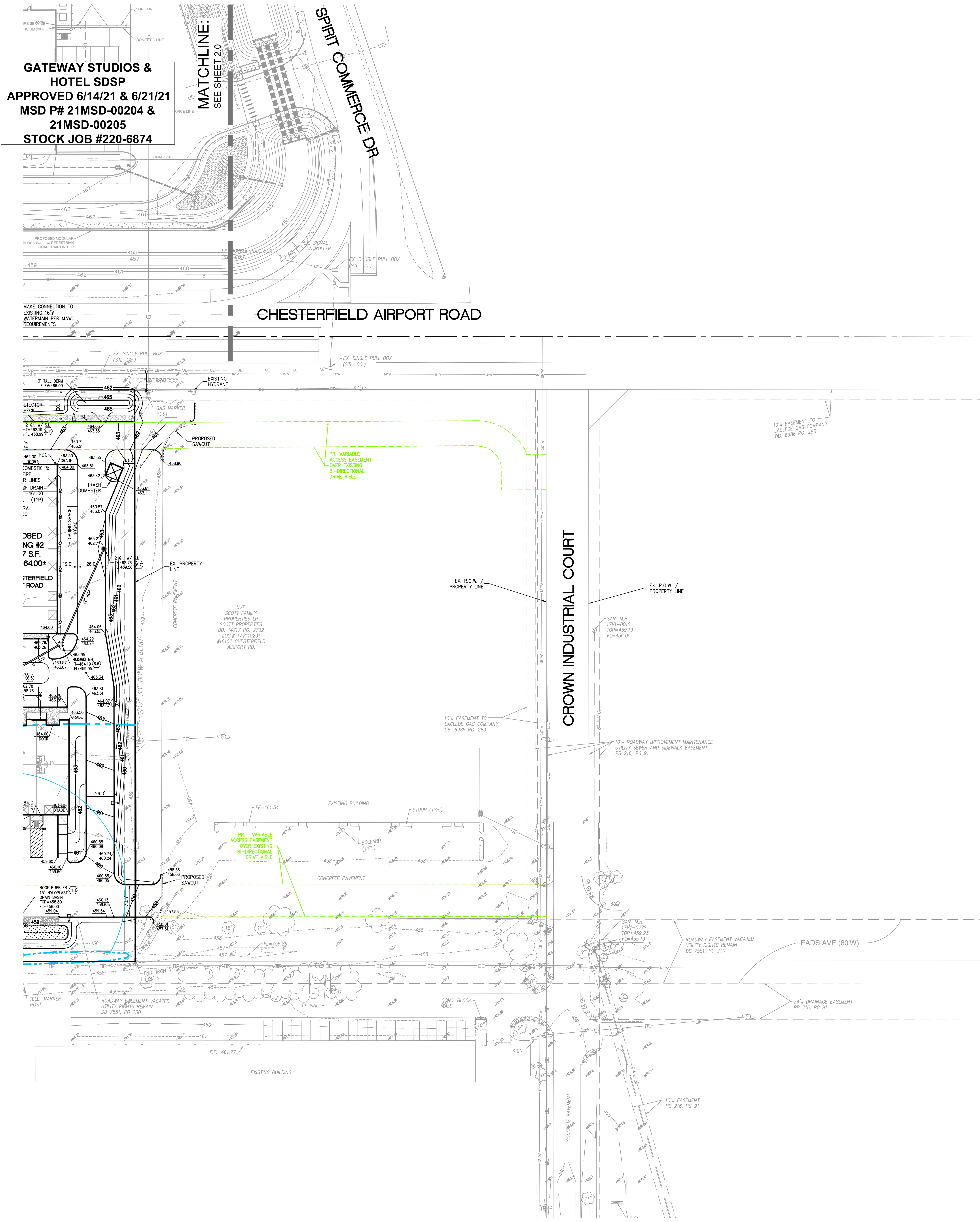
1	11/09 CITY COMMENTS
2	12/11 CITY COMMENTS
3	01/14 CITY COMMENTS
4	02/01 CITY COMMENTS
5	02/16 COUNTY COMMENTS
6	07/02 CITY RESUBMITTAL
7	09/15 NOTE AT ENTRANCE
8	06/29 REVISED ACCESS OFF OF CHESTERFIELD AIRPORT RD
9	08/30 CITY COMMENTS
10	10/18 COUNTY COMMENTS
11	10/27 COUNTY COMMENTS
12	11/01 COUNTY SUBMITTAL
13	11/17 CITY COMMENTS
14	12/5 CITY RESUBMITTAL

DRAWN BY:	CHKD BY:
T.P.G.	G.M.S.
DATE:	JOB NO.
10-01-2020	217-6057.2
SCALE:	BASE MAP:
1"=50'	17-V
S.L.C. MAP #:	RAT. SUP. #:
MT-4114	137-169-B2
M.D.N.R. #:	

SHEET TITLE:
SITE DEVELOPMENT PLAN

SHEET NO.:
2

**GATEWAY STUDIOS &
HOTEL SDSP**
APPROVED 6/14/21 & 6/21/21
MSD P# 21MSD-00204 &
21MSD-00205
STOCK JOB #220-6874



PREPARED BY:
STOCK & ASSOCIATES
Consulting Engineers, Inc.
757 Chesterfield Business Parkway
St. Louis, MO 63005 PH: (636) 590-9000
590-9000 FAX: (636) 590-9000
e-mail: general@stockassoc.com
Web: www.stockassoc.com

AMENDED SITE DEVELOPMENT PLAN FOR:
**SCOTT PROPERTIES
SERVICE / RETAIL CENTER**
CHESTERFIELD, MISSOURI 63005



GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

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11	10/27 COUNTY COMMENTS
12	11/01 COUNTY SUBMITTAL
13	11/17 CITY COMMENTS
14	12/5 CITY RESUBMITTAL

DRAWN BY:	T.P.G.	CHECKED BY:	G.M.S.
DATE:	10-01-2020	JOB NO.:	217-6057-2
MSD P. #:	21MSD-00089	RAISE MAP #:	17-V
S.L.C. MAP #:	HT-4114	RAISE SUP. #:	137-169-B2
M.D.N.R. #:			

SHEET TITLE:
SITE DEVELOPMENT PLAN
SHEET NO.:
2.1

SPRIT OF ST. LOUIS BLVD

SPRIT COMMERCE DR

GATEWAY STUDIOS & HOTEL SDSP
APPROVED 6/14/21 & 6/21/21
MSD P# 21MSD-00204 & 21MSD-00205
STOCK JOB #220-6874

CHESTERFIELD AIRPORT ROAD

SPRIT OF ST. LOUIS BLVD

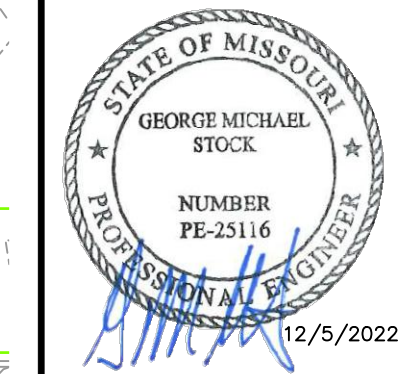
STREET LIGHTING NOTES

1. AMEREN APPROVED STREET LIGHTS, WITH 15' LONG BRACKETS, WILL BE PROVIDED ON EXISTING AMEREN UTILITY POLES ALONG CHESTERFIELD AIRPORT ROAD. UTILITY POLES ARE SPACED AT APPROXIMATELY 200 FEET. STREET LIGHTING FIXTURES SHALL BE MINIMUM 25,500 LUMENS AND AS RECOMMENDED BY IESNA.

N/F SCOTT FAMILY PROPERTIES LP
 SCOTT PROPERTIES
 DB: 14177 PG. 2732
 LOC # 17462020
 #18102 CHESTERFIELD AIRPORT RD.

PREPARED BY:
STOCK & ASSOCIATES
 Consulting Engineers, Inc.
 257 Chesterfield Business Parkway
 St. Louis, MO 63005 PH: (636) 500-9000
 500-9000 FAX: (636) 500-9000
 e-mail: general@stockass.com
 Web: www.stockass.com

AMENDED SITE DEVELOPMENT PLAN FOR:
SCOTT PROPERTIES
SERVICE / RETAIL CENTER
 CHESTERFIELD, MISSOURI 63005



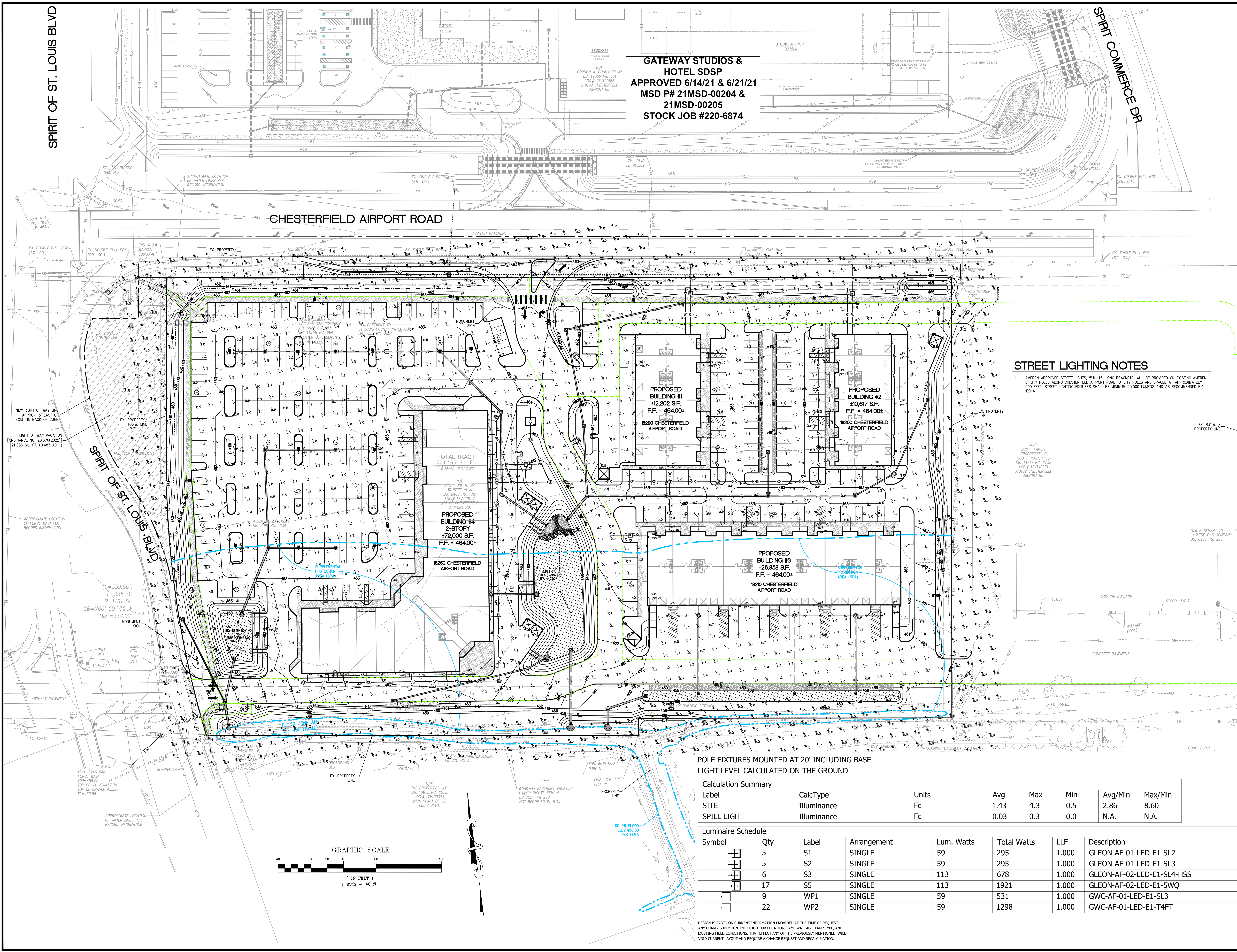
GEORGE M. STOCK E-25116
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY NUMBER: 000996

- REVISIONS:
- 11/09 CITY COMMENTS
 - 12/11 CITY COMMENTS
 - 01/14 CITY COMMENTS
 - 02/01 CITY COMMENTS
 - 02/16 COUNTY COMMENTS
 - 07/02 CITY RESUBMITTAL
 - 09/15 NOTE AT ENTRANCE
 - 06/29 REVISED ACCESS OFF OF CHESTERFIELD AIRPORT RD
 - 08/30 CITY COMMENTS
 - 10/18 COUNTY COMMENTS
 - 10/27 COUNTY COMMENTS
 - 11/01 COUNTY SUBMITTAL
 - 11/17 CITY COMMENTS
 - 12/5 CITY RESUBMITTAL

DRAWN BY: T.P.G. CHECKED BY: G.M.S.
 DATE: 10-01-2020 JOB NO: 217-6057.2
 WKS. P. # BASE MAP #
 21MSD-00089 17-V
 S.L.C. WKT. # RAT SUP. #
 11-4114 137-169-B2
 M.D.N.R. #

SHEET TITLE:
SITE PHOTOMETRIC PLAN

SHEET NO.: **3**

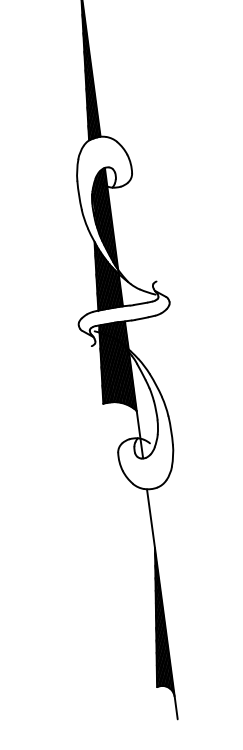
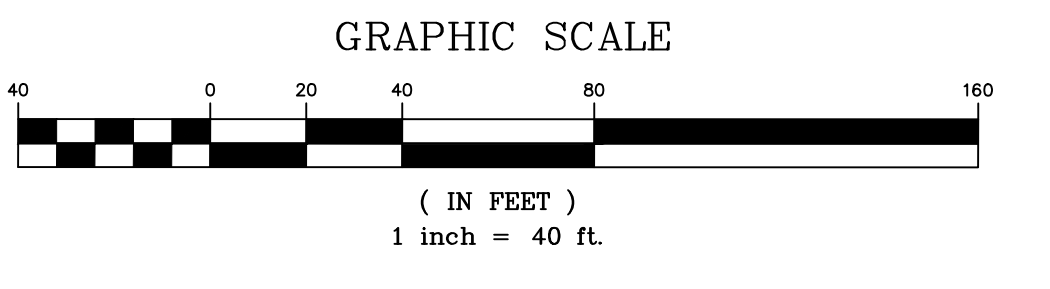


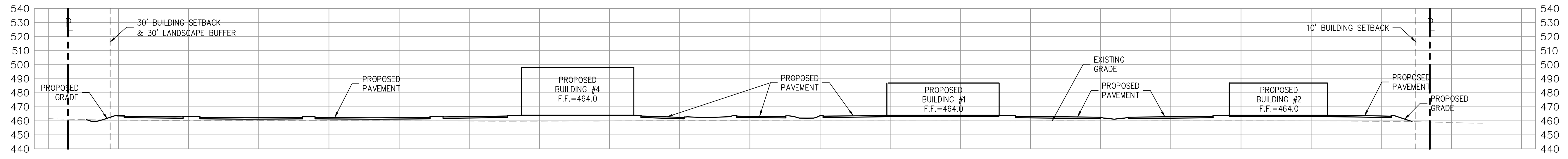
POLE FIXTURES MOUNTED AT 20' INCLUDING BASE LIGHT LEVEL CALCULATED ON THE GROUND

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
SITE	Illuminance	Fc	1.43	4.3	0.5	2.86	8.60
SPILL LIGHT	Illuminance	Fc	0.03	0.3	0.0	N.A.	N.A.

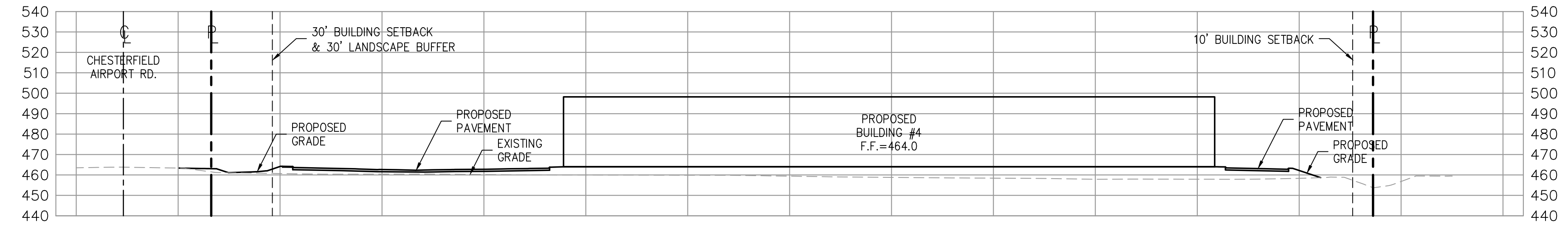
Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Lum. Watts	Total Watts	LLF	Description
[Symbol]	5	S1	SINGLE	59	295	1.000	GLEON-AF-01-LED-E1-SL2
[Symbol]	5	S2	SINGLE	59	295	1.000	GLEON-AF-01-LED-E1-SL3
[Symbol]	6	S3	SINGLE	113	678	1.000	GLEON-AF-02-LED-E1-SL4-HSS
[Symbol]	17	S5	SINGLE	113	1921	1.000	GLEON-AF-02-LED-E1-5WQ
[Symbol]	9	WP1	SINGLE	59	531	1.000	GWC-AF-01-LED-E1-SL3
[Symbol]	22	WP2	SINGLE	59	1298	1.000	GWC-AF-01-LED-E1-T4FT

DESIGN IS BASED ON CURRENT INFORMATION PROVIDED AT THE TIME OF REQUEST. ANY CHANGES IN MOUNTING HEIGHT OR LOCATION, LAMP WATTAGE, LAMP TYPE, AND EXISTING FIELD CONDITIONS, THAT AFFECT ANY OF THE PREVIOUSLY MENTIONED, WILL VOID CURRENT LAYOUT AND REQUIRE A CHANGE REQUEST AND RECALCULATION.

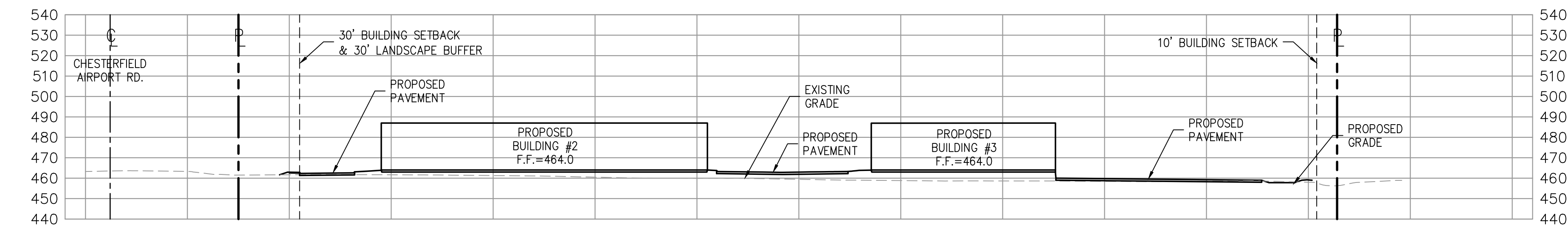




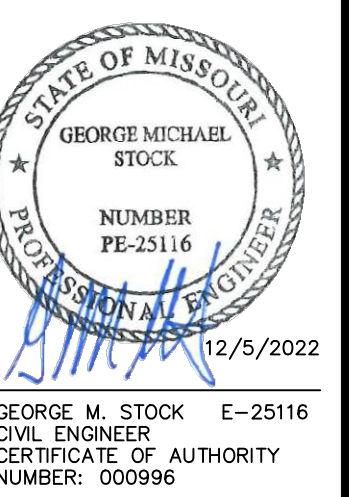
SKY EXPOSURE PLANE SECTION A-A
 HORIZONTAL SCALE: 1" = 40'
 VERTICAL SCALE: 1" = 40'



SKY EXPOSURE PLANE SECTION B-B
 HORIZONTAL SCALE: 1" = 40'
 VERTICAL SCALE: 1" = 40'



SKY EXPOSURE PLANE SECTION C-C
 HORIZONTAL SCALE: 1" = 40'
 VERTICAL SCALE: 1" = 40'



REVISIONS:

1	11/09 CITY COMMENTS
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11	10/27 COUNTY COMMENTS
12	11/01 COUNTY SUBMITTAL
13	11/17 CITY COMMENTS
14	12/5 CITY RESUBMITTAL

DRAWN BY: T.P.G.	CHECKED BY: G.M.S.
DATE: 10-01-2020	JOB NO. 217-6057-2
MSD P.# 21MSD-00089	BASE MAP # 17-V
S.L.C. MAP # HT-4114	MAP SUP. # 137-169-B2
M.D.N.R. # ---	

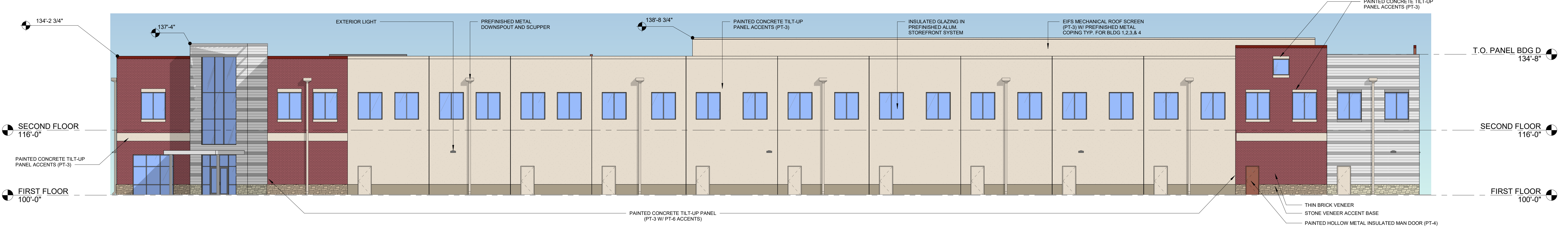
SHEET TITLE:
SKY EXPOSURE PLANE

BUILDING 4 EXTERIOR MATERIAL LEGEND (BASIS OF DESIGN)

- Thin Brick Veneer: Endicott Red Ironspot – Running Bond
- Thin Stone Veneer: Cultured Stone, Cobblefield – Texas Cream
- Thin Stone Veneer: Cultured Stone, Cobblefield – Sevilla
- Thin Stone Veneer: Cultured Stone, Cobblefield – Chardonay
- Aluminum Storefront: 4-1/2" x 2" Thermally Broken Storefront System
Firestone Una-Clad, Kynar 500/Hylar 5000 – Champagne Metallic
- Glass: Clear with Low-E Coating
- Standing Seam Metal Roof: Kynar – Black
- Painted Concrete Tilt-up Accents: PT-2: Sherwin Williams SW 7029 Agreeable Gray
PT-3: Sherwin Williams SW 6105 Divine White
PT-4: Sherwin Williams SW 006 Toile Red
PT-5: Sherwin Williams SW 6531 Indigo
PT-6: Sherwin Williams SW Light Brown Color
- Coping, Scuppers and Downspouts: Firestone Una-Clad, Kynar 500/Hylar 5000 – Almond
- EIFS Mechanical Roof Screen Wall: PT-3: Sherwin Williams SW 6105 Divine White



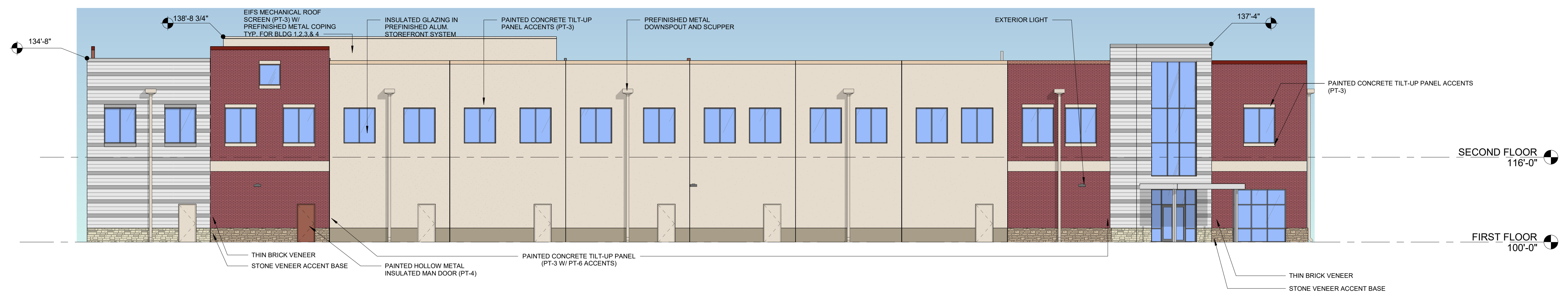
4 BUILDING 4 - NORTH ELEVATION
3/32" = 1'-0"



3 BUILDING 4 - EAST ELEVATION
3/32" = 1'-0"

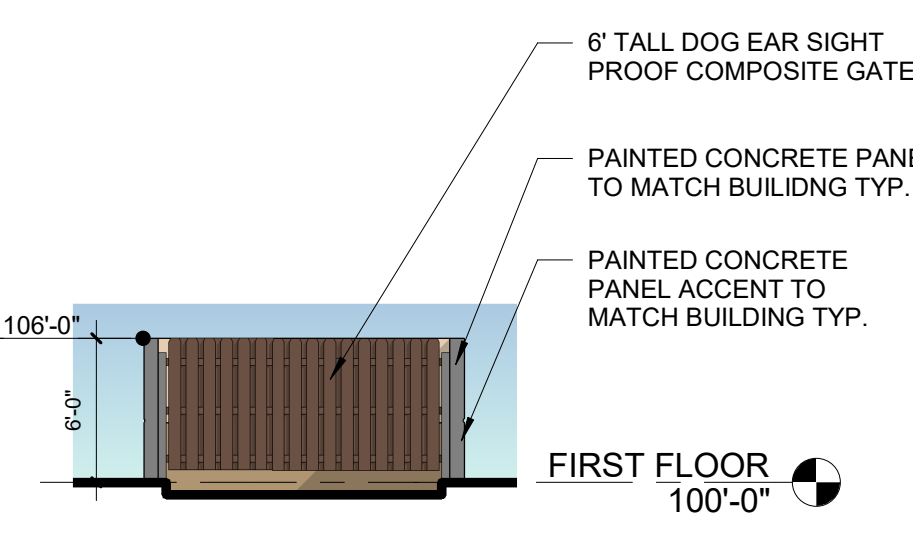


2 BUILDING 4 - WEST ELEVATION
3/32" = 1'-0"



1 BUILDING 4 - SOUTH ELEVATION
3/32" = 1'-0"

6 BUILDING 1 - 4 TRASH ENCLOSURE SIDE
1/8" = 1'-0"



5 BUILDING 1 - 4 TRASH ENCLOSURE FRONT
1/8" = 1'-0"



TRAFFIC ASSESSMENT

Date: April 25, 2022

To: Mr. George M. Stock, P.E.
Stock & Associates Consulting Engineers, Inc.

From: Mr. Srinivas Yanamanamanda, P.E., PTOE, PTP

CBB Job Number: 046-22

Project: Traffic Assessment
Proposed Scott Properties Service/Retail Center
Chesterfield, Missouri

As requested, CBB has prepared a Traffic Generation Assessment related to a proposed service and retail center development in Chesterfield, Missouri. The development site is located in the southeast quadrant of the Chesterfield Airport Road and Spirit of Saint Louis Boulevard intersection. The location of the development relative to the surrounding area is depicted in **Figure 1**.



Figure 1: Project Location Map



It should be noted this assessment does not represent a traffic impact study, but rather an estimate of the anticipated traffic levels associated with the proposed service and retail development. No specific evaluations of operational levels of service are included in this assessment.

Based on the site plan prepared by Stock and Associates Consulting Engineers Inc., the proposed development will consist of four buildings. Access is proposed via a right-in and right-out driveway on Chesterfield Airport Road approximately 600 feet east of the Spirit of Saint Louis Boulevard intersection. Another access is proposed via a full access driveway on Spirit of Saint Louis Boulevard where it intersects with Wings of Hope Boulevard. A cross access will be provided on the east side of the property as well. A schematic of the site plan for the proposed residential development is shown in **Exhibit 1**.

EXISTING CONDITIONS

Area Roadway System: Chesterfield Airport Road is an east-west Minor Arterial roadway owned and maintained by the Saint Louis County Department of Transportation and Public Works. Chesterfield Airport Road runs between Baxter Road and Olive Street Road within the study area. Chesterfield Airport Road is generally a five-lane roadway with two lanes in each direction and a two-way left-turn lane (TWLTL). The posted speed limit on the roadway is 45 miles per hour. The existing cross-section of Chesterfield Airport Road, adjacent to the site, is shown in **Figure 2**.



Figure 2: Chesterfield Airport Road Cross-Section (Google Earth image looking west)



Spirit of Saint Louis Boulevard is a north-south Minor Arterial Roadway that runs between North outer 40 Road and Edison Avenue. This roadway is also owned and maintained by Saint Louis County. Spirit of Saint Louis Boulevard is divided by median and provides two lanes in each direction south of Chesterfield Airport Road and provides one lane in each direction and a TWLTL, north of Chesterfield Airport Road. The posted speed limit on this roadway is 35 mph within the study area. The existing cross section of Spirit of Saint Louis Boulevard, adjacent to the site, is shown in **Figure 3**. Chesterfield Airport Road intersects with Spirit of Saint Louis Boulevard in a signalized intersection.



Figure 3: Spirit of Saint Louis Boulevard Cross-Section (Google Earth image looking south)

Existing Traffic Volumes: Spot traffic counts were conducted on Spirit of Saint Louis Boulevard and Chesterfield Airport Road intersection during the weekday morning (07:00 a.m. – 09:00 a.m.) and afternoon (4:00 p.m. - 6:00 p.m.) peak periods during April of 2022. Based on the traffic data collected, the weekday morning peak hour occurred between 07:15 a.m. and 08:15 a.m.; and the weekday afternoon peak period occurred between 4:30 p.m. and 5:30 p.m.

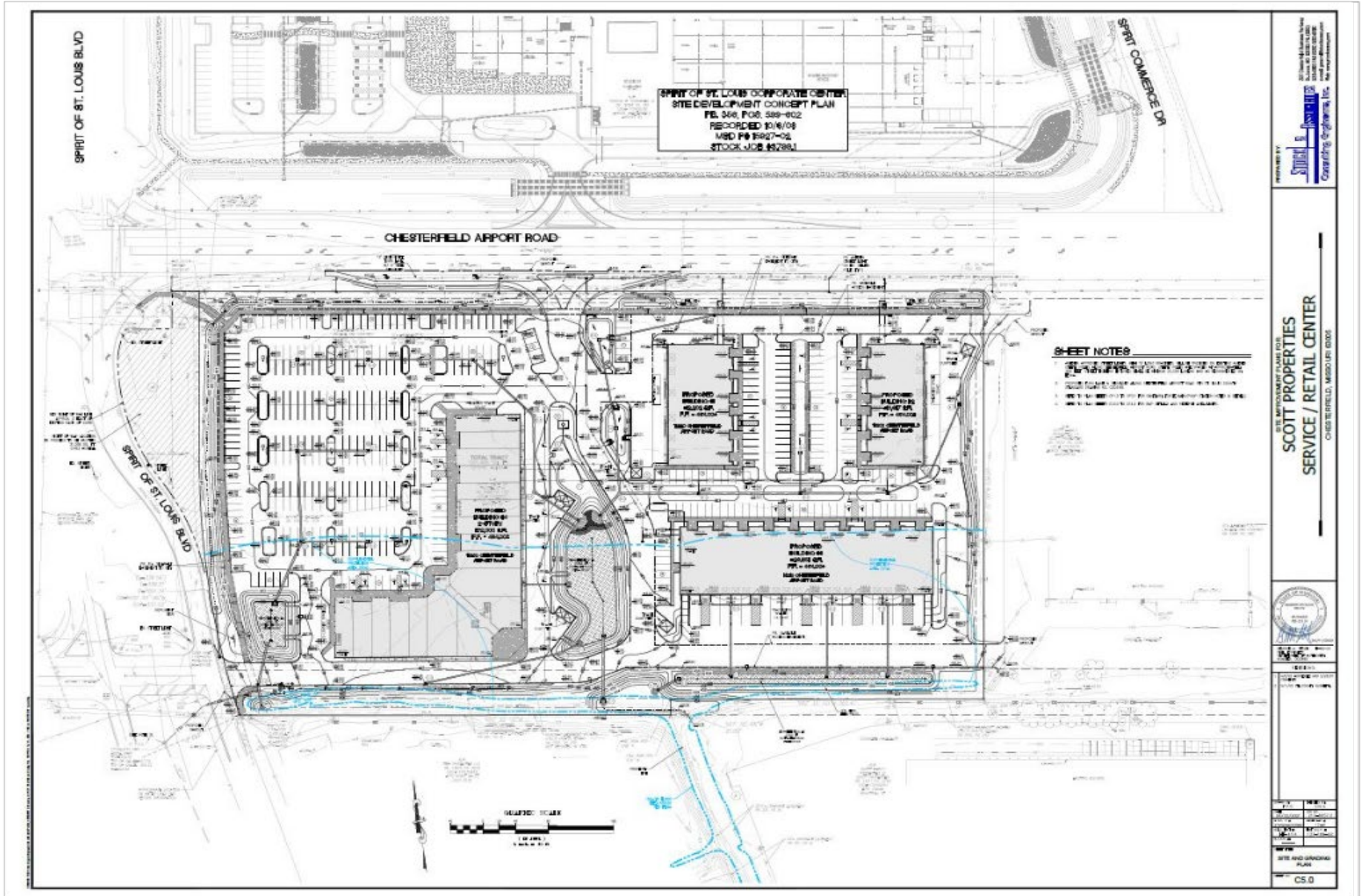


Exhibit 1: Preliminary Site Plan (provided by others)



PROPOSED SITE

Trip Generation: Forecasts were prepared to estimate the amount of traffic the proposed development would generate during the weekday AM and PM peak periods. These forecasts were based upon information provided in the *Trip Generation Manual*, 11th Edition, published by the Institute of Transportation Engineers (ITE). This manual, which is a standard resource for transportation engineers, is based on a compilation of nationwide studies documenting the characteristics of various land uses. Estimates for the proposed site were based on Land Use: 150 – warehousing, Land Use: 710 – General Office Building, and Land Use: 822 – Strip Retail Plaza (<40k). The data provided for Land Use 150, 710, and 822 Peak Hour of the Adjacent Street was used for the traditional weekday AM and PM peak hour forecasts.

The trip generation estimates for the proposed development are summarized in **Table 1**. As shown in the table, the proposed service/retail center development is estimated to generate a total of 201 trips during the AM peak hour and 358 trips during the PM peak hour.

Table 1: Trip Generation Estimate – Proposed Site Development

Land Use	Size (S.F.)	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
Office (ITE Land Use 710)	47,523	77	11	88	15	75	90
Warehouse (ITE Land Use 150)	38,154	22	6	28	9	22	31
Retail (ITE Land Use 822)	36,000	51	34	85	118	119	237
Total		150	51	201	142	216	358

Trip Distribution: The total trips for the proposed service/retail development were then assigned into and out of the site based upon an assumed directional distribution. Based upon the existing travel patterns in the area, it is anticipated that the distribution of site-generated trips would be 40% to/from the west on Chesterfield Airport Road, 25% to/from the east on Chesterfield Airport Road, 30% to/from the north on Spirit of Saint Louis Boulevard, and 5% to/from the south on Spirit of Saint Louis Boulevard. The site-generated trips for the weekday AM and PM peak hours are shown in **Figure 4**.

During the AM peak hour the proposed development is estimated to add approximately 80 trips to Chesterfield Airport Road west of the site and approximately 50 trips to Chesterfield Airport Road east of the site. Also, the proposed development is estimated to add approximately 60 trips to Spirit of Saint Louis Boulevard north of the site and approximately 10 trips to Spirit of Saint Louis Boulevard south of the site, in the AM peak hour.



During the PM peak hour, the proposed development is estimated to add approximately 145 trips to Chesterfield Airport Road west of the site and approximately 90 trips to Chesterfield Airport Road east of the site. In the PM peak hour, the proposed development is estimated to add approximately 110 trips to Spirit of Saint Louis Boulevard north of the site and approximately 20 trips to Spirit of Saint Louis Boulevard south of the site.



Figure 4: Peak Hour Site Generated Trips

SUMMARY OF FINDINGS AND RECOMMENDATIONS

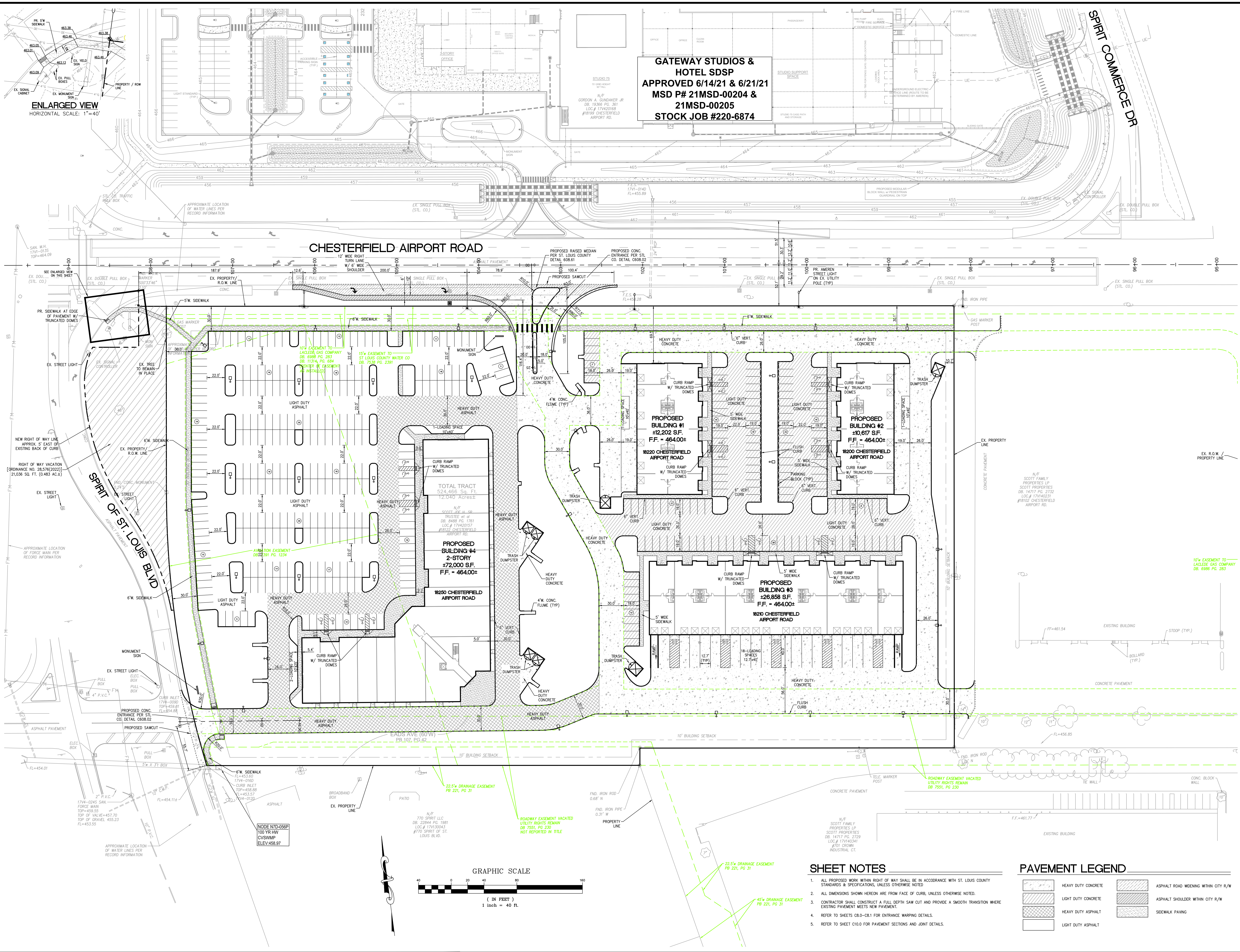
Based on the traffic assessment completed, the following is a summary of our findings and recommendations:

- The proposed site plan and the access provided, as shown above in Exhibit 1, is expected to provide adequate capacity to handle the trips estimated to be generated by the proposed development.
- While it is expected that the proposed RIRO access along Chesterfield Airport Road along with the cross access proposed on the east side of the site would provide adequate capacity in the near term, it is plausible that future growth in the area and background growth along Spirit of St. Louis Boulevard would necessitate the provision of a $\frac{3}{4}$ access at this driveway (to allow westbound lefts into the site). As such, it is recommended that the design of this driveway provide adequate flexibility for a future $\frac{3}{4}$ access at this driveway.



- Once the development is built and operational, signal operations at the Chesterfield Airport Road and Spirit of St. Louis Boulevard intersection should be optimized. Provision of protected plus permissive phasing for north/south approaches should be considered during signal timing and phasing plan development after the site is operational.

If additional information is desired, please feel free to contact me at 314-878-6644 or ryanamanamanda@cbbtraffic.com.

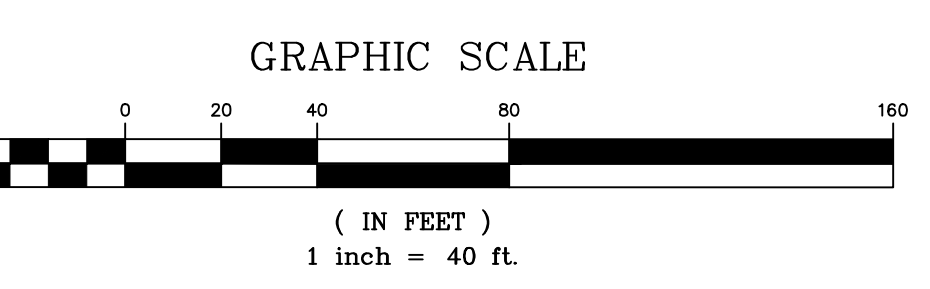


GATEWAY STUDIOS & HOTEL SDSP
APPROVED 6/14/21 & 6/21/21
MSD P# 21MSD-00204 & 21MSD-00205
STOCK JOB #220-6874

ENLARGED VIEW
 HORIZONTAL SCALE: 1"=40'

CHESTERFIELD AIRPORT ROAD

SPIRIT OF ST. LOUIS BLVD



- SHEET NOTES**
1. ALL PROPOSED WORK WITHIN RIGHT OF WAY SHALL BE IN ACCORDANCE WITH ST. LOUIS COUNTY STANDARDS & SPECIFICATIONS, UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS SHOWN HEREON ARE FROM FACE OF CURB, UNLESS OTHERWISE NOTED.
 3. CONTRACTOR SHALL CONSTRUCT A FULL DEPTH SAW CUT AND PROVIDE A SMOOTH TRANSITION WHERE EXISTING PAVEMENT MEETS NEW PAVEMENT.
 4. REFER TO SHEETS C8-0-C8.1 FOR ENTRANCE WARPING DETAILS.
 5. REFER TO SHEET C10.0 FOR PAVEMENT SECTIONS AND JOINT DETAILS.

PAVEMENT LEGEND

	HEAVY DUTY CONCRETE		ASPHALT ROAD WIDENING WITHIN CITY R/W
	LIGHT DUTY CONCRETE		ASPHALT SHOULDER WITHIN CITY R/W
	HEAVY DUTY ASPHALT		SIDEWALK PAVING
	LIGHT DUTY ASPHALT		

PREPARED BY:
STOCK & ASSOCIATES
 Consulting Engineers, Inc.
 757 Chesterfield Business Parkway
 St. Louis, MO 63005 PH: (636) 590-9000
 590-9100 FAX: (636) 530-9000
 e-mail: general@stockassoc.com
 Web: www.stockassoc.com

SITE IMPROVEMENT PLANS FOR:
SCOTT PROPERTIES
SERVICE / RETAIL CENTER
 CHESTERFIELD, MISSOURI 63005

GEORGE M. STOCK E-25116
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 000996

REVISIONS:

1	4/6/22	ADDRESSED MSD 2/23/21 COMMENTS
2	4/11/22	ST. LOUIS COUNTY SUBMITTAL COMMENTS
3	4/14/22	ADDRESSED MLD COMMENTS
4	8/31/22	BD SET
5	10/2/22	ADDRESSED MSD & COUNTY COMMENTS
6	12/29/22	ADDRESSED MSD COMMENTS

DRAWN BY: T.P.G. CHECKED BY: G.M.S.
 DATE: 04/30/2021 JOB NO: 217-6057.2
 W.S.P. # 217MSD-00089 BASE MAP: 17-V
 S.L.C. MAP # 17-V
 M.D.N.R. # 137-169-B2

SHEET TITLE:
SITE GEOMETRIC PLAN

SHEET NO.: **C7.0**

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember McGuinness

Vice-Chair: Councilmember Moore

Proposed Bill No. 3419 - Fee Increase – An Ordinance of the City of Chesterfield amending section 405.09.020 Public Hearing petitions and applications and 405.09.030 Permit and Inspection Fees. The Finance and Administration Committee unanimously recommends adoption of this bill which increases that are charged for services, which were last adjusted in 2014. In general, the fees are indexed for inflation to ensure that the City’s actual cost to provide these services do not fall below the fees charged.

Proposed Bill No. 3420 - Permits for Non-Compliant Properties – An ordinance Of the City of Chesterfield amending Section 600.085 of the municipal code related to liquor licenses, 605.070 related to business licenses, 605.610 related to licenses for tourist camps, 605.770 related to licenses for pawn brokers, 605.1270 related to licenses for adult entertainment businesses, 610.210 related to alarm system licenses, 605.1040 related to licenses for tobacco sales, 210.680 related to licenses for outdoor events, and 375.040 related to parades, and adopting section 605.250 related to appealing a decision to deny a license by reason of violations of Chapter 215 and/or Chapter 405 of the City’s municipal code. This bill was prepared at the bequest of the Finance and Administration Committee and was unanimously recommended for adoption by City Council. In general, these changes would prohibit the City from issuing new licenses or permits for those who are violation of City Code.

Proposed Bill No. 3421 - Recreational Marijuana Sales Tax Ballot Proposal – An Ordinance of the City of Chesterfield, Missouri imposing a sales tax of 3 percent (3) on retail sales of adult use marijuana pursuant to the authority granted by and subject to the provision of the Missouri Constitution Article XIV Section 2: Providing that this retail sales tax shall be in addition to any and all other tangible personal property retail sales taxes allowed by law; and providing for submission to the qualified voters of the City for their approval at the general municipal election called to be held in the City on April 4th, 2023.

NEXT MEETING

The next Finance and Administration Committee Meeting is scheduled for Monday, February 13th, 2023, at 4:00 pm.

If you have any questions or require additional information, please contact Finance Director Jeannette Kelly or me prior to Tuesday’s meeting.

BILL NO. 3419

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CHESTERFIELD AMENDING SECTIONS 405.09.020 PUBLIC HEARING PETITIONS AND APPLICATIONS AND 405.09.030 PERMIT AND INSPECTION FEES.

WHEREAS, the City periodically reviews the fees that it charges for certain municipal services to ensure that the fees the City is charging do not fall too far below the City's actual costs for providing such service; and

WHEREAS, a number of the City's fees have remained unchanged for the past eight years and, due in part to the recent high levels of inflation, the City's fees for certain services have fallen well below the City's actual costs in providing such services; and

WHEREAS, the rate of inflation between the date of this ordinance and the last update to these fees in 2014 has resulted in a cumulative price increase over this time period of approximately twenty-five percent; and

WHEREAS, the City Council of the City desires to amend the Municipal Code; and

WHEREAS, the City Council believes that adopting these amended regulations benefits the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI AS FOLLOWS:

Section I: Section 405.09.020 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

- A. Petitions And Applications. Petitions and applications to the City of Chesterfield which require a public hearing shall have an application fee and a public hearing fee. These projects may include, but are not limited to, petitions for a change of zoning, special procedure applications, and variance applications to the Board of Adjustment.
1. The application fee for a variance request to be heard before the Board of Adjustment shall be ~~seventy dollars (\$70.00)~~ ninety dollars (\$90.00).
 2. The application fee for any other petition or application, regardless of size of development or type of petition, which requires a public hearing shall be ~~two hundred fifty dollars (\$250.00)~~ three hundred fifteen dollars (\$315.00).

3. The public hearing fee for any petition or application shall be equal to the direct cost to the City of Chesterfield for advertising. A copy of the proof of publication will be provided to the petitioner for full reimbursement to the City. Payment of this public hearing fee is required prior to the petition being placed on the agenda.

B. Plan Review Fees.

1. The review fee for any sketch plan, site plan, site development plan, site development concept plan, site development section plan, or amendment thereto, regardless of development size or type of development, shall be ~~one hundred fifty dollars (\$150.00)~~ one hundred ninety dollars (\$190.00).
2. The review fee for any landscape plan, tree preservation plan, tree stand delineation, lighting plan, sign package or amendment to architectural elevations, which are not part of an existing site plan review, shall be ~~fifty dollars (\$50.00)~~ sixty-five dollars (\$65.00).
3. The review fee for any mitigation plan subsequent to the approval of special conditions as described in Section 405.04.020 of this UDC shall be ~~one hundred fifty dollars (\$150.00)~~ one hundred ninety dollars (\$190.00).

C. Subdivision Plat Review Fees.

1. Display Plat. There shall be a review fee of ~~one hundred fifteen dollars (\$115.00)~~ one hundred forty-five dollars (\$145.00) plus ~~fifty dollars (\$50.00)~~ sixty-five dollars (\$65.00) per each unit.
2. Preliminary Plat. There shall be a review fee of ~~three hundred fifty dollars (\$350.00)~~ four hundred forty dollars (\$440.00) accompanying the submission of a proposed preliminary plat, except where previously reviewed under Section 405.02.100 of this UDC.
3. Minor subdivision plat, condominium plat, boundary adjustment plat, or lot split applications shall have a review fee of ~~seventy five dollars (\$75.00)~~ ninety-five dollars (\$95.00).
4. Record Plats.
 - a. Review fee for residential record plats shall be ~~eighteen (\$18.00)~~ twenty-five dollars (\$25.00) per lot.
 - b. Review fee for record plats for multifamily dwelling unit developments shall be ~~nine (\$9.00)~~ fifteen dollars (\$15.00) per dwelling unit.

c. Review fee for non-residential record plats shall be as follows:

- (1) ~~Eighty five dollars (\$85.00)~~ One hundred ten dollars (\$110.00) per acre for the first twenty (20) acres.
- (2) An additional ~~fifty five dollars (\$55.00)~~ seventy dollars (\$70.00) per acre for each acre over twenty (20) acres, up to one hundred (100) acres.
- (3) An additional ~~thirty dollars (\$30.00)~~ forty dollars (\$40.00) per acre for each acre over one hundred (100) acres up to two hundred (200) acres.
- (4) No additional fees apply for tracts in excess of two hundred (200) acres.

D. Vacation Fees. There shall be a fee of ~~two hundred dollars (\$200.00)~~ two hundred fifty dollars (\$250.00) for the filing of any vacation petition, such as a petition to vacate a street, easement, or subdivision.

E. The fees in this section shall be adjusted annually based upon the Urban Wage Earners and Clerical Workers (CPI-W), St. Louis, one-year recorded percent index change over the previous year, as reported for July in the prior calendar year. In any year where the referenced CPI is zero or less, there will be no adjustment to the fee.

Section II: Section 405.09.030 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

A. Grading Permits And Inspection Fees.

1. Each inspection required shall be paid at the rate of ~~fifty dollars (\$50.00)~~ sixty-five dollars (\$65.00) per hour based upon the Director of Planning's (the Director) estimate of the time required to perform the inspections. If the estimated fee is inadequate, the necessary additional fees shall be paid to the City of Chesterfield upon notice and if the fee is in excess of the amount actually expended, the balance shall be refunded by the City of Chesterfield.
2. In lieu of paying the flat fee of ~~fifty dollars (\$50.00)~~ sixty-five dollars (\$65.00) per hour for inspections, an inspection rate schedule based upon the size of the development is available at the following rate:
 - a. ~~Two hundred fifty dollars (\$250.00)~~ Three hundred fifteen dollars (\$315.00) for the first acre and an additional ~~one hundred dollars~~

~~(\$100.00)~~ one hundred twenty-five dollars (\$125.00) for each additional acre or portion thereof. The acreage is based upon the actual area of that portion of the site being developed, not necessarily the gross area of the site.

Development Size (acres)	Inspection Fee
Up to 1	\$250 <u>\$315</u>
1.01 to 2	\$350 <u>\$440</u>
2.01 to 3	\$450 <u>\$565</u>
3.01 to 4	\$550 <u>\$690</u>
4.01 to 5	\$650 <u>\$815</u>
5.01 to 6	\$750 <u>\$940</u>
6.01 to 7	\$850 <u>\$1,065</u>
7.01 to 8	\$950 <u>\$1,190</u>
8.01 to 9	\$1,050 <u>\$1,315</u>
9.01 to 10	\$1,150 <u>\$1,440</u>

3. For sites in which the required public improvements have not been constructed, but the installation thereof has been guaranteed through the appropriate escrows and sureties, the inspection fees associated with said improvements shall be as follows:

Escrow Amount	Inspection Fee (percentage of escrow amount)
Up to \$499,999	3.5%
\$500,000 to \$999,999	2.5%
\$1,000,000 to \$1,999,999	2%
\$2,000,000 and greater	1.5%

4. Highway Inspection Fee. Inspection fees shall be collected at the rate of ~~thirty dollars (\$30.00) per hour~~ forty dollars (\$40.00 per hour), based upon the Director's estimate of time required to inspect storm sewers and other drainage structures outside the Metropolitan St. Louis Sewer District, and the streets, public or private, including paving and sidewalks. The Department shall be entitled to full compensation for the time consumed in making such inspections. If the estimated fee is inadequate, the necessary additional fees shall be collected by the Department upon notice. If the estimated fee is in excess of the amount expended, the balance shall be refunded by the Department. Claims for such refunds shall be paid when audited and approved by the Director.

5. In addition to the fees provided herein, the developer shall pay for and arrange for inspections by the Department as may be required by other Sections of this UDC or other such development regulations of the City.
6. The Department shall, at the end of each month, account for the inspection fees collected.

B. (Reserved)

C. Special Use Permit Fees. Cost is determined by how many units the applicant uses. A unit is three hundred (300) continuous linear feet. One (1) unit equals ~~one hundred sixteen dollars (\$116.00)~~ one hundred forty-five dollars. Each cut also counts as one (1) unit.

1. For example, if a utility company is digging under the roadway for a total of fifty (50) feet, but it is cutting in two (2) locations, it would be two (2) units. If the company is digging for two hundred fifty (250) feet but with only one (1) cut, it would be only one (1) unit.
2. Boring under the street equals two (2) units [one (1) unit for the bore hole in and one (1) unit for the bore hole out].
3. Twelve (12) telephone poles equals one (1) unit.
4. There is no charge for residents planting approved street trees in the right-of-way.
5. There is no charge for utility companies installing new service at subdivisions under construction which have not been accepted by the City.

D. Sewer Lateral Repair Program Fees. The City of Chesterfield shall collect a fee of ~~one hundred dollars (\$100.00)~~ one hundred twenty-five dollars (\$125.00) for all applications for the sewer lateral repair program.

E. The fees in this section shall be adjusted annually based upon the Urban Wage Earners and Clerical Workers (CPI-W), St. Louis, one-year recorded percent index change over the previous year, as reported for July in the prior calendar year. In any year where the referenced CPI is zero or less, there will be no adjustment to the fee.

Section III: This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section IV: This ordinance shall be in full force and effect from and after

its passage and approval.

Passed and approved this _____ day of _____, 2023.

Presiding Officer

Bob Nation, Mayor

ATTEST:

Vickie McGownd

FIRST READING HELD:

BILL NO. 3420

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CHESTERFIELD AMENDING SECTIONS 600.085 OF THE MUNICIPAL CODE RELATED TO LIQUOR LICENSES, 605.070 RELATED TO BUSINESS LICENSES, 605.470 REGARDING VENDING MACHINE LICENSES, 605.610 RELATE TO LICENSES FOR TOURIST CAMPS, 605.770 RELATED TO LICENSES FOR PAWN BROKERS, 605.1270 RELATED TO LICENSES FOR ADULT ENTERTAINMENT BUSINESSES, 610.210 RELATED TO ALARM SYSTEM LICENSES, 605.1040 RELATED TO LICENSES FOR TOBACCO SALES, 210.680 RELATED TO LICENSES FOR OUTDOOR EVENTS, AND 375.040 RELATED TO PARADES, AND ADOPTING SECTION 605.250 RELATED TO APPEALING A DECISION TO DENY A LICENSE BY REASON OF VIOLATIONS OF CHAPTER 215 AND/OR CHAPTER 405 OF THE CITY'S MUNICIPAL CODE.

WHEREAS, the City of Chesterfield, Missouri (the "City") is authorized under state statute to regulate the issuance of various licenses including but not limited to licenses for the sale of intoxicating liquor, business licenses, and licenses regarding certain activities; and

WHEREAS, the City desires to adopt regulations which would prevent the issuance of licenses to those that are permitting violations of Chapter 215 related to public nuisances and/or Chapter 405 related to zoning; and,

WHEREAS, the City Council believes that adopting these amended regulations benefits the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI AS FOLLOWS:

Section I: Section 600.085 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 600.085 **Persons Ineligible For License Generally.**

No natural person shall be granted a liquor license unless such person is of good moral character and a qualified legal voter and taxpaying citizen of the State of Missouri; no corporation shall be granted a liquor license unless the managing officer of the corporation is of good moral character and a qualified legal voter and taxpaying citizen of the State of Missouri. No person shall be granted a liquor license whose license as a liquor dealer has been revoked, or who has been convicted since the ratification of the 21st Amendment to the Constitution of the United States of a violation of the provisions of any law applicable to the

manufacture or sale of intoxicating liquor, or who employs in his/her business, as a liquor dealer or licensee, any person whose license has been revoked or who has been convicted of violating the provision of any such law since the date established. No natural person nor corporation shall be granted, or if already granted, renewed, a liquor license if the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code. The maintenance of violations of Chapter 215 and/or Chapter 405 of the City of Chesterfield Municipal Code on the premises to be licensed shall be considered evidence that the applicant is not of good moral character.

Section II: Section 605.070 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.070 **License Applications – Issuance**

- A.** Applications. Application for a license shall be made in writing on a form provided by the City and submitted to the Director of Finance. An application shall be made to renew any license at its expiration. All holders of licenses or permits shall be responsible for reporting changes in initial application data immediately as the same occur. The form of licenses shall be prescribed and furnished by the Director of Finance.
- B.** Issuance. All licenses shall be granted and signed by the Director of Finance. Contracting businesses located in Chesterfield shall furnish proof of a certificate of insurance for workers' compensation coverage if said applicant for license is required to cover his/her liability under Chapter 287, RSMo., as amended.
- C.** Denial. The City may refuse to grant or renew any license for any of the following reasons:
1. Failure to have or to provide proof of workers' compensation coverage as required under Subsection (B) of this Section;
 2. Providing fraudulent information regarding workers' compensation coverage on an application for business license;
 3. The business or activity sought to be licensed is deemed to be one that would constitute a breach of the peace, a detriment, a menace to the health, safety or welfare of the public or a disturbance of the peace or comfort of the residents of the City if it were licensed;
 4. The business or activity sought to be licensed would be conducted in violation of any law of the United States or of the State or ordinance of the City;

5. Any other basis for revocation as set out herein.

6. No license shall be granted, or if already granted, renewed, where the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

D. Liability. Nothing in this Section shall be construed to create or constitute a liability to or a cause of action against the City to the issuance of any license pursuant to this Section.

Section III: Section 605.470 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.470 **License Required.**

No person shall exhibit or make available for use, for a consideration, any automatic vending machine defined herein as an amusement, beverage, cigarette, food or any similar machine in any location that does not possess and prominently display a license sticker specifically issued to that machine to which is affixed a stamp for each of every type of vending machine located on the premises. No license shall be granted, or if already granted, renewed, where the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

Section IV: Section 605.610 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.610 **License Required.**

No tourist camp shall be operated, maintained or conducted in this City after the taking of the effect of this Article without a license issued pursuant to the license ordinance of the City without obtaining a permit from the Director of Planning for the operation or conducting of said camp in conformance with the requirements set forth in this Article, whether said camp be for a short period, a specific incident or for an indefinite duration. No license shall be granted, or if already granted, renewed, where the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

Section V: Section 605.770 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.770 **License Required.**

A. It shall be unlawful for any person to operate a pawnshop unless said pawnshop is currently licensed as a pawnshop issued pursuant to this Section as authorized by the Revised Statutes of Missouri. To be eligible for a pawnshop license, an applicant shall:

1. Be a person of good moral character;
2. Have net assets of at least fifty thousand dollars (\$50,000.00) readily available for use in conducting business for each licensed pawnshop;
3. Show that the pawnshop will be operated lawfully and fairly under State law and City ordinance; and
4. Possess a "Certificate of Registration" from the Missouri Division of Finance to conduct a pawnbroking business.
5. No applicant shall be granted, or if already granted, renewed, a license if the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code. The maintenance of violations of Chapter 215 and/or Chapter 405 of the City of Chesterfield Municipal Code on the premises to be licensed shall be considered evidence that the applicant is not of good moral character.

B. Every pawnbroker must obtain a license for each place where such pawnbroking business is transacted and no one shall act as an agent, employee or solicitor for any pawnbroker while such pawnbroker is engaged in such business at a place other than that specified in the license.

C. An application for a new pawnshop license, the transfer of an existing pawnshop license or the approval of a change in the ownership of a licensed pawnshop shall be under oath and shall state the full name and place of residence of the applicant, the place where the business is to be conducted, and other relevant information required by the City. If the applicant is a partnership, the City may require that the application state the full name and address of each member. If the applicant is a corporation, the application shall state the full name and address of each officer, shareholder, and director. The application shall be accompanied by:

1. An investigation fee of five hundred dollars (\$500.00) if the applicant is unlicensed at the time of applying for the pawnshop license or two hundred fifty dollars (\$250.00) if the application involves a second or additional license to an applicant previously licensed for a separate location or involves substantially identical principals and owners of a licensed pawnshop at a separate location; and

2. Proof of general liability if required by the City, and an annual fee of five hundred dollars (\$500.00).

- D.** Each applicant for a pawnshop license at the time of filing application shall file with the City, if the City so requires, a bond satisfactory to him/her and in an amount not to exceed five thousand dollars (\$5,000.00) for each license with a surety company qualified to do business in this City. The aggregate liability of such surety shall not exceed the amount stated in the bond. The bond shall run to the City for the use of the City and of any person or persons who may have a cause of action against the obligor of such bond under the provisions of Sections 367.011 to 367.060, RSMo. Such bond shall be conditioned that the obligor will comply with the provisions of Sections 367.011 to 367.060, RSMo., and of all rules and regulations lawfully made by the City, and will pay to the City and to any such person or persons any and all amounts of money that may become due or owing to the City or to such person or persons from such obligor under and by virtue of the provisions of Sections 367.011 to 367.060, RSMo., during the time such bond is in effect.
- E.** Each applicant for a pawnshop license at the time of filing application shall file with the City of Chesterfield a bond satisfactory to it and in the amount of ten thousand dollars (\$10,000.00) for each license with a surety company qualified to do business in this State. The aggregate liability of such surety shall not exceed the amount stated in the bond. The bond shall run to the City for the use of the City and of any person or persons who may have a cause of action against the obligor of such bond under the provisions of Sections 367.011 to 367.060, RSMo., or this Article. Such bond shall be conditioned that the obligor will comply with the provisions of Sections 367.011 to 367.060, RSMo., and of all rules and regulations lawfully made by the City of Chesterfield and will pay to the City and to any such person or persons any and all amounts of money that may become due or owing to the City or to such person or persons from such obligor under and by virtue of the provisions of Sections 367.011 to 367.060, RSMo., or provisions of this Article during the time such bond is in effect. Each applicant will pay all costs, fines and penalties incurred on account of their failure or neglect in this regard and will pay all damages resulting to the City, the State, or to any person by reason of their violations of the Revised Statutes of Missouri or this Article or their failure to maintain adequate net assets as defined herein.
- F.** If the City of Chesterfield is unable to verify that the applicant meets the net assets requirement for a licensed pawnshop, the City of Chesterfield may require a finding, including the presentation of a current balance sheet, by an independent certified public accountant that the accountant has reviewed the books and records of the applicant and that the applicant meets the net assets requirement of this Section.

- G.** A satisfactory public liability insurance policy shall be filed with the City by the applicant covering all operations of said applicant. The sum of at least one hundred thousand dollars (\$100,000.00) for each person injured and the sum of at least three hundred thousand dollars (\$300,000.00) in the case of injury to two (2) or more persons in any one (1) occurrence and the sum of at least one hundred thousand dollars (\$100,000.00) for damage to property shall be provided. Such policy shall provide that the City shall be notified of any cancellation or alteration by the insurance carrier within ten (10) days before such cancellation or alteration becomes effective.
- H.** A pawnshop license shall expire on June 30 of each year.
- I.** Investigation Fee. Each application for a license shall be accompanied by an investigation fee of five hundred dollars (\$500.00) if the applicant is not licensed at the time of applying for a pawnshop license or two hundred fifty dollars (\$250.00) if the application involves a second or additional license to an applicant previously licensed for a separate location or involves substantially identical principals and owners of a licensed pawnshop at a separation location.

Section VI: Section 605.1270 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

A. No person is eligible nor shall a license be issued to:

- 1.** An adult entertainment business applicant if one (1) or more of the following conditions exist:
 - a.** The applicant's premises is located within one thousand two hundred (1,200) feet of any school, religious institution, church, public park, licensed child care facility or any property zoned for residential use or City boundary. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the applicant's enterprise to the nearest point on the property line of such school, religious institution, church, public park, day care facility or any property zoned for residential use or City boundary.
 - b.** The applicant's premises is located within one thousand (1,000) feet of any other adult entertainment business or establishment or of any business licensed to sell or serve alcoholic beverages whether or not such business is also an adult entertainment establishment as defined herein. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point on the

property line of the applicant's enterprise to the nearest point on the property line of such other adult entertainment business or establishment or of any business licensed to sell or serve alcoholic beverages whether or not such business is also an adult entertainment establishment as defined herein.

- c.** The applicant failed to supply all of the information request on the application.
 - d.** The applicant gave false, fraudulent or untruthful information on the application.
 - e.** The applicants proposed business premises does not comply with or meet the requirements of the applicable health, zoning, building code, fire and property maintenance ordinances of the City, provided that upon a showing that the premises meets said requirements and that the applicant is otherwise qualified, the application shall be eligible for reconsideration by the Governing Body.
 - f.** The applicant or applicant's spouse has been convicted, released from incarceration for conviction or diverted on any of the crimes set forth in Section 605.1250(A)(7)(b) during the time period set forth in said Section.
 - g.** The applicant or applicant's spouse has had an adult entertainment license revoked or suspended in this or any other City during the past five (5) years.
 - h.** No applicant shall be granted, or if already granted, renewed, a license if the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.
- 2.** An applicant for an adult entertainment manager, server or entertainer if one (1) or more of the following conditions exist:
- a.** The employer for whom the applicant intends to work does not have or is ineligible to receive an adult entertainment business license for any of the reasons stated in Subsection (A)(1) above;
 - b.** The applicant or applicant's spouse has been convicted, released from incarceration for conviction, or diverted on any of the crimes set forth in Section 605.1250(A)(7)(b) during the time period set forth in said Section, the fact a conviction is being appealed shall have no effect on the disqualification of applicant or applicant's spouse.

- c. The applicant failed to provide all of the information required on the application.
- d. The applicant gave false, fraudulent or untruthful information on the application.
- e. The applicant has had an adult entertainment manager, server or entertainer license revoked or suspended in this or any other City during the past five (5) years.

Section VII: Section 610.210 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 610.210 **Application And Renewal.**

- A. A person applying for a license or a renewal thereof shall file a written verified application with the Director on a form provided by the Director which form shall require the following information:
 - 1. The name, address and telephone number of the applicant.
 - 2. The business or trade name, address and telephone number of the applicant:
 - a. If an unincorporated association, the names and addresses of the associates;
 - b. If a corporation, the corporation's registered name and the names and addresses of the officers of the corporation;
 - c. If an individual proprietorship, the name and address of the proprietor.
 - 3. The address of all offices of the alarm business within the City limits of Chesterfield.
 - 4. The names and addresses of any employee, agent, corporate officer, partner or business associate whose position in the alarm business gives him/her access to information in the installation and use of alarm systems for alarm users.
 - 5. Specifications of the alarm systems to be dealt in.
 - 6. A copy of the instructions provided alarm users.

7. A statement of repair and maintenance service to be made available to applicant's customers.
8. Name and address of the person designated by the applicant to receive notice issued under this Chapter.
9. Signature of the applicant.

B. A person applying for a renewal of a license shall file his/her application not less than ten (10) days before his/her license expires.

C. Requirements; Investigation.

1. Upon the filing of a license application, the Director shall conduct an investigation to determine whether the following requirements are satisfied:
 - a. The information contained in the license application is true.
 - b. The applicant for a license or an individual who is an employee, agent, corporate officer, partner or business associate of the applicant has not had a license revoked within one (1) year immediately preceding the date the license application is filed or does not have a license that is currently suspended.
 - c. Neither the applicant nor any employee, agent, corporate officer, partner or business associate, whose position in the alarm business gives him/her access to information in the installation and use of alarm systems for alarm users, has been convicted of the following:
 - (1) Any felony involving moral turpitude within the previous five (5) years;
 - (2) Any misdemeanor involving moral turpitude within the previous two (2) years;
 - (3) Repeated or continual violation of any provision of this Chapter within the previous two (2) years.
 - d. The types of alarm systems, the instructions for the alarm systems and repair and maintenance services available through applicant's alarm business are in compliance with this Chapter.
2. The Director may request the Police Department to assist the Director in the investigation of a license application.

- D. If the Director determines that a license application satisfies the requirements prescribed by this Section, the Director shall issue a license; otherwise, the Director shall deny the license application. No applicant shall be granted, or if already granted, renewed, a license if the applicant is maintaining a violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.
- E. The Director shall notify the applicant of the issuance of a license or denial of the license application. In the case of a denial of a license application the Director shall notify the applicant by certified mail and include in the notice the reason for the denial and a statement informing the applicant of his/her right to a hearing if requested by the applicant within ten (10) days after receipt of the notice.
- F. A license shall expire on the 31st day of December next succeeding issuance thereof or issuance by St. Louis County if prior to incorporation, except in the following instances:
1. If an applicant timely applies for a license renewal in accordance with this Section and the determination of the renewal request is delayed beyond the 31st of December, the licensee's license is extended pending the determination of the renewal request by the Director.
 2. If an applicant's license has been suspended or revoked.
- G. If an applicant is denied a license solely because an individual who is an employee, agent, corporate officer, partner or business associate of the applicant has been convicted of the offenses listed in Section 720.050(4)(c), RSMo., or had a license revoked within one (1) year immediately preceding the date the license application is filed, or has a license that is currently suspended, then said applicant, upon disassociation with said individual, may obtain a license upon reapplication.

Section VIII: Section 605.1040 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.1040 **Application – Issuance – Non-transferable – Display.**

Every person desiring to engage in the sale of cigarettes activities described in Section 605.1030 within the City, including retail dealers and wholesale dealers, shall file an application for a cigarette permit as provided in Section 605.1030. Every application for a cigarette permit shall be made upon a form prescribed, prepared and furnished by the Director of Finance and shall set forth such

information as the Director shall require. Upon approval of the application, the Director of Finance shall grant and issue to the applicant a cigarette permit for each place of business within the City set forth in the application. Cigarette permits shall not be assignable and shall be valid only for the persons in whose names they are issued and for the transaction of business in the places designated therein. Said permits shall at all times be conspicuously displayed at the places for which issued. No applicant shall be granted, or if already granted, renewed, a license if the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

Section IX: Section 210.680 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 210.680 **Unnecessary Noise – Permit For Outdoor Events.**

A permit from the Chief of Police must be obtained for an outdoor event where the volume must exceed that established in Section 210.670. The Chief shall issue the permit if the peace would not be unduly disturbed thereby. No applicant shall be granted, or if already granted, renewed, a license if the premises to be licensed is in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

Section X: Section 375.040 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 375.040 **Permit Application.**

- A.** The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he/she finds that:
- 1.** The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
 - 2.** The conduct of the parade will not require the diversion of so great a number of Police Officers of this City to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to this City.
 - 3.** The conduct of any such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions

of this City other than that to be occupied by the proposed line of march and areas contiguous thereto.

4. The concentration of persons, animals and vehicles at assembly points of parade will not unduly interfere with proper fire and police protection of, or areas contiguous to, such assembly areas.
5. The conduct of such parade will not interfere with the movement of firefighting equipment en route to a fire.
6. The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.
7. The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
8. No applicant shall be granted, or if already granted, renewed, a license if the applicant is maintaining a violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code.

Section XI: Section 605.250 shall be adopted as follows:

- A. Any license or permit pursuant to Sections 600.085, 605.070, 605.470, 605.610, 605.770, 605.1270, 610.210, 605.1040, 210.680, or 375.040 that is denied by reason of the applicant or the premises to be licensed maintaining or being in violation of Chapter 215 or Chapter 405 of the City of Chesterfield Municipal Code may appeal such denial to the City Administrator as set forth below.
- B. Any such appeal made pursuant to this section must be made within ten (10) days of the date of the decision to deny the license or permit is received.
- C. The City Administrator shall serve as the appeal officer and hear the appeal of the denial of the license or permit referenced in Subsection (A) above. The appeal officer shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received. The appeal officer shall prepare findings of fact, conclusions of law, and an order. The decision of the appeal officer may be appealed to the Board of Adjustment within ten days of the appeal officer's decision is received.

Section XII: This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section XIII: This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2022.

Presiding Officer

Bob Nation, Mayor

ATTEST:

Vickie McGownd

FIRST READING HELD:

BILL NO. 3421

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI IMPOSING A SALES TAX OF 3 PERCENT (3%) ON RETAIL SALES OF ADULT USE MARIJUANA PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF THE MISSOURI CONSTITUTION ARTICLE XIV SECTION 2; PROVIDING THAT THIS RETAIL SALES TAX SHALL BE IN ADDITION TO ANY AND ALL OTHER TANGIBLE PERSONAL PROPERTY RETAIL SALES TAXES ALLOWED BY LAW; AND PROVIDING FOR SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL MUNICIPAL ELECTION CALLED TO BE HELD IN THE CITY ON APRIL 4th, 2023.

WHEREAS, the City has imposed total local sales taxes, as defined in Section 32.085 RSMo, at the total rate of one percent (1%); and,

WHEREAS, the City is authorized under Article XIV Section 2 of the Missouri Constitution, to impose a personal property retail sales tax on adult use marijuana sold in the City of up to three percent (3%); and,

WHEREAS, the personal property retail sales tax on adult use marijuana sold in the City shall be in addition to any and all retail sales taxes; and,

WHEREAS, the proposed personal property retail sales tax on adult use marijuana cannot become effective until approved by the voters at a municipal, county, or state general, primary, or special election;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI AS FOLLOWS:

Section I: Pursuant to the authority granted by, and subject to, the provisions of Article XIV Section 2 of the Missouri Constitution, a city sales tax of three percent (3%) on all retail sales of adult use marijuana is imposed. This retail sales tax shall be in addition to any and all other tangible personal property retail sales taxes allowed by law.

Section II: This tax shall be submitted to the qualified voters of the City of Chesterfield, Missouri, for their approval, as required by the provisions of Article XIV Section 2 at the general municipal election hereby called and to be held in the City on Tuesday, the 4th day of April, 2023. The ballot of submission shall contain substantially the following language:

Shall the City of Chesterfield impose an additional city sales tax of three percent (3%) on all retail sales of adult use marijuana sold in the City of Chesterfield?

Yes

No

If you are in favor of the question, place an "X" in the box opposite "Yes."
If you are opposed to the question, place an "X" in the box opposite "No."

Section III: This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this ____ day of _____, 2022.

Presiding Officer

Bob Nation, Mayor

ATTEST:

Vickie McGownd

FIRST READING HELD:

https://www.stltoday.com/news/local/marijuana/here-s-what-you-need-to-know-about-recreational-marijuana-in-missouri/article_fa85d89e-b96a-5143-a2aa-cf0e585b48ef.html

TOPICAL

Here's what you need to know about recreational marijuana in Missouri

Kurt Erickson

Nov 10, 2022



Adrienne Scales-Williams, left, the owner and founder of Missouri-based cannabis brand Luxury Leaf and first Black-Amendment 3 on Tuesday, Nov. 8, 2022, during an election night watch party at Ballpark Village. The amendment let Laurie Skrivan, Post-Dispatch

Kurt Erickson





Missouri voters on Tuesday, Nov. 8, 2022, approved a constitutional amendment to legalize the recreational use of marijuana for adults.

JEFFERSON CITY — Missouri voters on Tuesday legalized the adult use of recreational marijuana. The ballot issue, known as Amendment 3, enshrined a system of weed-selling in the state’s constitution following years of inaction by the Legislature.

The proposed amendment is a **39-page document** of definitions, rules and regulations.

Amendment 3 prohibits selling “edible marijuana-infused products in shapes or packages that are attractive to children” and requires the state to hire a “chief equity officer” to help disadvantaged Missourians get into the business. It also spells out in detail the multi-step process for obtaining state licenses to sell weed.

Here are key issues now that recreational pot is legal in Missouri:

People are also reading...

- 1 **Reports: Former Mizzou basketball player Jed Frost kills wife, self in Dallas**

- 2 **Cardinals acquire infielder Jose Fermin from Cleveland for cash, update roster**
 - 3 **Teen killed by Amtrak train was a hard worker with a dry sense of humor, family says**
 - 4 **Schmitt beats Valentine in Missouri's US Senate race**
-

When will you be able to buy?

Amendment 3 goes into effect in early December, triggering a process that requires the state to issue comprehensive marijuana dispensary facility licenses by Feb. 6. But those licenses could be issued earlier, the state said Friday. Initially, only current licensed medical marijuana dispensaries will be able to sell recreational pot, but other sellers — including recipients of new “micro-licenses” — eventually will be able to enter the business.

How much can you buy?

Once stores are licensed, anybody 21 or older can purchase up to 3 ounces of dried, unprocessed marijuana per day. The state uses a separate weighing system to determine the legal amount of gummies and other products that are not sold in flower form.

Individuals potentially could be allowed to have 3 ounces in their direct possession — 3 ounces at home and 3 ounces at another location.

Can you resell marijuana?

It's not legal to sell your marijuana outside the regulated system. That said, a caregiver for a patient can be paid for their labor and expenses in cultivating and/or procuring marijuana for the patient from a dispensary.

People also are prohibited from buying marijuana in Missouri and driving into another state, even if it is legal in the other state, because that would violate federal law.

How much marijuana can you grow?

People who want to grow their own pot must apply for registration cards from the state. Once registered, you can possess, transport, plant, cultivate, harvest, dry, process or manufacture up to six marijuana flowering plants, six nonflowering plants and six clones (plants under 14 inches tall).

Plants and any marijuana products exceeding the 3-ounce limit must be kept in a private residence in a nonvisible, locked space. A person who grows their own is allowed to gift marijuana up to 3 ounces.

Can you consume marijuana in public?

Any person who smokes marijuana or consumes other cannabis products in a public place, other than a licensed area, could be subject to a civil penalty of up to \$100.

If you're pulled over by police, can you be considered driving impaired?

Driving while impaired, whether by alcohol or marijuana or other substance, is still illegal. When someone is pulled over because they are suspected of driving under the influence of drugs, the police officer can perform a series of tests to determine if the driver is impaired. The officer also can ask a drug recognition expert to screen the driver to get an expert opinion.

Driving while under the influence in Missouri is considered a Class B misdemeanor, if it's the first offense. That first offense can result in up to six months in jail or a \$500 fine.

Do dispensaries have restrictions on advertising?

Dispensaries will be able to offer sales, discounts and other promotions.

Like medical marijuana dispensaries, which have advertised on billboards and other means, there are no more prohibitions on advertising recreational marijuana than what are the rules for advertising alcohol.

The Missouri Department of Health and Senior Services, which will oversee the program, may issue requirements that packaging and labels shall not be made attractive to children, and that products should be sold in resealable, child-resistant packaging.

How will expungements work?

The amendment includes automatic expungement for most people who have nonviolent marijuana-related offenses on their record. It's not clear yet how quickly local courts will be able to process expungements.

People who are still incarcerated have to petition the courts to be released and have their records expunged.

“An expungement order shall be legally effective immediately and the person whose record is expunged shall be treated in all respects as if he or she had never been arrested, convicted or sentenced for the offense,” the amendment states.

Do cities and counties have any control over sales?

Local governments can enact ordinances governing the operations of marijuana facilities, such as when they can be open and where they can be located.

Local governments can ban cannabis stores altogether through a vote of the public. The measure must receive at least 60% approval to go into effect. Local ballot measures on such prohibitions may take place only once every four years.

In addition, no new marijuana facilities can be located within 1,000 feet of an elementary school, day care center or church.

Are there financial impacts for governments?

Money generated by the personal property retail sales tax will be deposited into the “Veterans, Health, and Community Reinvestment Fund.”

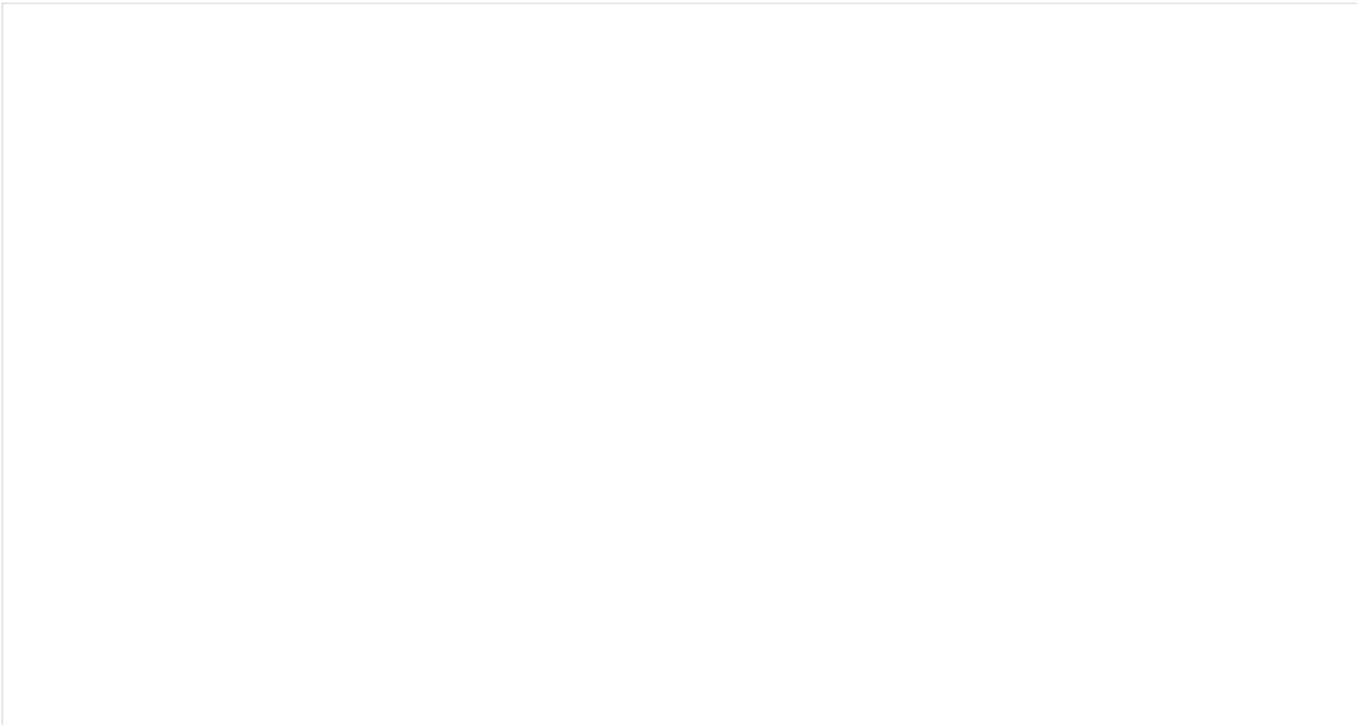
A 6% tax on the retail price of marijuana will go toward court costs and legal fees related to expungements for people convicted of certain nonviolent marijuana offenses. The remaining revenue will go toward substance misuse treatment programs, veterans' health care and the state's public defender system.

Local governments can tack on an additional 3% tax and state sales taxes also will be charged, driving up the entire tax package to more than 13%.

The petition says there will be \$3.1 million of initial costs for the state and it estimates initial tax and fee revenue of at least \$7.9 million. Local governments will incur at least \$35,000 in annual costs and annual revenue will exceed \$13.8 million, according to the petition.



The 39-page measure to legalize recreational marijuana in Missouri



Recreational Marijuana FAQs



How does the recreational marijuana amendment affect existing medical marijuana facilities and regulations regarding the distance between marijuana facilities and churches, day cares or schools?

Amendment 3 modifies the existing language in Article XIV of the Missouri Constitution regarding how to measure the distance between marijuana facilities and churches, day cares and schools. Specifically, Amendment 3 incorporates into the existing constitutional provision and the proposed new constitutional section definitions for churches, day cares and schools, and explicitly explains how the 1000-foot separation requirement is to be measured. Under Amendment 3, the distances between marijuana facilities and churches, day cares and schools is to be measured utilizing the “shortest path between the demarcation points that can be lawfully traveled by foot.” The applicable demarcation points that the 1000-foot separation requirement is to be measured from depends on whether the marijuana facility and the church, day care or school are in freestanding or non-freestanding buildings. The definitions and explanation on how to measure the separation distance are the same as what the Department of Health and Senior Services (Department) adopted in their regulations regarding medical marijuana.

How old does someone need to be to purchase marijuana? Is there a limit to how much they can purchase? Do they need a marijuana buyer card?

To legally possess, consume or cultivate recreational marijuana a person must be 21 years of age or older. Amendment 3 prohibits the Department from adopting any rule that requires a consumer to provide a marijuana facility with an ID besides one to determine the age of the consumer.

On the other hand, if a person over 21 desires to cultivate marijuana they must obtain a registration card from the Missouri Department of Health and Senior Services. Once a person 21 years or older obtains the proper cultivation card, they may cultivate up to six flowering plants, six unflowering plants, and six “clones” under 14 inches. Amendment 3 permits the Department to set a limit on the amount of marijuana that may be purchased in a single transaction; however, the limit set by the Department may not be less than three ounces of dried, unprocessed marijuana, or its equivalent.

Will existing medical marijuana facilities become sellers and producers for recreational use?

Amendment 3 provides that existing medical marijuana facilities – referred to as medical facilities in Amendment 3 - may convert their existing license with the Department to a comprehensive license. Under a comprehensive license, a facility may take part in both the medical and recreational marijuana market. To convert the existing medical marijuana license to a comprehensive license, the proposed comprehensive facility must be in good standing with the Department and be either (1) at the same location as the existing medical marijuana facility or (2) if currently located in a jurisdiction that has prohibited non-medical marijuana facilities, the new proposed comprehensive facility must be in the same congressional district as long as the new location meets all the requirements of the constitutional provisions and Department regulations. Medical facilities may begin requesting to convert their license to a comprehensive license on Dec. 8, 2022. The Department has 60 days to act on a conversion request once received and if the Department fails to act during the 60-day window, the conversion request is deemed approved.

What is the difference between a comprehensive marijuana license and a microbusiness dispensary license?

The key difference between comprehensive marijuana facilities and marijuana microbusiness facilities are the restrictions on who may own marijuana microbusiness facilities and the costs to secure and renew the license. Amendment 3 explicitly restricts ownership of marijuana microbusiness facilities to individuals that meet at least one of Amendment 3's enumerated qualifications. The qualifications for marijuana microbusiness facilities include individuals (1) having a net worth less than \$250,000 and have an income below 250% of the federal poverty level for three of the 10 calendar years prior to applying for a marijuana microbusiness facility license; (2) have a service-connected disability card issued by the United States Department of Veterans Affairs; (3) have been or have had a parent, guardian or spouse that has been arrested for, prosecuted for or convicted of a non-violent marijuana offense – excluding offenses relating to providing marijuana to minor or driving under the influence of marijuana – at least one year prior to the effective date of Amendment 3; (4) reside in certain distressed census tracts as defined by Amendment 3; or (5) graduated from or lives in a zip code containing an unaccredited school district for three of the past five years. As opposed to the non-refundable \$3,000 application fee and \$10,000 annual fee for comprehensive

marijuana dispensary facilities, marijuana microbusiness facility application fee is a refundable \$1,500 and an annual \$1,500 fee after the first year of licensure.

How many microbusiness dispensary licenses will be issued?

In total, Amendment 3 requires that the Department issue 18 licenses for marijuana microbusiness facilities per Missouri's eight congressional districts; however, Amendment 3 provides a staggered licensing scheme where the licenses are issued in groupings of six per congressional district. In each grouping of six marijuana microbusiness licenses, the Department is required to issue at least two licenses for microbusiness dispensary facilities and at least four licenses for microbusiness wholesale facilities. The first group of six marijuana microbusiness facility licenses must be issued by the Department of Health and Senior Services by Oct. 4, 2023. The Department is required to issue sequent groups of six marijuana microbusiness facility licenses by June 30, 2024, and April 4, 2025.

Can a city vote to prohibit microbusiness dispensaries? And would this ban extend to banning comprehensive licenses?

Yes, the proposed amendment does authorize cities

EXPERTS IN MUNICIPAL BOND FINANCINGS



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to prohibit microbusiness dispensary facilities and comprehensive marijuana dispensary facilities. To prohibit microbusiness and comprehensive dispensary facilities, the city must place the question of prohibiting the facilities before voters at the November general election of a presidential election year starting in 2024. Additionally, for the prohibition to become effective at least 60% of the votes cast on the question must support the prohibition.

What about using marijuana in public? Do existing smoking bans apply to smoking marijuana? Does this include vape pens? Do medical marijuana cardholders enjoy certain rights/privileges over recreational users, especially in terms of public usage?

Local governments may enact ordinances or regulations governing “the time and place where marijuana may be smoked in public areas within the locality.” However, the Amendment limits the penalty. Specifically, a “person who smokes marijuana in a public place, other than in an area licensed for such activity ... is subject to a civil penalty not exceeding \$100.” Whether existing smoking bans apply seems to depend on the language of the existing ban. Amendment 3, by its own language, does not “preclude, limit or affect laws that assign liability relative to, prohibit, or otherwise regulate ... smoking marijuana in a location where smoking tobacco is prohibited.” So, if a local government currently has a smoking ban in place, it could apply to marijuana if the definition of “smoking” includes marijuana. Amendment 3 on its face does not grant any special rights or privileges over recreational users in terms of public use. The original language of Article XIV Sec. 1.1 stating the “section does not allow for the public use of marijuana” is unchanged. Sec. 1 is modified to include language stating a medical marijuana user is subject to a \$100 civil penalty for smoking in a public place other than in an area licensed for such activity by the Department or by local authorities having jurisdiction over such activity. The current DHSS rules do allow an owner or entity in control of a public place to make a non-public place by providing one or more enclosed private spaces where a qualifying patient may consume medical marijuana.

Can a restaurant provide marijuana-infused items as part of its standard menu? Would they need a micro-dispensary license?

The amendment specifically authorizes cities to enact ordinances governing the “consumption of marijuana-infused products within designated areas, including the preparation of culinary dishes or beverages by local restaurants for on-site consumption.” Any entity seeking to sell marijuana – including infused products – would be required to obtain a comprehensive dispensary facility license or a microbusiness dispensary facility license. Amendment 3 does not permit non-licensed facilities, persons or businesses to sell marijuana or marijuana-infused products; however, it does authorize persons 21 years of age or older to distribute without consideration up to 3 ounces of dried, unprocessed marijuana, or its equivalent.



Existing state laws restrict the time of day during which alcohol may be sold. Are there similar provisions for marijuana? Can cities impose further restrictions on the time and place for places? Can zoning and other business license restrictions be applied? What are the ramifications of the Amendment’s prohibition on “unduly burdensome” regulations?

Amendment 3 does authorize cities to enact regulations governing the time, place and manner of the operation of marijuana facilities and entities with transportation certificates. Ordinances regulating the time, place and manner of the operation of marijuana facilities may be enacted utilizing zoning or business licensing authority as is commonly done with other businesses. Amendment 3’s addition of a definition for what is considered unduly burdensome when determining if a city has an implied ban on marijuana facilities transforms an otherwise objective test into a reasonably prudent businessperson standard. The proposed definition of unduly burdensome – applicable to medical marijuana facilities, comprehensive marijuana facilities, and marijuana microbusiness facilities – requires that the ordinance or regulation not “subject licensees or potential licensees to such a high investment of money, time or any other resource or asset that a reasonably prudent businessperson would not operate the marijuana facility.”

What about taxes?

The proposed amendment authorizes cities, after approval by voters, to impose an additional 3% sales tax on all tangible personal property retail sales of adult-use marijuana. The question to impose the tax may be placed on a ballot for a general, primary or special election. The first opportunity for cities to impose the additional adult-use marijuana sales tax is the April 2023 election. Certification of ballot questions for the April 2023 election must be done by Jan. 24, 2023. Should a city impose the 3% local sales tax, the sales tax is collected by the Department of Revenue like other sales taxes imposed by cities.

What about personnel?

Amendment 3 does offer protections to certain marijuana users, specifically, it states an employer may not discriminate against a person in hiring, termination or any term or condition of employment or otherwise penalize a person if the discrimination is based on

1. Status as a qualifying patient or primary caregiver who has a valid identification card – unless the person was under the influence of medical marijuana on the premises of the place of employment or during the hours of employment;
2. A positive drug test for marijuana of a person who has valid qualifying patient identification card, unless the person used, possessed or was under the influence of medical marijuana on the premises of the place of employment or during the hours of employment.

Conversely, the protections do not apply if (1) the employer will lose a monetary or licensing-related benefit under federal law or (2) the employee is in a position in which the use of marijuana affects in any manner their ability to perform job-related employment responsibilities or the safety of others, or conflicts with a bona fide occupational qualification that is reasonably related to the person's employment.

Section 2 makes clear that it “does not prohibit an employer from disciplining an employee for working while under the influence of marijuana” and “does not prevent an employer from refusing to hire, discharging, disciplining or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions or privileges of employment because that person was working while under the influence of marijuana.”

Federal laws require cities to drug test employees that need a CDL license as part of their job duties. Do cities still need to test these employees? How will the new law affect situations when the CDL holder tests positive?

At the Federal level, the U.S. Department of Justice and U.S. Department of Transportation have stated the use of marijuana is illegal and that individuals who utilize marijuana may not own firearms or have a CDL. So, if an employee tests positive and loses a CDL, this is an example of both an employer losing a licensing-related benefit and the use of marijuana conflicting with a bona fide occupation qualification reasonably related to the person's employment.

What about employees in safety-sensitive



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positions, such as police and fire? Can they be tested for marijuana?

The protections do not apply to an employee using marijuana who is in a safety sensitive position.

Many cities have adopted drug-free workplace policies, some as a condition of acceptance of federal grant programs. Will cities need to modify these policies to comply with the new recreational marijuana amendment?

Amendment 3 does allow employers to continue to operate drug-free workplaces, but the city must tie the requirement to a potential monetary loss or a licensing-related benefit under federal law. For example, the Drug-Free Workplace Act requires that recipients of federal grants maintain a drug-free workplace and that all covered employees (e.g., employees involved in the actions paid for by the federal grant) must abide by the drug-free workplace policy. If the city or a covered employee violates the drug-free workplace policy, the city may be subject to repayment of the grant and additional penalties. 🍃

Padraic Corcoran and **John Mullane** are attorneys at *Williams & Campo, P.C.* that exclusively represent political subdivisions of the state of Missouri as general counsel (city attorney) and special counsel for litigation, economic development, land use and eminent domain.



How Amendment 3 Impacts Local Governments

- **JOBS:** Direct employment in Missouri's marijuana industry has already created more than 10,000 new jobs in Missouri. In fact, in 2021, one out of every ten new jobs created in Missouri was in the marijuana industry. The passage of adult use marijuana legalization is expected to substantially create even more new jobs to local economies all across the state.
- **LOCAL REVENUE:** Local governments get to collect the normal sales tax on marijuana retail sales that would apply to any other existing retail sales in the area. In addition, local governments may impose an additional sales tax not to exceed 3% on adult use marijuana retail sales in their jurisdiction. See language:

- **LOCAL REVENUE ESTIMATES:** Medical marijuana sales are still growing consistently month over month, and we're right around \$35m/month currently. With adult use sales coming online in early 2023, we can conservatively project that we will be at 2.5X those numbers statewide a year from now, so around \$87.5m/month.

There are currently 190 dispensaries open for business, and the average dispensary makes \$184K monthly. With more dispensaries yet to come online, we will see approx. 205 operational by early next year. With that number of dispensaries and statewide monthly revenues at \$87.5m, the average dispensary will gross \$427K per month.

A 3% tax on those sales will generate \$12,805 each month and \$153,660 annually. That is in addition to regular local sales taxes, and we expect the market will continue to grow for at least the next few years.

(5) Pursuant to Article III, section 49 of this Constitution, the governing body of any local government is authorized to impose, by ordinance or order, an additional sales tax in an amount not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in such political subdivision. The tax authorized by this paragraph shall be in addition to any and all other tangible personal property retail sales taxes allowed by law, except that no ordinance or order imposing a tangible personal property retail sales tax under the provisions of this paragraph shall be effective unless the governing body of the political subdivision submits to the voters of the political subdivision, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the political subdivision to impose a tax. Any additional local retail sales tax shall be collected pursuant to general laws for the collection of local sales taxes.

(6) Except as authorized in this Article, no additional taxes shall be imposed on the sale of marijuana.

- Siting marijuana businesses — Local governments may not ban marijuana cultivation or infused product manufacturing facilities. These facilities are not accessible to the general public. Local governments may however ban comprehensive and microbusiness dispensaries, but only by a 60% vote of the people beginning in the November 2024 general election. See language:

5. Local Control.

(1) (a) Except as provided in this subsection, a local government may prohibit the operation of all microbusiness dispensary facilities or comprehensive marijuana dispensary facilities regulated under this section from being located within its jurisdiction either through referral of a ballot question to the voters by the governing body or through citizen petition, provided that citizen petitions are otherwise generally authorized by the laws of the local government. Such a ballot question shall be voted on only during the regularly scheduled general election held on the first Tuesday after the first Monday in November of a presidential election year, starting in 2024, thereby minimizing additional local governmental cost or expense. A citizen petition to put before the voters a ballot

question prohibiting microbusiness dispensary facilities or comprehensive marijuana dispensary facilities shall be signed by at least five percent of the qualified voters in the area proposed to be subject to the prohibition, determined on the basis of the number of votes cast for governor in such locale at the last gubernatorial election held prior to the filing of the petition. The local government shall count the petition signatures and give legal notice of the election as provided by applicable law. Denial of ballot access shall be subject to judicial review.

(b) Whether submitted by the governing body or by citizen's petition, the question shall be submitted in the following form: "Shall (insert name of local government) ban all non-medical microbusiness dispensary facilities and comprehensive marijuana dispensary facilities from being located within (insert name of local government and, where applicable, its "unincorporated areas") and forgo any additional related local tax revenue? () Yes () No." If at least sixty percent of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ban shall go into effect as provided by law. If a question receives less than the required sixty percent, then the jurisdiction shall have no power to ban non-medical microbusiness dispensary facilities or comprehensive marijuana facilities regulated under this section, unless voters at a subsequent general election on the first Tuesday after the first Monday in November of a presidential election year approve a ban on non-medical retail marijuana facilities submitted to them by the governing body or by citizen petition.

(2) (a) A local government may repeal an existing ban by its own ordinance or by a vote of the people, either through referral of a ballot question to the voters by the governing body or through citizen petition, provided that citizen petitions are otherwise generally authorized by the laws of the local government. In the case of a referral of a ballot question by the governing body or citizen petition to repeal an existing ban, the question shall be voted on only during the regularly scheduled general election held on the first Tuesday after the first Monday in November of a presidential election year. A citizen petition to put before the voters a ballot question repealing an existing ban shall be signed by at least five percent of the qualified voters in the area subject to the ban, determined on the basis of the number of votes cast for governor in such locale at the last gubernatorial election held prior to the filing of the petition. The local government shall count the petition

signatures and give legal notice of the election as provided by applicable law. Denial of ballot access shall be subject to judicial review.

(b) Whether submitted by the governing body or by citizen's petition, the question shall be submitted in the following form: "Shall (insert name of local government) allow non-medical microbusiness dispensary facilities and comprehensive marijuana dispensary facilities to be located within (insert name of local government and where applicable, its "unincorporated areas") as regulated by state law? () Yes () No." If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ban shall be repealed.

(3) The only local government ordinances and regulations that are binding on a marijuana facility are those of the local government where the marijuana facility is located.

(4) Unless allowed by the local government, no new marijuana facility shall be initially sited within one thousand feet of any then-existing elementary or secondary school, child day-care center, or church. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

-

(5) Except as otherwise provided in this subsection, no local government shall prohibit marijuana facilities or entities with a transportation certification either expressly or through the enactment of ordinances or regulations that make their operation unduly burdensome in the jurisdiction. However, local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section, governing the time, place, and manner of operation of such facilities in the locality. A local government may establish civil penalties for violation of an ordinance or regulations governing the time, place, and manner of operation of a marijuana facility or entity holding a transportation certification that may operate in such locality.

(6) Local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section, governing:

(a) the time and place where marijuana may be smoked in public areas within the locality; and

(b) the consumption of marijuana-infused products within designated areas, including the preparation of culinary dishes or beverages by local restaurants for on-site consumption on the same day it is prepared.

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember Budoor

Vice Chair: Councilmember Moore

There are no Parks, Recreation and Arts Committee items scheduled for tonight's meeting.

NEXT MEETING

The next meeting of the Parks, Recreation and Arts Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Parks, Recreation and Arts Director Thomas McCarthy or me prior to Tuesday's meeting.

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember Aaron Wahl

Vice Chair: Councilmember Merrell Hansen

There are no Public Health and Safety Committee items scheduled for actions at tonight's meeting.

NEXT MEETING

The next meeting of the Public Health and Safety Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Chief Ray Johnson or me prior Tuesday's meeting.

REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL

OTHER LEGISLATION

Proposed Bill No. 3422 - Use Tax Ballot Proposal – An Ordinance of the City of Chesterfield, Missouri providing for submission of the proposal to the qualified voters of the City for their approval at the General election called and to be held in the City on April 4th, 2023. This bill authorizes placement of the use tax question on the April ballot for voter approval.

Proposed Bill No. 3424 - Boundary Adjustment Plat – Schoettler Grove, Lots 24 & 25 – An ordinance providing for the approval of a Boundary Adjustment Plat for Lot 24 and Lot 25 of Schoettler Grove (20R220890, 20R220881). **(First & Second Readings) Department of Planning recommends approval.**

UNFINISHED BUSINESS

NEW BUSINESS

BILL NO. 3422

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED AND TO BE HELD IN THE CITY ON APRIL 4TH, 2023.

WHEREAS, the City has imposed total local sales taxes, as defined in Section 32.085 RSMo, at the total rate of one percent (1%); and

WHEREAS, the City is authorized, under Section 144.757 RSMo, to impose a local use tax at a rate equal to the rate of the total local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal, county or state general, primary, or special election;

NOW, THEREFORE, be it ordained by the City Council of Chesterfield, Missouri, as follows:

Section 1. Pursuant to the authority granted by, and subject to, the provisions of Sections 144.600 through 144.761 RSMo, a use tax for general revenue purposes is imposed for the privilege of storing, using or consuming within the City any article of tangible personal property. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

Section 2. The rate of the tax shall be equal to the total local sales tax in effect. If any city sales tax is repealed or the rate thereof is reduced or raised by voter approval, the city use tax rate also shall be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the city sales tax.

Section 3. This tax shall be submitted to the qualified voters of Chesterfield, Missouri, for their approval, as required by the provisions of Section 144.757 RSMo, at the General election hereby called and to be held in the City on Tuesday, the 4TH day of April, 2023. The ballot of submission shall contain substantially the following language:

Shall the City of Chesterfield impose a local use tax at the same rate as the total local sales tax rate, provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action?

Yes

No

If you are in favor of the question, place an "X" in the box opposite "Yes."

If you are opposed to the question, place an "X" in the box opposite "No."

Section 4. Within ten (10) days after the approval of this ordinance by the qualified voters of (City), Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved this _____ day of _____, 2023.

Presiding Officer

Bob Nation, Mayor

ATTEST:

Vickie McGownd, City Clerk

FIRST READING HELD _____

Memorandum

Department of Planning



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

JW

Date: January 17, 2023

RE: **Schoettler Grove, Lot 24 & 25:** A Boundary Adjustment Plat to consolidate Lot 24 and Lot 25 of Schoettler Grove zoned “PUD” Planned Unit District under governing Ordinance 2786 (20R220890, 20R220881).

Summary

The Sterling Co. Engineers & Surveyors, on behalf of Damian & Torri Findlay, has submitted for review and approval a Boundary Adjustment Plat for two parcels totaling .715-acres zoned “PUD” Planned Unit District under governing Ordinance 2786. The purpose of said Boundary Adjustment Plat is to consolidate Lot 24 and Lot 25 into one parcel.



Figure 1: Subject Site

BILL NO. 3424

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR LOT 24 AND LOT 25 OF SCHOETTLER GROVE (20R220890, 20R220881).

WHEREAS, The Sterling Co. Engineers & Surveyors, on behalf of Damian & Torri Findlay, has submitted for review and approval a Boundary Adjustment Plat for two parcels totaling .715-acres zoned "PUD" Planned Unit District under governing Ordinance 2786; and,

WHEREAS, the purpose of said Boundary Adjustment Plat is to consolidate Lot 24 and Lot 25 into a .715-acre parcel; and,

WHEREAS, the Department of Planning has reviewed the Boundary Adjustment Plat in accordance with the Unified Development Code of the City of Chesterfield and has found it to be in compliance with all applicable ordinances and has forwarded said Boundary Adjustment Plat to the City Council.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Boundary Adjustment Plat for Lot 24 and 25 of Schoettler Grove, which is attached hereto as "Exhibit 1", is hereby approved; the owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of the said Boundary Adjustment Plat by affixing their signatures and the official seal of the City of Chesterfield as required on the said document.

Section 3. The Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2023.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 01/17/2023

SCHOETTLER GROVE CONSOLIDATION PLAT

A TRACT OF LAND BEING ALL OF LOTS 24 AND 25 OF SCHOETTLER GROVE (PLAT BOOK 364, PAGES 109-110), LOCATED IN FRACTIONAL SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
 ZONED "PUD" PLANNED UNIT DEVELOPMENT ACCORDING TO CITY OF CHESTERFIELD ORDINANCE NO. 2786

EXHIBIT 1

OWNER'S CERTIFICATE (ORIGINAL LOTS 24 AND 25):

WE, THE UNDERSIGNED, OWNERS OF A TRACT OF LAND HEREIN PLATTED AND FURTHER DESCRIBED IN THE FOREGOING SURVEYORS CERTIFICATION HAVE CAUSED THE SAME TO BE SURVEYED AND CONSOLIDATED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "SCHOETTLER GROVE CONSOLIDATION PLAT".

THE PURPOSE OF THIS CONSOLIDATION PLAT IS TO COMBINE TWO EXISTING PARCELS OF LAND INTO A SINGLE PARCEL. THIS CONSOLIDATION PLAT DOES NOT REDUCE ANY PARCEL AREA BELOW THE MINIMUM SIZE REQUIREMENTS OF THE CITY OF CHESTERFIELD, MISSOURI ZONING ORDINANCE.

THIS CONSOLIDATION PLAT DOES NOT CREATE ANY NEW EASEMENTS, NOR DOES IT VACATE ANY EXISTING EASEMENTS. BUILDING LINES AS SHOWN ON THIS PLAT ARE HEREBY ESTABLISHED.

IT IS HEREBY CERTIFIED THAT THERE ARE NO DELINQUENT TAXES OUTSTANDING.

IT IS HEREBY CERTIFIED THAT ALL EXISTING EASEMENTS ARE SHOWN OR NOTED ON THIS PLAT AS OF THE TIME AND DATE OF RECORDING OF THIS PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2022.

BY: _____ DAMIAN FINDLAY, OWNER _____ TORRI FINDLAY, OWNER

STATE OF MISSOURI)
 COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 2022, BEFORE ME PERSONALLY APPEARED DAMIAN FINDLAY AND TORRI FINDLAY, TO ME PERSONALLY KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

OWNER'S CERTIFICATE (ORIGINAL LOT 25):

WE, THE UNDERSIGNED, OWNERS OF A TRACT OF LAND HEREIN PLATTED AND FURTHER DESCRIBED IN THE FOREGOING SURVEYORS CERTIFICATION HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SUBDIVISION SHALL HEREAFTER BE KNOWN AS "SCHOETTLER GROVE CONSOLIDATION PLAT".

THE PURPOSE OF THIS CONSOLIDATION PLAT IS TO COMBINE TWO EXISTING PARCELS OF LAND INTO A SINGLE PARCEL. THIS CONSOLIDATION PLAT DOES NOT REDUCE ANY PARCEL AREA BELOW THE MINIMUM SIZE REQUIREMENTS OF THE CITY OF CHESTERFIELD, MISSOURI ZONING ORDINANCE.

THIS CONSOLIDATION PLAT DOES NOT CREATE ANY NEW EASEMENTS, NOR DOES IT VACATE ANY EXISTING EASEMENTS. BUILDING LINES AS SHOWN ON THIS PLAT ARE HEREBY ESTABLISHED.

IT IS HEREBY CERTIFIED THAT THERE ARE NO DELINQUENT TAXES OUTSTANDING.

IT IS HEREBY CERTIFIED THAT ALL EXISTING EASEMENTS ARE SHOWN OR NOTED ON THIS PLAT AS OF THE TIME AND DATE OF RECORDING OF THIS PLAT.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2022.

BY: _____ DAMIAN FINDLAY, OWNER _____ TORRI FINDLAY, OWNER

STATE OF MISSOURI)
 COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 2022, BEFORE ME PERSONALLY APPEARED DAMIAN FINDLAY AND TORRI FINDLAY, TO ME PERSONALLY KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

LIENHOLDER - (ORIGINAL LOT 25):

WHEREAS, _____ BY A DEED OF TRUST DATED _____, 20____ AND RECORDED IN DEED BOOK _____, PAGE _____ OF THE ST. LOUIS COUNTY RECORDS, DOES HEREBY JOIN IN AND APPROVE EVERY DETAIL THIS PLAT OF "SCHOETTLER GROVE CONSOLIDATION PLAT"

IN WITNESS WHEREOF, THE UNDERSIGNED HAS EXECUTED THESE PRESENTS THIS _____ DAY OF _____, 2022.

LENDER: _____

BY: _____

PRINT NAME AND TITLE

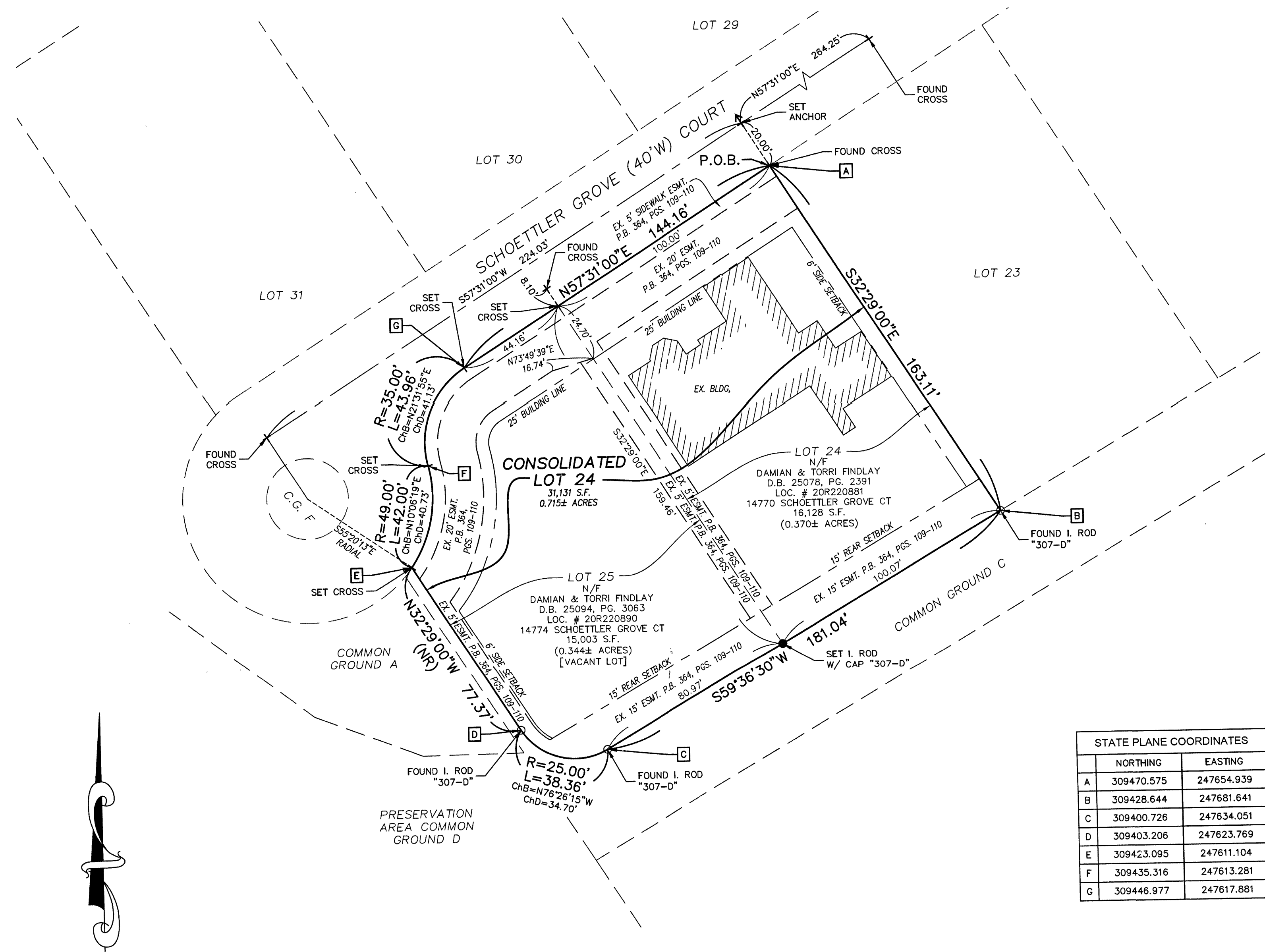
STATE OF MISSOURI)
 COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 2022, BEFORE ME APPEARED _____ TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE/SHE IS THE _____ AND THAT SAID INSTRUMENT WAS SIGNED AND SEALED ON BEHALF OF SAID ASSOCIATION AND SAID ASSOCIATION HAS ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID ASSOCIATION.

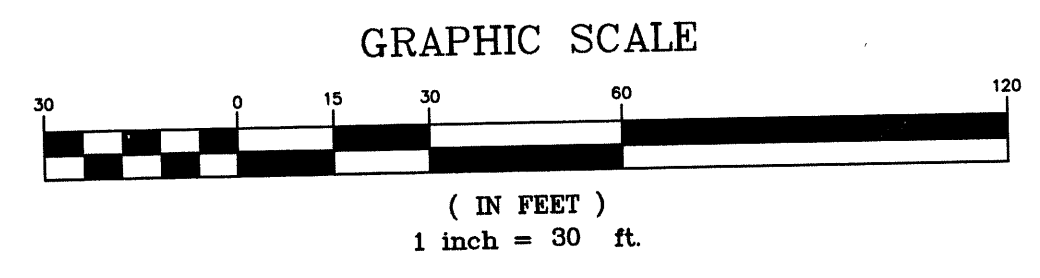
IN TESTIMONY WHEREOF, I HAVE HEREWIT SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC



STATE PLANE COORDINATES	
NORTHING	EASTING
A 309470.575	247654.939
B 309428.644	247681.641
C 309400.726	247634.051
D 309403.206	247623.769
E 309423.095	247611.104
F 309435.316	247613.281
G 309446.977	247617.881



- SYMBOL LEGEND:**
- ▲ = SET PERMANENT MONUMENT IN ACCORDANCE WITH MISSOURI STANDARDS (5/8" I. ROD W/ ALUMINUM CAP).
 - = SET SEMI-PERMANENT MONUMENT IN ACCORDANCE WITH MISSOURI STANDARDS (1/2" I. ROD W/ PLASTIC CAP OR CUT CROSS).
 - = FOUND PERMANENT MONUMENT
 - ⊕ = FOUND SEMI-PERMANENT MONUMENT
 - ⊙ = FOUND CROSS
 - ⊙ = FOUND ANCHOR
 - ⊙ = BENCHMARK
 - ⊙ = ADDRESS
 - ⊙ = STATE PLANE COORDINATE REFERENCE

- ABBREVIATION LEGEND:**
- BK = BOOK
 - BLDG. = BUILDING
 - C.G. = COMMON GROUND
 - CHB = CHORD BEARING
 - CHD = CHORD DISTANCE
 - C.O.S. = COMMON OPEN SPACE
 - D.B. = DEED BOOK
 - ESMT. = EASEMENT
 - FND. = FOUND
 - NF = NOW OR FORMERLY
 - NR = NON-RADIAL
 - P.B. = PLAT BOOK
 - P.O.B. = POINT OF BEGINNING
 - P.O.C. = POINT OF COMMENCEMENT
 - P.V.M.T. = PAVEMENT
 - R. = RECORD
 - R.O.W. = RIGHT-OF-WAY
 - RET. = RETAINING
 - (S) = SURVEYED
 - S.F. = SQUARE FEET
 - W = WIDTH

CITY OF CHESTERFIELD:
 THIS IS TO CERTIFY THAT THIS "SCHOETTLER GROVE CONSOLIDATION PLAT" WAS APPROVED BY THE CITY COUNCIL FOR THE CITY OF CHESTERFIELD BY ORDINANCE NO. _____ ON THE _____ DAY OF _____, 2022 AND THEREBY AUTHORIZES THE RECORDING OF THIS PLAT WITH THE OFFICE OF THE ST. LOUIS COUNTY RECORDER OF DEEDS.

BOB NATION, MAYOR
 VICKIE McGOVIND, CITY CLERK

STATEMENT OF STATE PLANE COORDINATE TIE:
 THE STATE PLANE COORDINATES WERE DETERMINED ON NOVEMBER 22, 2022 USING TRIMBLE REAL-TIME KINEMATIC GPS HARDWARE FROM THE PROJECT SITE TO A CONTINUOUSLY OPERATING REFERENCE STATION (CORS) WITH AN ID OF MOOP AND A PID OF DM4688 HAVING PUBLISHED MISSOURI STATE PLANE (EAST ZONE) 2011 COORDINATE VALUES (EAST (Y) = 324131.153 METERS AND EAST (X) = 225293.468 METERS). IN ORDER TO PUT THIS PLAT ON THE MISSOURI STATE PLANE COORDINATE SYSTEM EAST ZONE, GRID NORTH, IT WOULD BE NECESSARY TO ROTATE THE PUBLISHED PLAT BEARINGS COUNTER-CLOCKWISE BY 00°00'19". THE PUBLISHED PLAT BEARING OF SOUTH 59°36'30" WEST, WOULD BE SOUTH 59°36'11" WEST IF ROTATED TO GRID NORTH.

COMBINED GRID FACTOR = 0.999907067 (1 METER = 3.28083333 FEET)

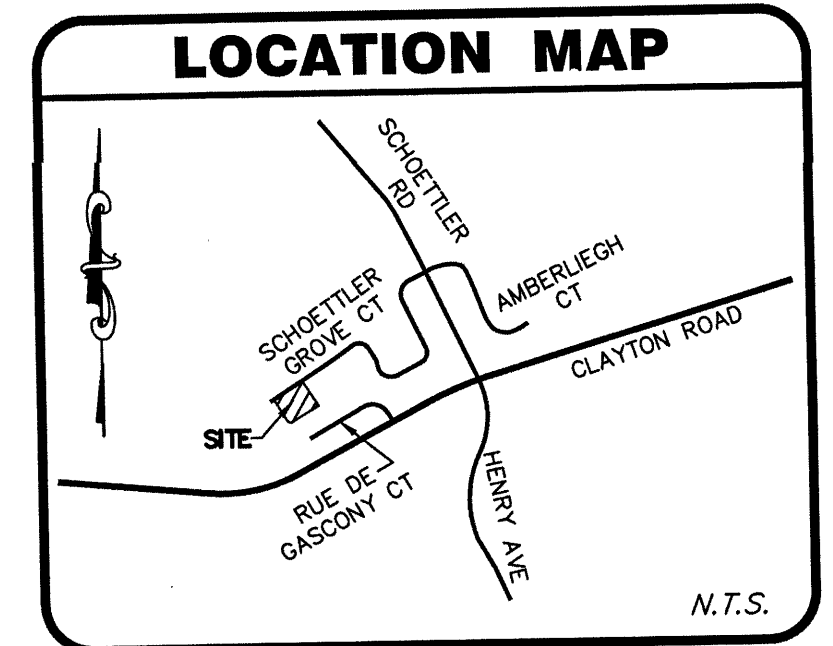
- SURVEYOR'S NOTES**
- THE PROFESSIONAL WHOSE SIGNATURE AND PERSONAL SEAL APPEARS BELOW ASSUMES RESPONSIBILITY ONLY FOR WHAT APPEARS ON THIS PLAT AND DISCLAIMS (PURSUANT TO SECTION 327.41 RSMO) ANY RESPONSIBILITY FOR PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS NOT SEALED BY THE UNDERSIGNED RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT FOR WHICH THIS PLAT APPEARS.
 - THIS PLAT CONTAINS 31,131 SQUARE FEET (0.714 ACRES MORE OR LESS), AND A TOTAL OF 1 LOT.
 - ALL BEARINGS AND DISTANCES ARE AS SURVEYED (S) UNLESS NOTED OTHERWISE. (R) DENOTES RECORD INFORMATION.
 - THE SUBJECT TRACT IS CURRENTLY ZONED "PUD" PLANNED UNIT DEVELOPMENT ACCORDING TO THE CITY OF CHESTERFIELD, MISSOURI ORDINANCE NO. 2786, APPROVED ON MARCH 17, 2014.
 - THE BASIS OF BEARINGS: THE RECORDED PLAT OF "SCHOETTLER GROVE", RECORDED IN PLAT BOOK 364 PAGES 109-110 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS.
 - SOURCE OF RECORD TITLE: GENERAL WARRANTY DEED TO DAMIAN AND TORRI FINDLAY, RECORDED IN DEED BOOK 25078 PAGE 2391 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS (ORIGINAL LOT 24), AND GENERAL WARRANTY DEED TO DAMIAN AND TORRI FINDLAY, RECORDED IN DEED BOOK 25094 PAGE 3063 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS (ORIGINAL LOT 25).
 - SUBJECT TRACT IS LOCATED IN FLOOD ZONE "X" (UNSHADED) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI, AND INCORPORATED AREAS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER 29189C0282K EFFECTIVE FEBRUARY 4, 2015.
 - FLOOD ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
 - PERMANENT MONUMENTS WILL BE SET IN ONE YEAR FROM DATE OF RECORDING OR WHEN FINAL GRADING IS COMPLETE. SEMI-PERMANENT MONUMENTS WILL BE SET IN ONE YEAR FROM DATE OF RECORDING OR WHEN PAYMENT IS INSTALLED.
 - FOR EASEMENTS, THE STERLING COMPANY HAS USED, EXCLUSIVELY, TITLE COMMITMENTS BY ARCH CITY TITLE, LLC, AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 7988ARC WITH AN EFFECTIVE DATE OF JUNE 30, 2021 AT 8:00 AM, AND COMMITMENT NO. 10931ARC WITH AN EFFECTIVE DATE OF JUNE 30, 2021 AT 8:00 AM. THE NOTES REGARD SCHEDULE B, PART II OF SAID COMMITMENTS ARE AS FOLLOWS:
- COMMITMENT NO. 7988ARC (ORIGINAL LOT 24):**
- ITEMS 1-6: GENERAL EXCEPTIONS WITH NO COMMENT BY SURVEYOR.
- ITEM 7: BUILDING LINES, EASEMENTS AND RESTRICTIONS AS ESTABLISHED BY THE PLAT OF SAID SUBDIVISION AS REFERRED TO IN SCHEDULE A, AND AS SHOWN ON THE SCRIPT ACCOMPANYING SAID PLAT, SAID PLAT IS RECORDED IN PLAT BOOK 364 PAGES 109-110 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS AND AFFECTS THE SUBJECT TRACT AS SHOWN HEREON.
- ITEM 8: COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE DECLARATION OF TRUST, COVENANTS, CONDITIONS, AND RESTRICTIONS OF SCHOETTLER GROVE DATED FEBRUARY 3, 2016 AND RECORDED IN BOOK 21913 PAGE 797 AND FIRST AMENDMENT TO DECLARATION OF TRUST, COVENANTS, CONDITIONS AND RESTRICTIONS OF SCHOETTLER GROVE RECORDED IN BOOK 24358 PAGE 2577, INCLUDING A PROVISION FOR SUBDIVISION ASSESSMENTS, AFFECT THE SUBJECT TRACT.
- ITEM 9: TERMS AND PROVISIONS OF THE MAINTENANCE AGREEMENT WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT RECORDED IN BOOK 21435 PAGE 843, INCLUDING A PROVISION FOR SEWER ASSESSMENTS, AFFECTS THE SUBJECT TRACT.
- ITEM 10: TERMS AND PROVISIONS OF THE SCHOETTLER GROVE SITE DEVELOPMENT PLAN, ACCORDING TO THE PLAN THEREOF RECORDED IN PLAT BOOK 362 PAGE 366, AFFECTS THE SUBJECT TRACT.
- COMMITMENT NO. 10931ARC (ORIGINAL LOT 25):**
- ITEMS 1-6: GENERAL EXCEPTIONS WITH NO COMMENT BY SURVEYOR.
- ITEM 7: BUILDING LINES, EASEMENTS AND RESTRICTIONS AS ESTABLISHED BY THE PLAT OF SAID SUBDIVISION AS REFERRED TO IN SCHEDULE A, AND AS SHOWN ON THE SCRIPT ACCOMPANYING SAID PLAT, SAID PLAT IS RECORDED IN PLAT BOOK 364 PAGES 109-110 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS AND AFFECTS THE SUBJECT TRACT AS SHOWN HEREON.
- ITEM 8: COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS CONTAINED IN THE DECLARATION OF TRUST, COVENANTS, CONDITIONS, AND RESTRICTIONS OF SCHOETTLER GROVE DATED FEBRUARY 3, 2016 AND RECORDED IN BOOK 21913 PAGE 797 AND FIRST AMENDMENT TO DECLARATION OF TRUST, COVENANTS, CONDITIONS AND RESTRICTIONS OF SCHOETTLER GROVE RECORDED IN BOOK 24358 PAGE 2577, INCLUDING A PROVISION FOR SUBDIVISION ASSESSMENTS, AFFECT THE SUBJECT TRACT.
- ITEM 9: TERMS AND PROVISIONS OF THE MAINTENANCE AGREEMENT WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT RECORDED IN BOOK 21435 PAGE 843, INCLUDING A PROVISION FOR SEWER ASSESSMENTS, AFFECTS THE SUBJECT TRACT.
- ITEM 10: TERMS AND PROVISIONS OF THE SCHOETTLER GROVE SITE DEVELOPMENT PLAN, ACCORDING TO THE PLAN THEREOF RECORDED IN PLAT BOOK 362 PAGE 366, AFFECTS THE SUBJECT TRACT.

PROPERTY DESCRIPTION (ORIGINAL LOT 24):
 A TRACT OF LAND BEING ALL OF LOT 24 OF SCHOETTLER GROVE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 364 PAGES 109-110 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, LOCATED IN FRACTIONAL SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

PROPERTY DESCRIPTION (ORIGINAL LOT 25):
 A TRACT OF LAND BEING ALL OF LOT 25 OF SCHOETTLER GROVE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 364 PAGES 109-110 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, LOCATED IN FRACTIONAL SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

PROPERTY DESCRIPTION (CONSOLIDATED LOT 24):
 A TRACT OF LAND BEING ALL OF LOTS 24 AND 25 OF SCHOETTLER GROVE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 364 PAGES 109-110 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, LOCATED IN FRACTIONAL SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST-MOST CORNER OF LOT 23 OF THE ABOVEMENTIONED "SCHOETTLER GROVE" SUBDIVISION, SAID CORNER BEING LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF SCHOETTLER GROVE COURT (40 FEET WIDE); THENCE ALONG THE WEST LINE OF SAID LOT 23, SOUTH 32°29'00" EAST, 163.11 FEET TO THE SOUTH-MOST CORNER OF SAID LOT 23, SAID CORNER BEING LOCATED ALONG THE NORTH LINE OF COMMON GROUND C OF SAID SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID COMMON GROUND C THE FOLLOWING COURSES, COMMON GROUND C OF SAID SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID COMMON GROUND C THE FOLLOWING COURSES, DISTANCES, AND CURVES: SOUTH 59°36'30" WEST, 181.04 FEET TO A POINT OF CURVATURE, ALONG AN ARC TO THE RIGHT, AN ARC LENGTH OF 42.00 FEET, AND CURVES: SOUTH 59°36'30" WEST, 34.70 FEET TO A POINT OF TANGENCY, AND NORTH 38°36' FEET, A RADIUS OF 25.00 FEET, THE CHORD OF WHICH BEARS NORTH 76°28'15" WEST, 34.70 FEET TO A POINT OF TANGENCY, AND NORTH 32°29'00" WEST, 77.37 FEET TO THE WEST-MOST CORNER OF LOT 25 OF SAID SUBDIVISION, SAID CORNER BEING LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF THE ABOVEMENTIONED SCHOETTLER GROVE COURT; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID SCHOETTLER GROVE COURT, THE FOLLOWING COURSES, DISTANCES, AND CURVES: ALONG A NON-RADIAL ARC TO THE LEFT, THE RADIUS SCHOETTLER GROVE COURT, 49.00 FEET, AN ARC LENGTH OF 42.00 FEET, THE CHORD OF WHICH BEARS NORTH 10°08'19" POINT OF WHICH BEARS NORTH 59°20'18" WEST, 49.00 FEET, AN ARC LENGTH OF 42.00 FEET, THE CHORD OF WHICH BEARS NORTH 10°08'19" EAST, 40.73 FEET TO A POINT OF REVERSE CURVATURE, ALONG AN ARC TO THE RIGHT, AN ARC LENGTH OF 43.96 FEET, A RADIUS OF 35.00 FEET, THE CHORD OF WHICH BEARS NORTH 21°31'55" EAST, 41.13 FEET TO A POINT OF TANGENCY, AND NORTH 57°31'00" EAST, 144.16 FEET TO THE POINT OF BEGINNING, AND CONTAINING 31,131 SQUARE FEET (0.714 ACRES MORE OR LESS), ACCORDING TO A SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF OCTOBER 2022, UNDER ORDER NUMBER 22-09-283.



SURVEYOR'S CERTIFICATION
 ORDER NUMBER: 22-09-283
 THE STERLING COMPANY
 5055 NEW BAUMGARTNER ROAD
 ST. LOUIS, MISSOURI 63129
 PHONE: (314) 487-0440

PREPARED FOR:
 DAMIAN FINDLAY & TORRI FINDLAY
 14770 SCHOETTLER GROVE COURT
 CHESTERFIELD, MISSOURI 63017

THIS IS TO CERTIFY TO DAMIAN FINDLAY AND TORRI FINDLAY THAT WE HAVE, DURING THE MONTH OF OCTOBER, 2022, PERFORMED A BOUNDARY SURVEY OF A TRACT OF LAND BEING ALL OF LOTS 24 AND 25 OF SCHOETTLER GROVE, RECORDED IN PLAT BOOK 364 PAGES 109-110, LOCATED IN FRACTIONAL SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AND BASED UPON SAID SURVEY HAVE CONSOLIDATED SAID TRACT OF LAND IN THE MANNER SHOWN HEREON. THIS PLAT AND THE SURVEY ON WHICH IT IS BASED MEETS OR EXCEEDS THE "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS AN "URBAN" CLASS PROPERTY IN EFFECT AT THE DATE OF THIS PLAT.

THE STERLING COMPANY
 MO. REG. 307-D

JAMEY A. HENSON, P.L.S., VICE PRESIDENT
 MO. REG. L.S. #2007017963

DATE: 12-1-2022

RECEIVED
 DEC - 1 2022
 City of Chesterfield - Department of Planning

THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-487-0440 Fax 314-487-8944
 www.sterling-eng-sur.com

DRAWN BY:	GFS	MSD P# - N/A
CHECKED BY:	JAH	DATE: NOV. 28, 2022
JOB NO.:	22-09-283	CONSOLIDATION PLAT