



**AGENDA REVIEW MEETING  
CHESTERFIELD CITY COUNCIL  
Monday, May 1, 2023  
5:30 PM**

**I. YMCA Capital Improvement Program Presentation** – Tim Peters, Executive Director, Chesterfield YMCA

**II. Appointments** – Mayor Bob Nation

**III. Council Committee Reports**

**A. Planning and Public Works Committee** – Chairperson Merrell Hansen, Ward IV

**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. Property owner has requested to withdraw the application.**

**2. Proposed Bill No. 3440 – P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC)** A Site Development Plan and Landscape Plan for a 2-acre tract of land zoned “NU” Non-Urban District with a Historic Overlay located north of Olive Blvd (16R310974). **(First reading) Planning & Public Works Committee recommends upholding the Planning Commission’s denial.**

**3. Proposed Bill No. 3441 – Traffic Generation Assessment (TGA) Trust Fund Rate Schedule** An ordinance establishing an annual rate schedule for the five Traffic Generation Assessment (TGA) trust funds in the City of Chesterfield, Missouri. **(First Reading) Planning & Public Works Committee recommends approval.**

**4. Proposed Bill No. 3442 – Chapter 353 Procedure** An ordinance adopting a procedure for considering development plans pursuant to Chapter 353 of the Revised Statutes of Missouri, as amended. **(First Reading) Planning & Public Works Committee recommends approval.**

**5. Next Meeting – Thursday, May 4, 2023 (5:30pm)**

**B. Finance and Administration Committee** – Chairperson Michael Moore,  
Ward III

**1. Next Meeting – Not yet scheduled**

**C. Parks, Recreation and Arts Committee** – Chairperson Mary Monachella,  
Ward I

**1. Contract Approval and Supplemental Budget Adjustment – Aquatic Facilities study** - The Parks, Recreation and Arts Committee recommends approval of a professional services contract with Capri/Waters Edge, in an amount not to exceed \$23,700, to complete the Aquatic Facilities Study that was proposed with the Municipal Parks Planning Grant. \$7,600 is to be reimbursed by the Municipal Parks Grant, and \$2,000 was previously authorized for the purpose when the grant submission was approved. Accordingly, a supplemental budget authorization from the Parks Fund – Fund Reserve in the full amount of \$23,700 is requested, although \$7,600 will be reimbursed. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

**2. Approval of Sculpture on the Move location** - The Parks, Recreation and Arts Committee recommends approval of the proposed placement of the Creative Community Alliance Sculpture on the Move, “Bird” in Eberwein Park as was recommended by Staff and the Parks, Recreation and Arts Citizen Advisory Committee. **(Voice Vote) Department of Parks, Recreation and Arts recommends approval.**

**3. Next Meeting – Not yet scheduled**

**D. Public Health and Safety Committee** – Chairperson Mary Ann Mastorakos, Ward II

**1. Next Meeting – Not yet scheduled**

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

**A. Bid Recommendation - 2023 Bridge Deck Sealing Project**

Recommendation to accept the low bid from RV Wagner Incorporated and to authorize the City Administrator to enter into an Agreement with RV Wagner in an amount not to exceed \$235,000. The 2023 budget allocation for construction of this project is \$270,000.00. **(Roll Call Vote) Department of Public Works recommends approval.**

**B. Proposed Budget Amendment – ARPA Project Funds** – The Parks Department originally anticipated using used synthetic turf at the Central Park entertainment plaza, however, the used turf was not available. Concurrently, Parks Staff was able to self-perform the landscape transition at City Hall, saving sufficient ARPA funds to fully cover the increased synthetic turf cost. Staff requests that Council authorize the transfer of \$83,280 from the ARPA Special Projects account to the Parks Fund supply account to fund the increased cost for synthetic turf at the amphitheater entertainment plaza. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

**C. Logan Park Budgetary Amendment** – Staff requests a budget transfer from the Parks Fund – Fund Reserves in the amount of \$ 40,435 for the purpose of completing improvements and providing furnishings for Logan Park. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

#### **IV. Other Legislation**

**A. Proposed Resolution of Intent** - A resolution of the City Council of the City of Chesterfield, Missouri, stating its intention to establish the Wildhorse Village Special Business District. The City of Chesterfield has received a petition to establish a Special Business District encompassing the Wildhorse Village Development for the purpose of funding municipal services. Passage of the “Resolution of Intent” is a statutory procedural requirement that will allow the City to schedule a public hearing, generate the required report and survey, and subsequently facilitate a vote of the properties within the proposed district.

#### **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**  
**Monday, May 1, 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** – April 18, 2023
  
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
  - A. Thursday, May 4, 2023 – Planning & Public Works (5:30pm)**
  - B. Monday, May 8, 2023 – Planning Commission (7:00pm)**
  - C. Monday, May 15, 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 Merrell Hansen, Ward IV

- 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. Property owner has requested to withdraw the application. This petition was postponed at the last City Council meeting, until 5/1/2023.**
  
- 2. Proposed Bill No. 3440 – P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC)** A Site Development Plan and Landscape Plan for a 2-acre tract of land zoned “NU” Non-Urban District with a Historic Overlay located north of Olive Blvd (16R310974). **(First reading) Planning & Public Works Committee recommends upholding the Planning Commission’s denial.**
  
- 3. Proposed Bill No. 3441 – Traffic Generation Assessment (TGA) Trust Fund Rate Schedule** An ordinance establishing an annual rate schedule for the five Traffic Generation Assessment (TGA) trust funds in the City of Chesterfield, Missouri. **(First Reading) Planning & Public Works Committee recommends approval.**
  
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- 5. Next Meeting – Thursday, May 4, 2023 (5:30pm)**

**B. Finance and Administration Committee** – Chairperson Michael Moore, Ward III

- 1. Next Meeting – Not yet scheduled**

**C. Parks, Recreation and Arts Committee** – Chairperson Mary Monachella, Ward I

- 1. Contract Approval and Supplemental Budget Adjustment – Aquatic Facilities study** - The Parks, Recreation and Arts Committee recommends approval of a professional services contract with Capri/Waters Edge, in an amount not to exceed \$23,700, to complete

the Aquatic Facilities Study that was proposed with the Municipal Parks Planning Grant. \$7,600 is to be reimbursed by the Municipal Parks Grant, and \$2,000 was previously authorized for the purpose when the grant submission was approved. Accordingly, a supplemental budget authorization from the Parks Fund – Fund Reserve in the full amount of \$23,700 is requested, although \$7,600 will be reimbursed. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

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**3. Next Meeting – Not yet scheduled**

**D. Public Health and Safety Committee** – Chairperson Mary Ann Mastorakos, Ward II

**1. Next Meeting – Not yet scheduled**

**X. REPORT FROM THE CITY ADMINISTRATOR** – Mike Geisel

**A. Bid Recommendation - 2023 Bridge Deck Sealing Project**

Recommendation to accept the low bid from RV Wagner Incorporated and to authorize the City Administrator to enter into an Agreement with RV Wagner in an amount not to exceed \$235,000. The 2023 budget allocation for construction of this project is \$270,000.00. **(Roll Call Vote) Department of Public Works recommends approval.**

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**C. Logan Park Budgetary Amendment** – Staff requests a budget transfer from the Parks Fund – Fund Reserves in the amount of \$ 40,435 for the

purpose of completing improvements and providing furnishings for Logan Park. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

## **XI. OTHER LEGISLATION**

**A. Proposed Resolution of Intent** - A resolution of the City Council of the City of Chesterfield, Missouri, stating its intention to establish the Wildhorse Village Special Business District. The City of Chesterfield has received a petition to establish a Special Business District encompassing the Wildhorse Village Development for the purpose of funding municipal services. Passage of the "Resolution of Intent" is a statutory procedural requirement that will allow the City to schedule a public hearing, generate the required report and survey, and subsequently facilitate a vote of the properties within the proposed district.

## **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 – MONDAY, MAY 1, 2023 – 5:30 PM**

An AGENDA REVIEW meeting has been scheduled to start at **5:30 PM, on Monday, May 1, 2023.**

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

At Monday night's work session, we are scheduled to begin at 5:30 pm. and we will be viewing a presentation from Tim Peters, the Executive Director of the YMCA regarding the Capital Improvements proposed for the Chesterfield location. Obviously, that location is in the center of all of our activities at Central Park, Wildhorse Village, The redevelopment of the Chesterfield Mall as well as the County Library improvements. Their improvements are impactful to the area.

Mr. Peters has shared some of the preliminary information with Mayor Nation and me and has agreed to share the proposed plans publicly and be available to answer any questions. We have allotted 30 minutes for the presentation and questions at the start of Monday's work session.....

## **UPCOMING MEETINGS/EVENTS**

- A. Thursday, May 4, 2023 – Planning & Public Works (5:30pm)**
- B. Monday, May 8, 2023 – Planning Commission (7:00pm)**
- C. Monday, May 15, 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.



## RECORD OF PROCEEDING

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

**APRIL 18, 2023**

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

President Pro-Tem Mary Monachella 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

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

ABSENT

Mayor Bob Nation

APPROVAL OF MINUTES

The minutes of the March 20, 2023 City Council meeting were submitted for approval. Councilmember Wahl made a motion, seconded by Councilmember Hurt, to approve the March 20, 2023 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the March 20, 2023 Executive Session were submitted for approval. Councilmember Moore made a motion, seconded by Councilmember Budoor, to approve the March 20, 2023 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **INTRODUCTORY REMARKS**

President Pro-Tem Monachella announced that the next meeting of City Council is scheduled for Monday, May 1, at 7 p.m.

### **COMMUNICATIONS AND PETITIONS**

Mr. George Stock, 257 Chesterfield Business Parkway, was available to answer questions pertaining to Bill No. 3434 (Gateway Studios) and Bill No. 3438 (Wildhorse Village, Lot 2A-2).

Mr. John Nations, 16150 Main Circle Drive, requested that action on Bill No. 3418 (Estates at Fire Rock) be postponed.

Ms. Patricia Tocco, 14720 Whitebrook Drive, spoke regarding the results of the April election.

Mr. Ron Cawood, 16992 Riverdale Drive, spoke regarding the results of the April election.

Mr. Alan Keathley, 16726 Chesterfield Farms Drive, spoke regarding the results of the April election.

### **SWEARING-IN CEREMONY**

President Pro-Tem Monachella recognized the Honorable Mark J. Gaertner, Municipal Judge. Councilmember Barbara McGuinness made a brief statement of appreciation, after being officially sworn in on Monday, April 17, 2023 by City Clerk Vickie McGownd. Judge Gaertner then conducted the Swearing-In Ceremony for: Councilmember Aaron Wahl – Ward II; Councilmember Dan Hurt – Ward III; and Councilmember Gary Budoor – Ward IV.

### **ROLL CALL**

A roll call was then re-taken, with the following results:

#### **PRESENT**

Councilmember Mary Monachella  
Councilmember Barbara McGuinness  
Councilmember Aaron Wahl

#### **ABSENT**

Mayor Bob Nation

Councilmember Mary Ann Mastorakos  
Councilmember Dan Hurt  
Councilmember Michael Moore  
Councilmember Merrell Hansen  
Councilmember Gary Budoor

### **TEMPORARY ADJOURNMENT - RECEPTION**

President Pro-Tem Monachella temporarily adjourned the meeting at 7:22 p.m., for those in attendance to attend a reception for the re-elected officials.

The meeting was reconvened at 7:52 p.m.

### **APPOINTMENTS**

There were no appointments scheduled on the agenda for 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) **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval**

Councilmember Hansen made a motion, seconded by Councilmember Budoor, to postpone action on Bill No. 3418 until the next City Council meeting on May 1, 2023. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Bill No. 3434      Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of the “M3” Planned Industrial District to a “PC” Planned Commercial District for a 77.8 acre tract of land located on the north side of Outer 40 Road [P.Z. 13-2022 17955, 17965, 17985, and 17995 N. Outer Forty Road (Gateway Studios, LLC), 17W640035, 16W320011, 16W330021, and 16W320022] **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended. Green Sheet Amendments recommended by Planning & Public Works Committee**

Councilmember Dan Hurt, Chairperson of the Planning and Public Works Committee, made a motion, seconded by Councilmember Moore, to amend Bill No. 3434 with the green sheet recommendations from the Planning and Public Works Committee.

Councilmember McGuinness made a motion, seconded by Councilmember Hansen, to amend the green sheet to remove the letter “N” use category. A roll call vote was taken with the following results: Ayes – Hansen, Mastorakos, McGuinness and Budoor. Nays – Wahl, Moore, Hurt and Monachella. President Pro-Tem Monachella voted “Nay” to break the tie and declared the motion failed.

Councilmember Hurt made a motion, seconded by Councilmember Moore, to amend the green sheet, letter “N” use category, to restrict the use to indoor sales and displays only. This amendment also eliminates the i, ii, and iii restrictions. A roll call vote was taken with the following results: Ayes – Hurt, Mastorakos, McGuinness, Budoor, Wahl, Moore, Monachella and Hansen. Nays – None. The motion was declared passed.

A voice vote was taken with an affirmative result (Councilmember McGuinness voted “No”), to amend Bill No. 3434 with the green sheet, as amended, and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Hansen, for the second reading of Bill No. 3434, as amended, with an affirmative result (Councilmember McGuinness voted “No”), and the motion was declared passed. Bill No. 3434 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3434, as amended, with the following results: Ayes – Mastorakos, Monachella, Hansen, Wahl, Budoor, Hurt and Moore. Nays – McGuinness. President Pro-Tem Monachella declared Bill No. 3434 approved, as amended, passed it and it became **ORDINANCE NO. 3229**.

Councilmember Hurt announced that the next meeting of this Committee is scheduled for Thursday, April 20, at 5:30 p.m.

### **Finance & Administration Committee**

Bill No. 3435            Authorizes and approves a redevelopment agreement for Chesterfield Regional area RPA-2 by and between the City and Wildhorse Village, LP; authorizing certain actions by City Officials and Officers; and containing severability clause **(Second Reading, substitute bill offered) Finance and Administration Committee recommends approval**

Councilmember Barbara McGuinness, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Moore, for the second reading of Bill No. 3435.

Councilmember McGuinness made a motion, seconded by Councilmember Wahl, to amend Bill No. 3435 and replace it with substitute Bill No. 3435 as recommended by staff and legal counsel. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

A voice vote was taken for the second reading of Bill No. 3435 as amended, with a unanimous affirmative result, and the motion was declared passed. Bill No. 3435 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3435 with the following results: Ayes – McGuinness, Moore, Monachella, Hurt, Mastorakos, Hansen, Wahl and Budoor. Nays – None. President Pro-Tem Monachella declared Bill No. 3435 approved, as amended, passed it and it became **ORDINANCE NO. 3230**.

### **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, made a motion, seconded by Councilmember Hansen, to amend Public Health and Safety Policy No. 13 (No Smoking) to include Marijuana, as recommended by the Public Health and Safety Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Bill No. 3439           Repeals Chapter 210, Offenses Article XIII. Offenses concerning tobacco, alternative nicotine products or vapor products, Section 210.2180. Sale of cigarette papers prohibited. **(First Reading)**  
**Public Health and Safety Committee recommends approval**

Councilmember Wahl made a motion, seconded by Councilmember Moore, for the first reading of Bill No. 3439. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3439 was read for the first time.

### **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Geisel reported that the following businesses have requested liquor licenses: Mimi's Café, The Gallery, and Tikka Tanga LLC. Per City policy, these applications have been reviewed and are now recommended for approval by both the Police Department and the Planning Department, and have no outstanding violations. Councilmember Budoor made a motion, seconded by Councilmember Hansen, to approve issuance of the following new liquor licenses:

- Mimi's Café, located at 17240 Chesterfield Airport Road, for retail sale of all kinds of liquor by the drink, to be consumed on premise, and Sunday sales.

- The Gallery, located at 17081 N. Outer Road, Suite 207, for retail sale of all kinds of liquor by the drink, to be consumed on premise, and Sunday sales.
- Tikka Tangy LLC, located at 13441 Olive Blvd., for retail sale of malt liquor (beer only) by the drink, to be consumed on premise, and Sunday sales.

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **OTHER LEGISLATION**

Bill No. 3437 Provides for the vacation of an existing Permanent Roadway, Improvement, Maintenance, Utility, Sidewalk, and Sewer Easement (PRIMUSSE) within the Schaeffter’s Grove subdivision currently under construction (18V510381 and 18V510204) **(First & Second Readings) Department of Planning recommends approval**

Councilmember Hansen made a motion, seconded by Councilmember Moore, for the first and second readings of Bill No. 3437. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3437 was read for the first and second time. A roll call vote was taken for the passage and approval of Bill No. 3437 with the following results: Ayes – Monachella, McGuinness, Mastorakos, Budoor, Hurt, Hansen, Moore and Wahl. Nays – None. Whereupon President Pro-Tem Monachella declared Bill No. 3437 approved, passed it and it became **ORDINANCE NO. 3231.**

Bill No. 3438 Provides for the establishment of access and utility easements on Lot 2A-2 of Wildhorse Village (Terraces at Wildhorse) (18T640402). **(First & Second Readings) Department of Planning recommends approval**

Councilmember Budoor made a motion, seconded by Councilmember Hansen, for the first and second readings of Bill No. 3438. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3438 was read for the first and second time. A roll call vote was taken for the passage and approval of Bill No. 3438 with the following results: Ayes – Hansen, Mastorakos, Hurt, Monachella, Budoor, Moore, Wahl and McGuinness. Nays – None. Whereupon President Pro-Tem Monachella declared Bill No. 3438 approved, passed it and it became **ORDINANCE NO. 3232.**

### **UNFINISHED BUSINESS**

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

## **NEW BUSINESS**

President Pro-Tem Monachella opened the floor to receive nominations for President Pro-Tem for April 2023-April 2024. Councilmember Wahl made a motion, seconded by Councilmember Budoor, to nominate Councilmember Mastorakos to serve as President Pro-Tem for the term April 2023-April 2024, and Councilmember Mastorakos accepted the nomination. With no further nominations offered, a voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Mastorakos, in her capacity as the newly elected President Pro-Tem, announced the following proposed slate for the City Council Standing Committee assignments:

### **FINANCE AND ADMINISTRATION COMMITTEE**

Councilmember Michael Moore, Ward III – **CHAIRPERSON**  
Councilmember Barbara McGuinness, Ward I  
Councilmember Aaron Wahl, Ward II  
Councilmember Gary Budoor, Ward IV

### **PARKS, RECREATION AND ARTS COMMITTEE**

Councilmember Mary Monachella, Ward I – **CHAIRPERSON**  
Councilmember Aaron Wahl, Ward II  
Councilmember Dan Hurt, Ward III  
Councilmember Gary Budoor, Ward IV

### **PLANNING AND PUBLIC WORKS COMMITTEE**

Councilmember Merrell Hansen, Ward IV – **CHAIRPERSON**  
Councilmember Mary Monachella, Ward I  
Councilmember Mary Ann Mastorakos, Ward II  
Councilmember Dan Hurt, Ward III

### **PUBLIC HEALTH AND SAFETY COMMITTEE**

Councilmember Mary Ann Mastorakos, Ward II – **CHAIRPERSON**  
Councilmember Barbara McGuinness, Ward I  
Councilmember Michael Moore, Ward III  
Councilmember Merrell Hansen, Ward IV

Councilmember McGuinness made a motion, seconded by Councilmember Moore, to approve the City Council Committee Assignments listed above for April 2023-April 2024. A voice vote was taken to approve the slate as presented by newly elected President Pro-Tem Mastorakos, with a unanimous affirmative result, and the motion was declared passed.



**ADJOURNMENT**

There being no further business to discuss, President Pro-Tem Monachella adjourned the meeting at 8:38 p.m.

\_\_\_\_\_  
President Pro-Tem Mary Monachella

**ATTEST:**

\_\_\_\_\_  
Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: \_\_\_\_\_

## **PLANNING AND PUBLIC WORKS COMMITTEE**

Chair: Councilmember Merrell Hansen

Vice-Chair: Councilmember Dan Hurt

### **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. Property owner has requested to withdraw the application. This petition was postponed at the last City Council meeting until 5/1/2023.**

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As you may remember, the petition was denied by the Planning Commission, and the petitioner appealed. The appeal was heard by the PPW committee, who voted unanimously to deny the petition. So, now the bill returns to City Council for final disposition. Procedurally, Council is scheduled to read Bill #3440 for the first time, Monday. The first reading of the proposed Bill is to be voted on at Monday’s meeting and will then go to the 5/15 meeting at which time it will be read for the second time. After being read for the second time on 5/15, Council will then vote to approve the bill, OR vote in opposition to the bill to uphold the planning commission’s denial.

You most recently did this on a rezoning petition appeal on Conway Road and so we should handle it in exactly the same manner.

**Proposed Bill No. 3441 – Traffic Generation Assessment (TGA) Trust Fund Rate Schedule** An ordinance establishing an annual rate schedule for the five Traffic Generation Assessment (TGA) trust funds in the City of Chesterfield, Missouri. **(First Reading) Planning & Public Works Committee recommends approval.**

**Proposed Bill No. 3442 – Chapter 353 Procedure** An ordinance adopting a procedure for considering development plans pursuant to Chapter 353 of the Revised Statutes of Missouri, as amended. **(First Reading) Planning & Public Works Committee recommends approval.**

**NEXT MEETING**

The next meeting of the Planning and Public Works Committee is scheduled for Thursday, May 4<sup>th</sup>, 2023, at 5:30pm.

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 Monday’s meeting.

# MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning

JW

SUBJECT: Planning & Public Works Committee Meeting Summary  
Thursday, April 20, 2023



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, April 20, 2023 in the Council Chambers.

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

Also in attendance were: Councilmember Aaron Wahl (Ward II); Councilmember Michael Moore (Ward III); Chris Graville, City Attorney; Planning Commission Chair Guy Tilman; Justin Wyse, Director of Planning; Shilpi Bharti, Planner; 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 March 9, 2023 Committee Meeting Summary

**Councilmember Monachella** made a motion to approve the Meeting Summary of March 9, 2023. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0**.

## II. UNFINISHED BUSINESS – None.

## III. NEW BUSINESS

### A. Selection of Officers and Committee Assignments

- Chair of Planning & Public Works Committee/Planning Commission Liaison
- Vice Chair of Planning & Public Works Committee
- Chesterfield Historic and Landmark Preservation Committee
- Board of Adjustment

Chair Hansen stated that she has been appointed as Chair of the Planning & Public Works Committee/Planning Commission Liaison by President Pro-Tem Mary Ann Mastorakos.

### **Chair Hansen made a motion recommending the following appointments:**

- Vice Chair of Planning & Public Works Committee – Councilmember Hurt
- Chesterfield Historic & Landmark Preservation Committee – Councilmember Mastorakos

- Board of Adjustment – Councilmember Monachella

The motion was seconded by Councilmember Monachella and **passed by a voice vote of 4-0.**

- B. PUBLIC HEARING APPEAL: P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC):** A request for a zoning map amendment from a “NU” Non-Urban District with a Historic Overlay to a “PC” Planned Commercial District with a Historic Overlay for a 2-acre tract of land located north of Olive Blvd (16R310974).

Chair Hansen explained that once the public hearing is opened, the process will be as follows:

- Staff report/presentation
- Applicant presentation
- Comments from the public
- Response from applicant

Once all comments are received (including any questions from the Committee members), the public hearing will be closed. Once the hearing is closed, the Committee can deliberate and consider a motion for a recommendation to the City Council on the appeal.

Councilmember Monachella then read the “Opening Comments” for the Public Hearing.

## **PUBLIC HEARING**

### **STAFF PRESENTATION**

Alyssa Ahner, Planner, stated that we are here to review an appeal for P.Z. 04-2022 for 14319 Olive Boulevard. This is a request to rezone from an “NU” Non-Urban District with a Historic Overlay to a “PC” Planned Commercial District with a Historic Overlay to allow for additional permitted uses, revised hours of operation, and updated development criteria.

Ms. Ahner gave a PowerPoint presentation showing photographs of the site, the adjacent “R2” and “R3” Residential Districts, the development policy for suburban neighborhoods as defined in the Comprehensive Plan as well as the “PC” Planned Commercial District regulations. One of the requirements of a “PC” District is to *“Ensure consistency with the Comprehensive Plan.”*

A Public Hearing was held on September 12, 2022 at which time several issues were raised by residents of the adjacent neighborhoods. Following the Public Hearing, Staff sent the petitioner a letter providing a concise list of the concerns that were raised and the petitioner’s response was received on October 14, 2022.

The issues and the petitioner’s response were discussed at the February 13, 2023 Planning Commission meeting where a motion to approve failed by a vote of 0-8.

The petitioner has since filed an appeal of the Planning Commission’s decision. The appeal did include some modifications to the original request pertaining to hours of operation, outdoor music, and limitations to retail sales.

As required by City Code, all appeals must be presented to the Planning & Public Works Committee and a Public Hearing must be held prior to any action.

## **PETITIONER'S PRESENTATION**

Scott Ririe, 13 Bellerive Country Club Grounds, Town & Country, MO

Mr. Ririe stated they purchased the property in April 2021 to be used primarily as an event space and used on weekends as a "winery-feel location." The use is not intended for raucous parties.

This is a house that they have tried to restore historically. They have made renovations and improvements to the interior and exterior of the building in line with the historical period in which the building was built. He presented some before and after photos of the improvements. There have been no modifications to the exterior of the house; the interior is a "complete refresh" with updated flooring, paint, electrical work, and plumbing.

He has received several comments from people who are anxious for the venue to open. People do not want to drive 40 miles out on Hwy 94 to go to a winery. They would prefer to stay in their own community. Local news outlets have heard about the venue and have published stories in the newspapers and magazines. They did not seek the news media for this purpose.

Heather Everett, General Manager of Queatham House, 118 Peine Hollow Place, Wentzville, MO

Ms. Everett stated that they did send out a petition and survey to the Chesterfield community and read a portion of the petition. Out of the 800 petitions sent, they have received 600 signatures in support. Ms. Everett stated that this venue is needed and wanted. Everyone has been isolated for so long and they want to bring back the feeling of togetherness. They want this venue to be the place to host small events, dine outdoors, and be that place that will bring the community together. Chesterfield is the perfect place for this venue.

They feel that their rezoning request was denied due to opposition from the community located behind Queatham House and that community is only 1% of Chesterfield taxpayers and residents.

They have not formally done any advertising; however, their website has been gaining hits. The hits are engaged hits, which means that people are going through and reading all the pages to find out more about the venue.

Mr. Ririe then spoke again and stated they have been property owners in the County since 1985. He has lived in Chesterfield for over three decades before recently moving to Town & Country. In addition to the Hog Hollow property, they also own two properties on White Road where they plan to build houses.

## **PUBLIC COMMENT**

### **In Favor**

Lisa Berger, 14018 New Bedford Court, Chesterfield, MO

Kim Cameron, 14353 Ladue Road, Chesterfield, MO

Both speakers are excited for the prospect of having a unique place to have a baby shower, a Mother's Day lunch, a book club meeting, or other small events in a historical venue such as this. They definitely think there is a need for this type of venue in Chesterfield. There is such a sense of community within Chesterfield but as the City has grown, there are not a lot of historic buildings left.

**Neutral** – there were no neutral speakers.

**In Opposition**

Rosemary Rifkin, Representing The Mansions at Spyglass Summit, 14348 Spyglass Ridge, Chesterfield, MO

Ms. Rifkin stated that as a member of the HOA, they are very much opposed to this project. The proposed changes will significantly have a negative impact on their quality of life as well as for those who reside in the surrounding areas.

The Riries have proposed an outdoor event space that is not in character with the surrounding area. The initial plans included the following:

- Host outdoor events with seating for up to 60 people.
- Provide live, piped-in outdoor music.
- Sell high-end spirits.
- Add a wood burning pizza oven.
- They intend to bus people into the venue due to the lack of parking spaces.
- They initially wanted to expand the hours until 9 p.m.

As a result of neighborhood opposition, they have since narrowed their request to limiting the number of outdoor events and limiting the outdoor hours. The HOA believes they are only willing to make those changes just to get their foot in the door and then once the requests are granted, they will slowly and methodically increase the scope and usage of the property.

This property is located just a few feet away from the homes in Spyglass.

In the Riries' March 2023 correspondence to the Planning Commission's denial, they begin by listing a history of site ordinances and how permitted uses have changed over the past 40+ years even citing that this property was governed by St. Louis County even before the City of Chesterfield. Referencing the site ordinances, they said that expansion of zoning requirements is a foregone conclusion. Based on prior ordinances, they think they can continue to expand.

Queatham House has consistently been a small, indoor craft shop with a tea room. It has maintained limited seating, limited hours, and has operated exclusively as an indoor venue. Historically Chesterfield has not materially expanded the permitted usage of this property.

To vote now to expand permitted usage, would not only be inconsistent with the previous decisions of the Council, it would be inconsistent with the area in which Queatham House is located. The rezoning is also in direct opposition to the Comprehensive Plan that was developed by Chesterfield for the future development of our City.

Ms. Rifkin then stated the following:

The Riries also claim that there has been an undue influence on the Planning Commission's decision by less than 1% of Chesterfield taxpayers and residents. This argument has no merit. As citizens and taxpayers of Chesterfield, we have collectively exercised our right to voice our opinion and raise our concerns with how the proposed zoning changes will impact the quality of our lives. Queatham House is in very close proximity, it is literally a few feet away from the entrance to The Mansions at Spyglass Summit and several of our homeowners. Any outdoor activity will affect us all. There will be issues with noise, lights, traffic, strangers in our

neighborhood, people looking for a place to park or turn around. We do not want, nor do we need strangers in our neighborhood. Additionally, when they made changes to the landscaping, they have diminished our privacy and those changes are already in need of sprucing up.

Then there is the issue of the giant mural that was painted on the back of the building. Initially the Historical Society rejected the mural. They were very adamant that it was not in keeping with the historical aspect of the building, it needed to be removed, and it should not be sandblasted but meticulously taken down as to not to destroy the historic brick. For some reason or another, the Historical Society has changed their mind and the mural stands. I see it every day when I drive out of my neighborhood as does everyone else in the neighborhood.

In the Riries' letter of appeal, they assert that in denying the zoning modifications, the City is limiting their financial interest, diminishing property value and diminishing their opportunity to have a return on investment. This also has no merit. Scott and Shelly Ririe are not novices in the business world. They hold themselves out to be savvy business people, no doubt this is not the first time they have purchased and/or developed property. It would have been their responsibility to do their due diligence in researching the property and zoning prior to purchase. Contracts contingent on the buyer being able to develop property before purchase is a common practice. In fact, the City's Planning Department has a webpage that advises potential buyers to make certain that the intended use of the space is allowed before leasing or purchasing a building in Chesterfield.

The residents of Spyglass are asking that the City deny this request. A denial will not only follow the previously permitted uses for this property, but it is also in accordance with the master plan for the future of Chesterfield. Our concerns are beyond just the rezoning to allow outdoor activity. Should this venture fail, and with the proposed rezoning being in place, we may be faced with even more potentially disruptive neighbors. That is not the future of Chesterfield and we are asking the City to honor that.

### **Other Speakers in Opposition**

Bonnie & Gary Vickar, 14352 Spyglass Ridge, Chesterfield, MO

Mr. and Mrs. Vickar provided the following information.

- Baby showers, book clubs and events have taken place indoors within the Hog Hollow house so those events can continue to take place without an outdoor venue.
- The developer has stated that this is going to help the community and this is what the community wants. Having heard from numerous unsubstantiated and anecdotal statements of meeting people at church and the grocery store does not indicate the groundswell they suggest the community seems to want.
- They originally said this would not be a restaurant and that food would be catered in. Apparently, the kitchen remodel contains microwaves, ovens, etc., that would suggest that there will be on-site cooking.
- They emphasize the historical setting as opposed to any other venue. Typically, historic sites are not restaurants or bars, or places to sit and drink wine.



Frank Agovino, 14360 Spyglass Ridge, Chesterfield, MO

Mr. Agovino stated that he has lived in Chesterfield for over 30 years and one of the reasons he moved from Greentrails to Spyglass was because it was an area that he viewed as non-commercial, an area that was quiet. He urged the Council to enforce the City's master plan.

Bernard Mayer, 612 Paddington Hill Drive, Chesterfield, MO

Mr. Mayer pointed out a procedural matter with the appeal. The Ordinance says that the appeal must be filed *within* 18 days. The Planning Commission's decision was on February 13, 2023. The appeal was dated March 3, 2023 and it was filed at the last minute by email. The difference in time from the Planning Commission decision to their appeal is 18 days. The Ordinance says it must be filed *within* 18 days, not on the 18<sup>th</sup> day. In addition, with the appeal they must submit a fee of \$200. The fee was not paid with the appeal. He believes the appeal was outside of the 18-day period and it should be dismissed.

Mr. Mayer also pointed out that the application they filed for the rezoning specifically states "*List the name of the individual or company that owns the real estate.*" According to the records of the Assessor's office, the owner is Statesman Properties, LLC, who was not listed on the application nor the appeal. The appeal is printed on a plain white sheet of paper and it is signed *Heather*, who is an employee of the company. It was not signed by an officer or the manager of Statesman Properties.

They state that there are a number of Ordinances that are in conflict with one another, but they do not explain what the conflicts are. They claim the Planning Commission's decision was unduly influenced. There is no proof. However, the key to the whole situation is that they are asking for the rezoning because a denial would limit the financials, diminishes the property and opportunity for a return on investment.

Caryn Gershenson, 14366 Spyglass Ridge, Chesterfield, MO

Ms. Gershenson stated that they moved to Chesterfield and the Parkway School District because they have an intellectually disabled adult son. They moved into their home on Spyglass Ridge because it is a gated community and where their son could feel safe walking around the neighborhood. This safe and peaceful way of life will likely be disrupted by turning this quiet neighborhood into the backyard of an event space that serves alcohol and shuttles patrons to drink and be entertained. This is not something we plan to tolerate or live with if the efforts to prevent this proposal from moving forward fail. It would be our family's plan to move out of Chesterfield for the safety and security of our family. She was very impressed when Chesterfield stood up against the proposed Maryland Heights development near the River Bend subdivision. She hoped that the City would put up the same fight for the residents of Spyglass as they did for the residents of the River Bend subdivision.

Mary Louise Smith, 14380 Spyglass Ridge, Chesterfield, MO

Ms. Smith stated there seems to be a misunderstanding with some about how the residents of Spyglass feel about the "old grey house." We love the beauty of it and appreciate the history behind the house.

The owners have already made several changes without the City's permission; they went against the rules. Everyone agrees that what the owners have already done was wrong.

Should we forgive them for the wrongdoing? The law is the law. Why are there laws if they are not followed.

The parking spaces are not correct. The Facebook article says that less than 1% of the Chesterfield residents are opposed to the rezoning. We live here, Heather nor the owners live here.

They claim that they have not solicited any advertising. What is posting an article on Facebook, sending out a petition or what about the sign out front. That is advertising.

David & Kelly Kendrick, 14193 Cross Trails Drive, Chesterfield, MO

Mr. Kendrick and his wife are 50% owners in Statesman Properties, LLC. They are the owner of record for the property located at 14319 Olive Boulevard. Mr. Ririe stated he is the owner of a couple of other properties on White Road, but that is not exactly true. The owners of record for the properties on White Road is Statesman Construction, LLC, in which he and his wife are also partners. He and his wife were not aware of the original zoning meeting where the Planning Commission denied the rezoning. As 50% partners, he and his wife are in opposition of the rezoning of the property. They have provided ownership information to the City.

Alfred Brown, 14312 Spyglass Ridge, Chesterfield, MO

Mr. Brown keeps hearing them talk about community. He does not think they meant *our community* because if they meant *our community*, they would not have done a lot of the things that they have done; telling us something and then changing what they are going to do. If you do something, you do it not to the best of your ability and not lie about it. Yet they claim they are doing it for the community. This many people would not have come tonight if they were doing it for the community.

**The following individuals chose not to speak but noted their agreement with comments already made and their opposition to the petition:**

Sue Anne Hempstead, 14384 Spyglass Ridge, Chesterfield, MO

Cheryl Reeve, 14376 Spyglass Ridge, Chesterfield, MO

Victoria Higginbotham, 646 Spyglass Summit Drive, Chesterfield, MO

Andrew Smith, 14380 Spyglass Ridge, Chesterfield, MO

Mallika Ballal, 14356 Spyglass Ridge, Chesterfield, MO

Kent Higginbotham, 646 Spyglass Summit Drive, Chesterfield, MO

Barbara Wright, 14320 Spyglass Ridge, Chesterfield, MO

Susan O'Neill, 663 Spyglass Summit Drive, Chesterfield, MO

Anne Kirkpatrick, 14354 Spyglass Court, Chesterfield, MO

Elena Kratz, 651 Spyglass Summit Drive, Chesterfield, MO

Ginny McCook, 14362 Spyglass Court, Chesterfield, MO

Sylvia Murphy, 609 Spyglass Summit, Chesterfield, MO

Marge Merjavy, 633 Spyglass Summit Drive, Chesterfield, MO

Terry Wynn, 14324 Spyglass Ridge, Chesterfield, MO

Bill Wynn, 14324 Spyglass Ridge, Chesterfield, MO

M.P. Fryer, Jr., 14335 Olive Blvd, Chesterfield, MO

Herman Mitchell, 650 Spyglass Summit, Chesterfield, MO

John Hendrickson, 115 Kendall Bluff Court, Chesterfield, MO

Billie Hendrickson, 115 Kendall Bluff Court, Chesterfield, MO  
Anne Agovino, 14360 Spyglass Ridge, Chesterfield, MO  
Keith Maddox, 659 Spyglass Summit Drive, Chesterfield, MO  
Subra Vadlamani, 14350 Spyglass Court, Chesterfield, MO  
John Merjavy, 633 Spyglass Summit Drive, Chesterfield, MO  
Neil Frederickson, 629 Spyglass Summit, Chesterfield, MO  
Ruth Frederickson, 629 Spyglass Summit, Chesterfield, MO  
June Brown, 14312 Spyglass Ridge, Chesterfield, MO

## **REBUTTAL**

Scott Ririe stated they made an adjustment on the hours of operation to accommodate the residents. They have not changed the original concept of the venue. Even though it is classified as a restaurant, it is not going to be a restaurant. They will not be preparing food; only catered events will be allowed. There seems to be misinformation on hours and music, etc. but the plan does vary from our original proposal. We are going to hold events there. The idea was to have an outdoor garden, which may just end up being a waiting area. If we cannot use the patio as a restaurant, we will come up with another way to have an enjoyable experience. The events will not be loud and the hours will not be extended.

Heather Everett stated that the only things that were changed were the ones that the community objected to. We heard their concerns. We understand what they do not want. We are willing to work with the community. We want to encourage togetherness. We are here for the community. We are here to be successful.

## **DISCUSSION**

Councilmember Monachella stated that the main issue is the rezoning. No one wants Olive Boulevard to turn into a Manchester Road; therefore, we want to limit commercial uses on Olive Boulevard. The current zoning will still allow for inside events.

Planning Chair Guy Tilman stated that the Comprehensive Plan was completed in 2019-2020. At that time, there were hundreds of residents and business owners in the City of Chesterfield that participated in that process. That stretch of Olive Boulevard was the subject of discussion on numerous occasions. Although there is some existing neighborhood commercial along that stretch, it was crystal clear to the Planning Commission at that time, that residents and business owners wanted to maintain the residential character of that particular stretch of Olive and to not see a proliferation of additional commercial activity there. That is why the Comprehensive Plan, which was approved in 2020, made it clear that this section of Olive Boulevard was to remain as a residential area, not a future commercial development area. That is why the Planning Commission voted to deny the rezoning.

Chair Hansen concurred. She stated that she was the Planning Commission Chair during the development of the current Comprehensive Plan and she does not feel that this project is aligned with the Comprehensive Plan.

Councilmember Mastorakos concurred with Councilmember Monachella that we are very cognizant of commercial development along Olive Boulevard. Some of the commercial business existed before Chesterfield incorporated, therefore, the City cannot change that. We can only move forward with the current Comprehensive Plan.

Councilmember Hurt stated that he has no objection to what the owners want to do with the property. The problem is the zoning designation. Queatham House is surrounded by "R2" and

“R3” Residential Districts. The City was incorporated to protect the character of the neighborhoods and it started along Olive Boulevard. If the property was sold in the future, the rezoning would stay in effect and that is the biggest concern. Indoor events can still take place with the current zoning, and yes, Chesterfield could probably use the proposed venue, however, this is just not the appropriate location.

**Councilmember Monachella made a motion to forward P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC) to City Council with a recommendation to uphold the Planning Commission’s decision to deny the rezoning.** The motion was seconded by Councilmember Hurt and **passed by a roll code vote of 4-0 as follows:**

Councilmember Mastorakos – yes  
Councilmember Monachella – yes  
Councilmember Hurt – yes  
Chair Hansen - yes

Justin Wyse, Director of Planning stated that this item will be forwarded to the full City Council on May 1, 2023 for first reading with the second and final reading on May 15.

**Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the May 1, 2023 City Council Meeting. See Bill #**

**[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC) ]**

**C. POWER OF REVIEW: Dierbergs The Market Place (Billy G’s) Sign Package:** A sign package for Dierbergs The Market Place located on an 11.35-acre tract of land located east of Clarkson Road and north of Baxter Road, zoned “C8”- Planned Commercial District (Ward 2).

### **STAFF PRESENTATION**

Shilpi Bharti, Planner, stated that Summit Sign has submitted a Sign Package for Dierbergs The Market Place. The applicant request is to amend the existing Sign Package for Dierbergs The Market Place to include one blade sign on the west side of the outlot building in addition to the attached wall sign. The total area of the blade sign and the wall sign will not exceed 5% of the building elevation.

The project was reviewed by the Planning Commission on March 13, and they voted to approve the project by a vote of 5-2.

Ms. Bharti also stated that back in 2021, the proposed blade sign was approved as an architectural feature.

Per City Code, the City Council has called Power of Review.

### **DISCUSSION**

Councilmember Mastorakos stated that she called Power of Review and that the issue is the blade sign and the height of the lettering on the blade sign. Originally, the blade was part of the architectural definition of the building and it was not intended for signage. Now they are requesting signage on the blade.

Chair Hansen asked the applicant to speak.

Andy Barnes, Arts and Construction Management and William Gianino (Billy G's) were present. Mr. Barnes stated that the blade sign is an architectural feature and they decided to put a sign on the side of it.

There was a discussion on the blade sign location. The discussion was to have the blade sign below or flush to the roof line of the building. There was further discussion as to what is considered the actual roofline and after conferring with Mr. Barnes, Chair Hansen stated that the applicant is willing to reconsider the blade sign and is willing to resubmit a modified design.

It was agreed to postpone the project until the next Planning & Public Works Committee meeting.

**Councilmember Mastorakos made a motion to postpone Dierbergs The Market Place (Billy G's) Sign Package to the May 5, 2023 Planning & Public Works Committee meeting.** The motion was seconded by Councilmember Monachella and **passed by a voice vote of 4-0.**

**D. P.Z. 08-2023 City of Chesterfield (UDC – Article 4):** A discussion regarding the City's requirements for guarantees for required improvements associated with subdivisions.

#### **STAFF PRESENTATION**

Justin Wyse, Director of Planning, stated that the Revised Statutes of the State of Missouri allows cities to require guarantees of improvements associated with the subdivision process and these requirements are codified in Section 405.02.120 of the Unified Development Code (UDC). These regulations are put in place to ensure required improvements to serve the subdivided areas are completed.

The City accepts cash or a letter of credit for construction deposits and maintenance deposits for items including streets and sidewalks, street lights, grading, water mains, storm and sanitary sewers, bioretention and other required items.

The City currently retains 5% of all construction items until the completion of all improvements. However, as regulations have changed, this practice is having an unintended consequence of delaying the completion of subdivision improvements as MSD water quality elements are not completed until after construction of all homes within a subdivision.

There are several developments within the City that have been in the construction phase of improvements for years. While this does have some advantages for the City, it can be a detriment to the homeowners within the subdivision due to the inconvenience of incomplete subdivision improvements and additional costs (i.e., snow plowing) over an extended period because the City has not accepted the roadways. One of the goals of the City's subdivision requirements is to complete improvements within two years.

To better achieve the outcome and intent of the City's regulations, Staff is recommending to remove escrow requirements for items that are completed following all construction activity. This would remove the barrier of completion of final stormwater improvements to completion of other subdivision improvements.

**Councilmember Hurt made a motion to direct Staff to work with the Planning Commission to draft an ordinance to amend Article 4 of the Unified Development Code pertaining to escrow requirements.** The motion was seconded by Councilmember Mastorakos.

#### **Discussion after the Motion**

As an example, Chair Hansen stated that there was an issue at Burr Oaks relative to landscaping. Improvements were not completed and the homeowners hoped that the City would not give the developer all the money back because they never properly finished the job. Mr. Wyse replied that these changes will not have an impact on landscaping. This will give the City the ability to push developers to complete the job. For example, in Schoettler Grove, the developer completed their work. The City inspected the streets and told the developer that all the street slabs need to be replaced. The developer then said that they will replace them in ten years when they have completed building. The City will hold the money anyway, so why would they replace the slabs until everything is completed. Therefore, the developer will not make the necessary repairs because it is against their interest. Therefore, the residents are living with substandard infrastructure.

Councilmember Hurt pointed out one downside. For example, in Schoettler Grove; if these changes are exacted, this will put pressure on the developer to finish the last one or two homes, even if it is a spec home, rather than leaving an empty lot there with a Johnny-On-The Spot for years.

City Attorney Chris Graville explained the purpose of an escrow. If a developer goes defunct, the City will have to complete the job. Compare the cost for a sidewalk 25 years ago to today's cost. If the escrow is held for several years, there may not be enough escrow funds to cover the current cost. Shortening the timeframe of holding escrows will be a benefit to the City.

**The above motion was passed by a voice vote of 4-0.**

- E. P.Z. 09-2023 City of Chesterfield (UDC – Article 3: Recreational Uses):** A discussion regarding the City's zoning districts and locations for where recreational uses are appropriate.

#### **STAFF PRESENTATION**

Justin Wyse, Director of Planning, stated that the City's Unified Development Code (UDC) contains several recreational uses and zoning districts in which certain uses are permitted. In reviewing the use table, Staff believes there are reasonable changes that should be considered.

Many recreational uses that were previously permitted in the Planned Industrial District, are no longer permitted in any other district. Does the City want to move those recreational uses out of the industrial areas or does the City want to be more inclusive in allowing recreational uses in an industrial area.

This item is being forwarded to the Planning & Public Works Committee prior to working with the Planning Commission on any potential updates to the UDC.

#### **DISCUSSION**

There was some general discussion regarding combining recreational uses within an industrial area.

**Councilmember Mastorakos made a motion to direct Staff to work with the Planning Commission to determine if the Unified Development Code needs to be updated pertaining to Recreational Uses in Zoning Districts.** The motion was seconded by Councilmember Hurt and **passed** by a voice vote of 4-0.

- F. Traffic Generation Assessment (TGA) Trust Fund Rate Schedule:** An ordinance establishing an annual rate schedule for the five Traffic Generation Assessment (TGA) trust funds in the City of Chesterfield, Missouri.

### **STAFF PRESENTATION**

Justin Wyse, Director of Planning, stated that the City utilizes Traffic Generation Assessment (TGA) trust funds. The TGA assessment is calculated by a dollar amount per measurable unit, typically per parking/loading space.

TGA rates are increased or decreased annually to account for changes in construction costs. The St. Louis County Department of Transportation uses the percent change for the construction cost index for the St. Louis area as published in the Engineering News Record to determine the rate of increase or decrease and the City has followed the same methodology.

The proposed ordinance updates the previously defined rate schedules based on the increases in costs that the City has seen over the past year.

**Councilmember Hurt made a motion to forward an ordinance amending the Traffic Generation Assessment Trust Fund Rate schedule to City Council with a recommendation to approve.** The motion was seconded by Councilmember Mastorakos and **passed** by a voice vote of 4-0.

**Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the May 1, 2023 City Council Meeting. See Bill #**

**[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on an ordinance amending the Traffic Generation Assessment Trust Fund Rate schedule.]**

- G. Chapter 353 Procedure Ordinance:** An ordinance adopting a procedure for considering development plans pursuant to Chapter 353 of the Revised Statutes of Missouri, as amended.

### **STAFF PRESENTATION**

Justin Wyse, Director of Planning, stated that Council had previously directed Staff to begin the process of consideration of a Chapter 353 redevelopment area around Chesterfield Mall.

The proposed ordinance satisfies the legal requirements for a municipality to have an ordinance that details the procedure for the review of proposals under Chapter 353.

This is only a procedural matter. The ordinance does not deal with tax abatement or financial incentives. This merely establish a procedure for sending out legal notices.

**Councilmember Monachella made a motion to forward the Chapter 353 Procedure Ordinance to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos and passed by a voice vote of 4-0.**

**Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the May 1, 2023 City Council Meeting. See Bill #**

**[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on Chapter 353 Procedure Ordinance.]**

**IV. OTHER**

**V. ADJOURNMENT**

The meeting adjourned at 7:50 p.m.

Draft



**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 14<sup>th</sup> 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



Wendi Alper-Pressman

Direct T 314.342.8055 F 314.621.5065

walperpressman@atllp.cm

April 20, 2023

**VIA E-MAIL and First Class Mail**

City of Chesterfield  
Attn: Justin Wyse, Director of Planning  
Chesterfield City Hall  
600 Chesterfield Parkway W  
Chesterfield, MO 63017-0670  
**PDSDirector@chesterfield.mo.us**

**Re:** 3.17 acres located at 17803 Wild Horse Creek Road, Chesterfield, MO 63005, Locator No.: 18V140065; 30.89 acres located at 17815 Wild Horse Creek Road, Chesterfield, MO 63005, Locator No.: 18V130098; and 1 acre located at 17831 Wild Horse Creek Road, Chesterfield, MO 63005, Locator No.: 18V140099  
(the “Barat Academy Property”)

Dear Mr. Wyse:

As you are no doubt aware, this Firm represents Midland States Bank (hereinafter the “Owner”) which is the record title holder to the Barat Academy Property referenced above, and hereafter referred to as the “Property”. As noted in my correspondence dated March 28, 2022, the Owner does not want the Barat Academy to be zoned in a manner in which is inconsistent with the McBride Planned Unit Development approved by the City of Chesterfield on or about February 14, 2022.

The Owner **opposes** any change to the current zoning of the Property and has not authorized any person or entity to act on its behalf to modify said current zoning. To the extent there is a pending zoning request that has been submitted to the City of Chesterfield, the Owner asserts that such request should, consistent with its long standing practice to permit any property owner to withdraw such request, be withdrawn. The St. Austin School lacks standing to pursue rezoning of the Property in which it is not the owner, and it is the Owner’s position that any action other than a withdrawn/revocation of any pending zoning application will significantly and negatively impair the value of the Owner’s interest in the Property.

Should you have any questions or concerns regarding this Letter, please contact the undersigned.

Very truly yours,

ARMSTRONG TEASDALE LLP

A handwritten signature in black ink, appearing to read "Wendi Alper-Pressman". The signature is fluid and cursive, with a large initial "W" and a long, sweeping underline.

By: Wendi Alper-Pressman

# Memorandum

## Department of Planning



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: May 1, 2023

RE: P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC): A request for a zoning map amendment from a "NU" Non-Urban District with a Historic Overlay to a "PC" Planned Commercial District with a Historic Overlay for a 2-acre tract of land located north of Olive Blvd (16R310974).

### Summary

Queatham House, LLC, has submitted a request for a zoning map amendment from a "NU" Non-Urban District with a Historic Overlay to a "PC" Planned Commercial District with a Historic Overlay. The petitioner is requesting additional permitted uses, revised hours of operation, and updated development criteria. No changes to the existing structure are proposed at this time. This submittal includes a narrative statement, Preliminary Development Plan, and Tree Stand Delineation.

A Public Hearing was held on September 12<sup>th</sup>, 2022 at which time the Planning Commission and general public discussed the zoning map amendment. Several issues were raised during this discussion by residents of the adjacent neighborhoods. Following the Public Hearing, Staff sent the petitioner a letter providing a concise list of the issues that were raised. The petitioner was asked to provide a formal response to the issues outlined in the letter. The formal response letter has been attached to this report.

These issues and the applicant's response to each issue were discussed at the February 13, 2023 Planning Commission meeting. At that time, Planning Commission made a motion to approve the request as presented. The motion failed by a vote of 0-9.

Following a failed motion to approve, the petitioner filed an appeal of the Planning Commission's decision in accordance with [Section 405.02.190 Appeals And Protest](#). The appeal request has been attached to this memo.

A Public Hearing was held at the April 20<sup>th</sup>, 2023 Planning & Public Works Committee meeting. At that time, the Committee made a motion to recommend denial by a vote of 4-0.

### Attachments:

- 1) Applicant request to appeal
- 2) February 13, 2023 Planning Commission packet



Figure 1: Subject Site Aerial

BILL NO. 3440

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY REPEALING ORDINANCE 1960 AND CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT WITH A HISTORIC OVERLAY TO A "PC" PLANNED COMMERCIAL DISTRICT WITH A HISTORIC OVERLAY FOR A 2-ACRE TRACT OF LAND LOCATED NORTH OF OLIVE BLVD (16R310974).

WHEREAS, the petitioner, Queatham House, LLC, has requested a change in zoning from an "NU" Non-Urban District with a Historic Overlay to a "PC" Planned Commercial District with a Historic Overlay for a 2-acre tract of land located north of Olive Blvd; and,

WHEREAS, a Public Hearing was held before the Planning Commission on September 12, 2022; and,

WHEREAS, the Planning Commission, having considered said request, made a motion to recommend approval and the motion failed by a vote of 0-8; and,

WHEREAS, the petitioner, Queatham House, LLC, filed an appeal in accordance with Section 405.02.190; and,

WHEREAS, the appeal was forwarded to the Planning & Public Works Committee by the City Council on March 20, 2023; and,

WHEREAS, a Public Hearing was held before the Planning & Public Works Committee on April 20, 2023; and,

WHEREAS, the Planning & Public Works Committee, having considered said request, approved a motion to recommend denial by a vote of 4-0; and,

WHEREAS, the City Council, having considered said request, voted to approve the change in 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 a "PC" Planned Commercial District with a Historic Overlay for a 2-acre tract of land located north of Olive Blvd and as described as follows:



A tract of land being part of U.S. Survey 206, Township 46 North, Range 4 East and being more particularly described as follows:

Beginning at a point on the North line of Olive Street Road, variable width, said point also being on the East line of the record plat of The Mansions at Spyglass Summit, as recorded in Plat Book 268 Page 90, of the St. Louis County Records; thence along said east line, North 12 degrees 07 minutes 02 seconds West, a distance of 247.75 feet to a point on the South line of said Mansions at Spyglass Summit Plat; thence along said South Line North 78 degrees 23 minutes 12 seconds East, a distance of 406.16 feet to the Southeast corner of said Mansions at Spyglass Plat; thence South 00 degrees 28 minutes 09 seconds East, a distance of 210.53 feet to a point on the North line of the aforementioned Olive Street Road; thence along said North line South 71 degrees 12 minutes 27 seconds West, a distance of 92.95 feet; thence South 72 degrees 09 minutes 43 seconds West, a distance of 272.67 feet to the point of beginning, containing 87,120 square feet or 2.00 acres, more or less.

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 Queatham House, LLC, in P.Z. 04-2022, requesting the rezoning embodied in this ordinance, and after public hearings, held by the Planning Commission on the 12<sup>th</sup> day of September 2022 and by the Planning & Public Works Committee on the 20<sup>th</sup> day of April 2023, 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 Section 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: 05/01/2023

## ATTACHMENT A

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

### I. SPECIFIC CRITERIA

#### A. HISTORIC AND LANDMARK DESIGNATION

1. A landmark designation was established for the structure located at 14319 Olive Boulevard in 2003 (LPC 1-2003 Ravens-Queatham House) and shall adhere to the regulations set forth in the City of Chesterfield Unified Development Code [Section 405.02.060 Landmark And Preservation Area \(LPA\) And Historic \(H\) Designation Procedures](#) and [Section 405.03.050 Overlay Districts And Zoning Procedures](#).
2. Any modification to the site in exception to a building(s) interior shall require a Certificate of Appropriateness from the appropriate associated committee, board and/or commission. The Certificate of Appropriate shall be reviewed against the adopted regulations and design guidelines of that committee, board, and/or commission.
3. A nomination of a Landmark and Preservation Area or Historic Designation requires the significant exterior architectural features to be declared. The significant exterior architectural features for the referenced property as declared in 2003 include but are not limited to:
  - a. The 13” brick walls of the original 1859 structure and the 1916 addition.
  - b. The two symmetrical brick end chimneys.
  - c. The deeply inset 42” wide front door with an arched leaded-glass transom light.
  - d. The one-over-one, double-hung windows with segmental arches and fitted shutters.
  - e. The two-story four column portico.
  - f. The vertical board and batten sided pony barn located in the rear of the site.

#### B. PERMITTED USES

1. The uses allowed in this “PC” Planned Commercial District shall be:
  - a. Banquet facility
    - i. Events shall not exceed forty-nine (49) persons and/or the occupancy limit for the site, whichever is less.
  - b. Restaurant, sit-down
    - i. Seats shall not exceed forty-nine (49) and/or the occupancy limit for the site, whichever is less.

- c. Retail sales establishment, community
  - d. Farming, livestock, and stables. Farming includes cultivation and sale of crops, plants, and domestic animals with no salesrooms
    - i. The square footage and location shall be depicted on the Site Plan as approved by Planning Commission.
    - ii. Livestock and stable use shall be prohibited.
    - iii. Farming shall exclude the domestic animals use.
2. Hours of Operation
- a. Permitted hours of operation for all uses shall be limited from 11:00 a.m. to 9:00 p.m. Thursday through Sunday.
  - b. All deliveries and trash pick-ups shall be limited from 7:00 AM to 4:00 PM.

### **C. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS**

1. Floor Area
- a. The existing floor area shall be maintained. Any request for modification shall be reviewed and approved by the appropriate associated committee, board and/or commission.
  - b. Any "PC" Planned Commercial District shall have a maximum F.A.R of 0.55.
2. Height
- a. The existing building height shall be maintained. Any request for modification shall be reviewed and approved by the appropriate associated committee, board and/or commission.
3. Building Requirements
- a. A minimum of thirty-five percent (35%) openspace is required.

### **D. SETBACKS**

1. Structure Setbacks
- a. No building or structure, other than: a freestanding project identification sign, light standards, public art installation, or flag poles will be located within the following setbacks:
    - i. Thirty-five (35) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.
    - ii. Fifty (50) feet from the right-of-way of Olive Blvd on the southern boundary of this "PC" District.
2. Parking Setbacks

- a. No parking stall or loading space, internal driveway, or roadway, except points of ingress or egress, will be located within the following setbacks:
  - i. Twenty-five (25) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.
  - ii. Fifty (50) feet from the right-of-way of Olive Blvd on the southern boundary of this "PC" District.

#### **E. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development shall be as required in the City of Chesterfield Code.
2. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.
3. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
4. Parking lots shall not be used as streets.

#### **F. LANDSCAPE AND TREE REQUIREMENTS**

1. The developer shall adhere to the Tree Preservation and Landscape Requirements of the City of Chesterfield Code.
2. The property shall be adequately screened from any abutting property designated on the Comprehensive Land Use Plan as residential. Screening may include fencing and/or evergreen trees. The fencing and/or evergreen trees shall provide year-round screening.

#### **G. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Unified Development Code or a Sign Package may be submitted for the planned district. Sign packages shall adhere to the City of Chesterfield Unified Development Code.
2. Installation of Landscaping and Ornamental Entrance Monument or Identification Signage construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Transportation, for sight distance consideration and approved prior to installation or construction.

#### **H. LIGHT REQUIREMENTS**

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Unified Development Code.
2. Street lights shall be provided along Olive Blvd in accordance with the City of Chesterfield Unified Development Code and as directed by the City of Chesterfield.

#### **I. SOUND REQUIREMENTS**

1. A sound plan for outdoor music shall be provided and will be as approved by the City of Chesterfield Planning Commission.
2. No outdoor music shall be permitted without an approved sound plan.

#### **J. ACCESS/ACCESS MANAGEMENT**

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

#### **L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the agency in control of the right of way off of which the entrance is constructed. No gate installation will be permitted on public right of way.
2. If a gate is installed on a street in a development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.
3. All roadway and related improvements in each plat or phase of the development shall be constructed prior to issuance of building permits exceeding 60% for that plat or phase. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 60%.
4. Provide a 5-foot-wide sidewalk, conforming to ADA standards, along all frontages of the site. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within right-of-way controlled by another agency, if permitted by that

agency or on private property within a 6-foot-wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.

5. Obtain approvals from the City of Chesterfield and the Missouri Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
6. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation and the City of Chesterfield.

#### **M. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Chesterfield Airport Road. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

#### **N. POWER OF REVIEW**

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

#### **O. STORM WATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield and the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on all Site Development Plans.

3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.
6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
7. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).

**P. SANITARY SEWER**

1. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
2. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).

**Q. GEOTECHNICAL REPORT**

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

**R. MISCELLANEOUS**

1. All utilities will be installed underground.
2. Prior to redevelopment of this property, provide detailed plans to MoDOT for review and approval.
3. Street lights shall be required along public right-of-way frontage.

4. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.
5. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City of Chesterfield, Missouri Code, with the exception of the land use designation, shall be required where applicable.
6. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield, MoDOT, and St. Louis County Department of Transportation. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
7. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
8. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
9. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Study and Floodplain Development Permit/Application to the City of Chesterfield and the City of Wildwood for approval. The Floodplain Study must be approved by the City of Chesterfield prior to the approval of the Site Development Plan, as directed. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development. Elevation Certificates will be required for any structures within the Special Flood Hazard Area or the Supplemental Protection Area. All new roads within and adjacent



to this site shall be constructed at least one (1) foot above the base flood elevation of the Special Flood Hazard Area. Improvements to existing roadways shall be required as necessary to provide at least one access route to each lot that is at least one (1) foot above the base flood elevation. Consult Article 5 of the Unified Development Code for specific requirements.

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

## **II. GENERAL CRITERIA**

### **A. SITE DEVELOPMENT CONCEPT PLAN**

1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code.
2. Include a Conceptual Landscape Plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a Lighting Plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the St. Louis County Department of Highways and Traffic, Monarch Chesterfield Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.
5. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

### **B. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide open space percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.

8. A note indicating signage approval is separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.
14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation, Metropolitan St. Louis Sewer District (MSD), and St. Louis County Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

### **C. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS**

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
3. Provide open space percentage for overall development including separate percentage for each lot on the plan.
4. Provide Floor Area Ratio (F.A.R.).
5. A note indicating all utilities will be installed underground.
6. A note indicating signage approval is separate process.
7. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Indicate location of all existing and proposed freestanding monument signs.
10. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
11. Floodplain boundaries.
12. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
13. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
14. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
15. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
16. Address trees and landscaping in accordance with the City of Chesterfield Code.
17. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
18. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri

Board for Architects, Professional Engineers and Land Surveyors requirements.

19. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, St. Louis County Department of Transportation, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
20. Compliance with Sky Exposure Plane.
21. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

### **III. RECORDING**

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

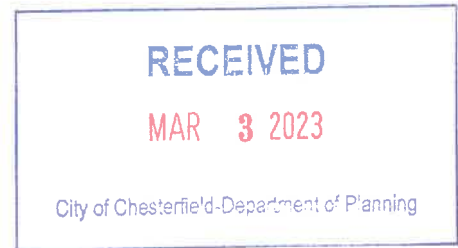
### **VI. ENFORCEMENT**

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

RECEIVED MAR 03 2023

March 2, 2023

City of Chesterfield, MO  
C/O: Alyssa City Council  
690 Chesterfield Parkway W  
Chesterfield, MO 63017-0760



Sent via email to: [aahner@chesterfield.mo.us](mailto:aahner@chesterfield.mo.us)

**RE: P.Z. 04-2022 14319 Olive Blvd (Queatham House, LLC)  
Appeal on recommendation of denial by the Planning Commission**

Mrs. Ahner,

This letter is to inform you and the City of Chesterfield, that we the petitioner; appeal the denial or recommendation of denial for zoning request changes, by the City of Chesterfield Planning Commission on February 13, 2023.

- I. Background for appeal
  - a. Conflicting ordinances (past and present) conflict with denial decision for the P.Z. 04-2022, 14319 Olive Blvd. (Queatham House LLC).
- II. Pursuant to P.Z. 04-22, P.Z. 1-2003, P.C. 120-84, LPC 1-2003, and Amendment(s) therein. Ordinance(s) 1960, 482, 444, 1719, 11,734 (St. Louis County)
- III. Council decision based on less than 1% of chesterfield taxpayers and residents. Limits financials and diminishes property and opportunity for return on investment.
- IV. Allegations of opposing parties influencing the Planning Commission's decision on way of voting.
- V. Alleged assumptions and allegedly put influence in the way of voting.

Please do not hesitate to contact me at (801) 649-8437 or [heverett.oldhouse@outlook.com](mailto:heverett.oldhouse@outlook.com) if you have any questions.

Sincerely,

Heather Everett  
Old House in Hog Hollow

Cc: Scott and Shelley Ririe  
City Clerk (Filed)



Old House  
in Hog Hollow

P.Z. 04-2022 14319 Olive Blvd

RECEIVED

(Queatham House, LLC)

MAR 3 2023

City of Chesterfield-Department of Planning

Request to look at P.C. 120-84 - Bill No. 479, Ordinance 482 and 444 which passed and was approved, also remains in effect and full force from and after its passage and approval.

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

Section 1. Ordinance Number 11,734 approved by St. Louis County establishing a landmark preservation area development in the "NU" Non-Urban District on a 2.3 acre tract of land located on the north side of Olive Boulevard at Westernmill Drive on October 16, 1984 is hereby amended by deleting under Section 2 the following subsections 1.b.(3), 2.b.(2), 2.b.(8)(b) and 7.a and substituting new subsections 1.b(3), 2.b.(2), 2.b.(8)(b) and 7.a as set out on the amended Attachment "A" which is attached hereto and made a part hereof.

Section 2. This preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted subject to all of the ordinances, rules and regulations and specific conditions as set out in the original approval by St. Louis County and its attachments which were set out in Attachment "A" and which are

Section 3. The City Council, pursuant to the petition filed by Queatham House, Ltd, pursuant to P.Z. 120-84 of St. Louis County requesting the amendments as amended and approved and with changes as embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said amendments be granted and after due consideration thereof, 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. In all other respects, the original ordinance that had been passed by St. Louis County as relates to this development are to remain in full force and effect.

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

Passed and approved this 7<sup>TH</sup> day of MAY, 1990.

Acting [Signature] MAYOR



*Old House*  
in Hog Hollow

P.Z. 04-2022 14319 Olive Blvd  
(Queatham House, LLC)

**Request to adopt and put in motion Bill No. 479 Ordinances 482, 444 that will coincide with the City of Chesterfields approval for amendment(s) made by St. Louis County Ordinance No. 11,734 with Attachment A**

**1. PERMITTED USES**

This Landmark and Preservation Area Permit shall authorize the operation of a sit-down restaurant, museum, and retail shops. Permitted retail shops shall be limited to antique shops, art shops, and craft shops.

a. The following restrictions shall apply to the above uses:

- (1) Retail shops and the restaurant use shall be contained in the existing primary structure on the site, which may be modified or extended as approved by the Planning Commission on the Site Development Plan. The existing garage on the site may be used for accessory uses.
- (2) A portion of the foyer and the living room and a minimum of one (1) bedroom on the second floor shall remain in an 1800 period decor and shall not include any retail sales or restaurant activity.
- (3) Capacity of the indoor restaurant shall be limited to forty-five (45) seats, and total commercial area shall not exceed 2,004 square feet.

Retail will be an Arts/Crafts shop which will be consisting of gallery, craft store, online shop, or boutique. We will also purchase goods from an art or craft business locally and in turn, will sell handcrafted goods to the end user/consumer. Offer art services and classes. We will also sell products from merchants that have artistic boutique/retail items (including but not limited to restaurant items and alcoholic beverages for consumption and wholesale wine).

Requesting outdoor patio to be used in the weather permitting times for Art/Craft services as needed between the hours 3-5 p.m. allowing no more than two (2) times in a weather permitting months if outdoors are needed.



*Old House*  
in Hog Hollow

P.Z. 04-2022 14319 Olive Blvd

(Queatham House, LLC)

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**“Restaurant, sit-down”** which is defined as “An establishment maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools.

- **Restaurant**

- On-Premises beverage consumption
- Wood Fire Pizza
- Fundraising/Special Evenings – guest chef dinner evenings once a month/once a quarter Charcuterie Boards
- Specialty Cheeses and meats
- Local farmers that will come and educate guests on products and buying local
- Wine tasting
- Wine sales

Requesting outdoor patio to be used for outdoor dining during the hours of 9:00 a.m. 6:00 p.m. in weather permitting months/days.

Requesting that one day a month (weather permitting) we would be able to have outdoor music from hours between 3:00 p.m. and 5:00 p.m. No other outdoor music will be allowed other than the once (1) a month (or less) request above. This will be limited to being planned, announced and only between 3:00 p.m. and 5:00 p.m.





*Old House*  
in Hog Hollow

## Setbacks and Miscellaneous

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**Building Setbacks:** No structure shall be permitted within thirty-five (35) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation.

*The existing building setbacks for the Old House in Hog Hollow will stay the same and no changes are being requested at this time. The existing building setbacks are:*

**Front Yard: 50 ft.**

**Side Yard: 20 ft.**

**Rear Yard: 20 ft.**

**Parking Setbacks:** No new parking stall, internal drive, or roadway, excluding points of ingress and egress, shall be located within following setbacks.

*The existing parking setbacks for the Old House in Hog Hollow will stay the same and no changes are being requested at this time. The existing parking setbacks are:*

*a.) One hundred fifty (150) feet from new right-of-way on Olive Boulevard.*

*b.) One hundred (100) feet from the east property limits of the site.*

*c.) Seventy (70) feet from west property limits of the site.*

*d.) Fifteen (15) feet from north property limits of the site.*

*e.) However, a max of four (4) parking spaces, shall me allowed along the northside of existing structure, immediately west of entrance.*

**Access:** Access to the site shall be limited to one (1) bi-directional drive from Olive Boulevard, location approved by the Missouri State Highway and Transportation Department and the Planning Commission on the site development plan.



*Old House*  
in Hog Hollow

## Miscellaneous

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**Open Space Requirements:** A provision for common open space shall be provided in the district at a minimum of thirty-five percent (35%) of the total site acreage. Open space should be integrated into the development to provide aesthetic, recreational, or other public benefit.

*A minimum of thirty-five percent (35%) open space is required for this development.*

**Max floor area ratio:** Density. The maximum floor area ratio is fifty-five hundredths (0.55).

*The total floor area of this site shall not exceed its existing square footage and shall be based on the ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.*

**Hours of Operation:** Hours of operation. The hours of operation, including hours open to the public and hours for the loading and unloading of deliveries, shall be established in the planned district ordinance.

*June 28<sup>th</sup>, 1993, Ordinance Number 482 was recommended to be approved and will be revised per owner's request.*

*Permitted hours of operation for all retail uses shall be limited to 7:00 am until 6:00 p.m., seven (7) days a week.*

**Proposed Hours of Operation:**

10:00 a.m. until 7:00 p.m. Monday through Thursday

11:00 a.m. until 9:00 p.m. Friday and Saturday

Closed Sundays

Deliveries and un-loading deliveries will be between the hours of 10:00 a.m. until 3:00 p.m.



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690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

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## Planning Commission Vote Report

Meeting Date: February 13, 2023  
From: Alyssa Ahner, Planner  
Location: 14319 Olive Blvd  
Description: P.Z. 04-2022 14319 Olive Blvd (Queathem House, LLC): A request for a zoning map amendment from a "NU" Non-Urban District with a Historic Overlay to a "PC" Planned Commercial District with a Historic Overlay for a 2-acre tract of land located north of Olive Blvd (16R310974).

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### PROPOSAL SUMMARY

Queathem House, LLC, has submitted a request for a zoning map amendment from a "NU" Non-Urban District with a Historic Overlay to a "PC" Planned Commercial District with a Historic Overlay. The petitioner is requesting additional permitted uses, revised hours of operation, and updated development criteria. No changes to the existing structure are proposed at this time. This submittal includes a narrative statement, Preliminary Development Plan, and Tree Stand Delineation.

### HISTORY OF SUBJECT SITE

- 1965: Site was zoned "NU" Non-Urban District with the adoption of the St. Louis County Zoning Ordinance.
- 1981: A request to rezone from "NU" Non-Urban to "C8" Planned Commercial District was denied "due to the desire not to establish a precedent for commercial rezoning along this portion of Olive Blvd".
- 1983: A Landmark and Preservation Area (LPA) was requested in conjunction with P.C. 77-83 to allow retail shops and a restaurant in the existing residence. The proposal included an outdoor garden seating area as well as the sale of wine and beer. Planning Commission recommended approval by a vote 6-3 with the majority noting the landmark

characteristics of the property. The proposal was referred to Public Improvements Committee (PIC) and a recommendation of denial was made.

- 1984: Petitioner met with members of neighborhood associations in the area and modified their original request. P.C. 120-84 requested a Landmark and Preservation Area (LPA) in addition to permitting retail and restaurant uses. The restaurant was limited to 25 seats and would be located entirely within the residence. The hours of operation would be 10:00 a.m. to 4:00 p.m. Monday through Saturday. Planning Commission recommended approval. On October 16<sup>th</sup>, 1984, St. Louis County Council made a motion to approve Ordinance No. 11,734.
- 1990: Ordinance 444 was approved by City of Chesterfield City Council. The ordinance approved amendments to the original ordinance which allowed the expansion of the tea room area from 25 seats to 45 seats; restricted the specified total commercial area to a maximum of 2,004 square feet; permitted a maximum of 4 parking spaces along the north side of the existing structure; specified that the parking area landscape screening was to include evergreen trees; and, amended the hours of operation from 10:00 a.m. to 4:00 p.m. Monday through Saturday to 7:00 a.m. to 4:00 p.m. seven days a week. Ordinance 482 was approved later that year permitting the sale of wine and beer, by the drink, for consumption on the premises.
- 1993: After switching ownership, a request was made to amend the hours of operation. For a limited time, the hours of operation for the retail use would be from 7:00 a.m. to 5:00 p.m. Upon completion of Olive Blvd improvements, the hours of operations for the retail use would be from 7:00 a.m. to 6:00 p.m. The hours of operation for the restaurant use would be limited from 7:00 a.m. to 4:00 p.m. seven days a week. Planning Commission passed a motion to approve by a vote of 8-0. The proposal was referred to Planning and Zoning Committee (now Planning & Public Works Committee) and a motion to approve passed by a vote of 3-0. City Council passed a motion to approve on August 16<sup>th</sup>.
- 2001: Ordinance 1719 established a Landmarks and Preservation Ordinance of the City of Chesterfield to include a Landmarks Preservation Committee.
- 2003: Ordinance 1960 establishing a landmark designation and design guidelines for the subject site was approved.

**ZONING & LAND USE**

Direction	Zoning	Land Use
North	"R2" Residence District	Residential
South	"R2" Residence District & Olive Blvd	Residential
East	"R3" Residence District	Residential
West	"R2" Residence District	Residential



Figure 1: Zoning Map



Figure 2: Land Use Map

**COMPREHENSIVE PLAN**

The City of Chesterfield Comprehensive Land Use Plan indicates the subject site as being part of the Suburban Neighborhood land use designation. The City of Chesterfield provides a character description of this designation as, *"Land typically developed as a neighborhood for single-family detached homes with uniform housing densities. Buildings are oriented interior to the site and typically buffered from surrounding development by transitional uses, topography, preserved open space, or landscape areas. Many neighborhoods borrow open space from adjacent rural or natural settings, which means adjacent trees, pastures, etc. Homes vary in sizes and streets are suburban in character"*. The development policies for Suburban Neighborhood are listed below:

- Encourage preservation of existing residential neighborhood's identity
- New residential development should reinforce existing residential development patterns by continuing to reinforce high quality site and subdivision design, layout, and planning practices
- Uncover the anticipated expense (cost of municipal infrastructure) for each new or re-developed residential development

## PLANNED COMMERCIAL DISTRICT

Per Section 405.03.040, "*The regulations of the PC District offer a method for commercial and limited light industrial development of land in the City of Chesterfield that allows flexibility in applying certain zoning standards. The PC District method allows innovative designs, meets market niches, and promotes well-designed developments.*"

A Planned Commercial District should have the following outcomes:

- Ensure consistency with the Comprehensive Plan;
- Promote more efficient use of land;
- Incorporate site features, such as topography, views, vegetation, water features, and other factors into the design so they become assets to the development;
- Promote building styles and architectural styles that complement one another;
- Allow a mix of uses that are designed to negate potential conflicts that normally occur between incompatible land uses;
- Promote the most efficient arrangement of circulation systems, land use, and buildings;
- Promote environmentally sensitive developments; and
- Allow development under a specifically approved design concept and site plan.

## PUBLIC HEARING AND PROJECT UPDATE

A public hearing was held on September 12<sup>th</sup>, 2022 at which time the Planning Commission and general public discussed the zoning map amendment. Several issues were raised during this discussion by residents of the adjacent neighborhoods. Following the public hearing, Staff sent the petitioner a letter providing a concise list of the issues that were raised. The petitioner was asked to provide a formal response to the issues outlined in the letter. The formal response letter has been attached to this report.

Following notification that work had been completed on site without an approved site plan and without a Certificate of Appropriateness, Staff sent a notice of violation to the petitioner. A copy of the notice of violation has been attached to this report. In order to work towards remediating the open violations retroactively, the petitioner submitted a Site Development Plan for review under the existing zoning (Ordinance 1960) and applied for a Certificate of Appropriateness.

The Certificate of Appropriateness was reviewed by CHLPC on December 12, 2022 at which time the Committee made the following motions:

- 1) A motion to approve the repainted shutters. The motion passed by a vote 9-0.
- 2) A motion to deny the mural that was painted on the north elevation. The motion passed by a vote of 8-1.
- 3) A motion to approve the fencing that was installed along the western property line. The motion passed by a vote 7-2.
- 4) A motion to hold the decision regarding the flagstone patio. The motion passed by a vote 9-0.

The minutes for the December 12, 2022 are attached to this report. Following the December 12, 2022 CHLPC meeting, the petitioner provided additional information to Staff pertaining to both the mural and the flagstone patio. The project was reviewed for a second time at the January 11, 2023 CHLPC meeting at which time the Committee made the following motions:

- 1) A motion to approve the flagstone patio. The motion passed by a vote 9-0.
- 2) A motion to approve the mural with the condition that the mural not be repainted once it starts to deteriorate. The motion passed by a vote 7-2.

The minutes for the January 11, 2023 meeting will not be available until they have been accepted at the March 2023 CHLPC meeting. The property is now in compliance in terms of receiving the necessary Certificate of Appropriateness for the projects that had already been completed. The last item to bring the property into compliance is an approved Site Development Plan. As mentioned previously, this was submitted and will be reviewed by the Planning Commission on the same evening as the zoning petition.

A draft of the development criteria for the proposed "PC" Planned Commercial District is attached to this report. The following sections of this report break down the critical development criteria including any additional motions that would be required by the Planning Commission in order for the petitioner's request to be approved as presented.

## PERMITTED USES

The uses proposed at the public hearing are the same uses being proposed in the Attachment A. However, after discussions with St. Louis County, the occupancy limit for the building would be approximately 49 persons. A clause has been added to the requested uses that event guests and/or restaurant patrons shall not exceed 49 persons and/or the occupancy limit for the site, whichever is less. A clause has also been added to the "Farming, livestock, and stable" use to prohibit the livestock and stable use. This would allow the proposed grapevine yard while prohibiting the other components of that use.

## SETBACKS

Per Section 405.03.040 Planned Zoning Districts And Regulations, *"No structure shall be permitted within thirty-five (35) feet of a property line adjoining property designated on the Comprehensive Land Use Map as being residential or park/recreation"*. The subject site is surrounded by residential property to the north, east, and west thus the thirty-five (35) foot structure setback is being requested. This would prohibit any future development in this area. However, the existing structure encroaches into a thirty-five (35) foot setback on the western side of the property. The approval of this "PC" Planned Commercial District as presented would require a passing approval motion for the district as a whole and then an additional motion to allow the existing structure to encroach into the setback. The additional motion shall require a 2/3 vote of the Planning Commission.

Per Section 405.03.040, *"No parking area, internal drive, loading space, or structure shall be permitted within twenty-five (25) feet of a property line adjoining property designated on the*

*Comprehensive Land Use Map as being residential or park/recreation*". The subject site is surrounded by residential property to the north, east, and west thus the twenty-five (25) foot parking setback is being requested. This would prohibit any future development in this area. However, the existing parking area encroaches into a twenty-five (25) foot setback on the northern portion of the property. The approval of this "PC" Planned Commercial District as presented would require a passing approval motion for the district as a whole and then an additional motion to allow the existing parking area to encroach into the setback. The additional motion shall require a 2/3 vote of the Planning Commission.

## LANDSCAPE BUFFER

Per Section 405.04.020 (K)(2) Landscape Buffers, Setbacks, Berms or Walls, a minimum 30-foot-wide landscape buffer shall be required when a residential development abuts a non-residential development. A 30-foot-wide landscape buffer is also required for a development along a collector or arterial roadway. The existing structure and parking area does not allow for a 30-foot-wide landscape buffer. Per Section 405.04.020, "Flexible landscape buffer requirements may be granted by the Director of Planning in cases where it can be demonstrated that the proposed landscape buffer encourages a creative design solution to the issue of buffering adjacent land uses". The landscape buffer would be reviewed during the Site Plan Review process, however, specific requirements for the landscape buffer could be included in the zoning of the property if the Planning Commission made the recommendation. Examples of these items include fencing requirements and/or species of trees that provide year-round appearance.

## SUMMARY

The following motions would be required of the Planning Commission for the proposed "PC" Planned Commercial District to be approved as presented:

- 1) A motion to approve the change in zoning request – this item requires a majority vote.
- 2) A motion to approve the modification to the structure setbacks to allow the existing structure within the setbacks – this item requires 2/3 vote.
- 3) A motion to approve the modification to the parking setbacks to allow the existing parking area within the setbacks – this item requires 2/3 vote.

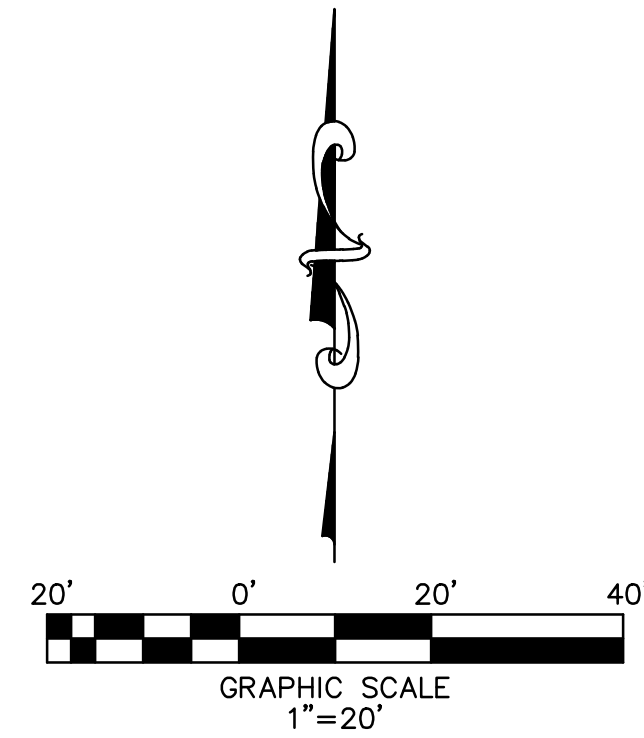
The following motions are also available to the Planning Commission for the proposed "PC" Planned Commercial District:

- 1) A motion to deny the change in zoning request.
- 2) A motion to approve the change in zoning request with conditions.

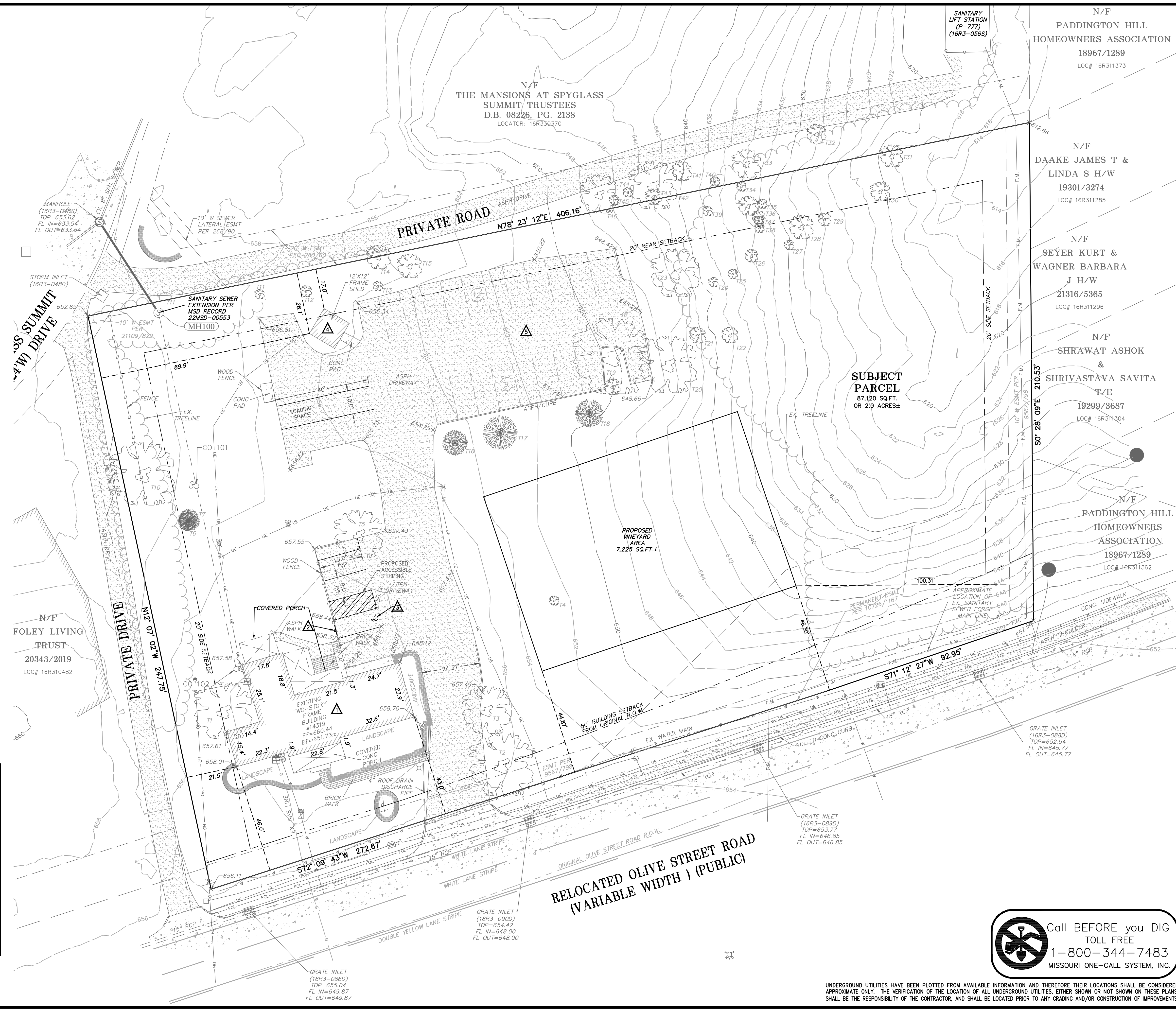
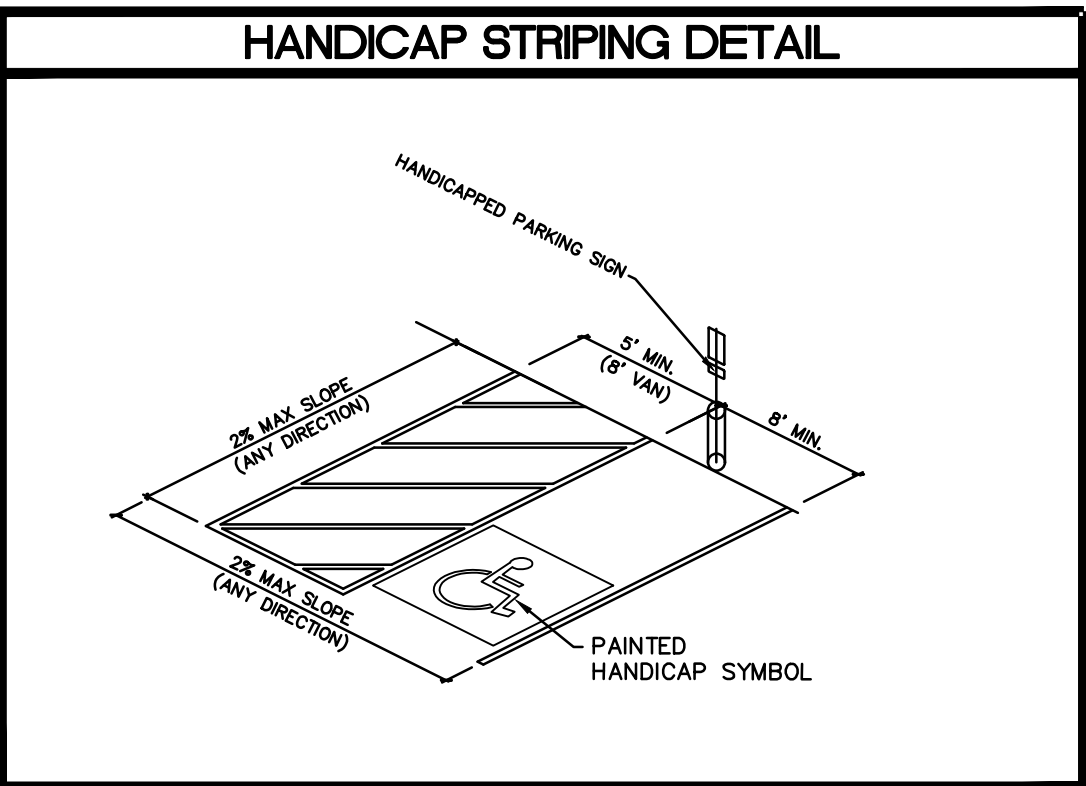
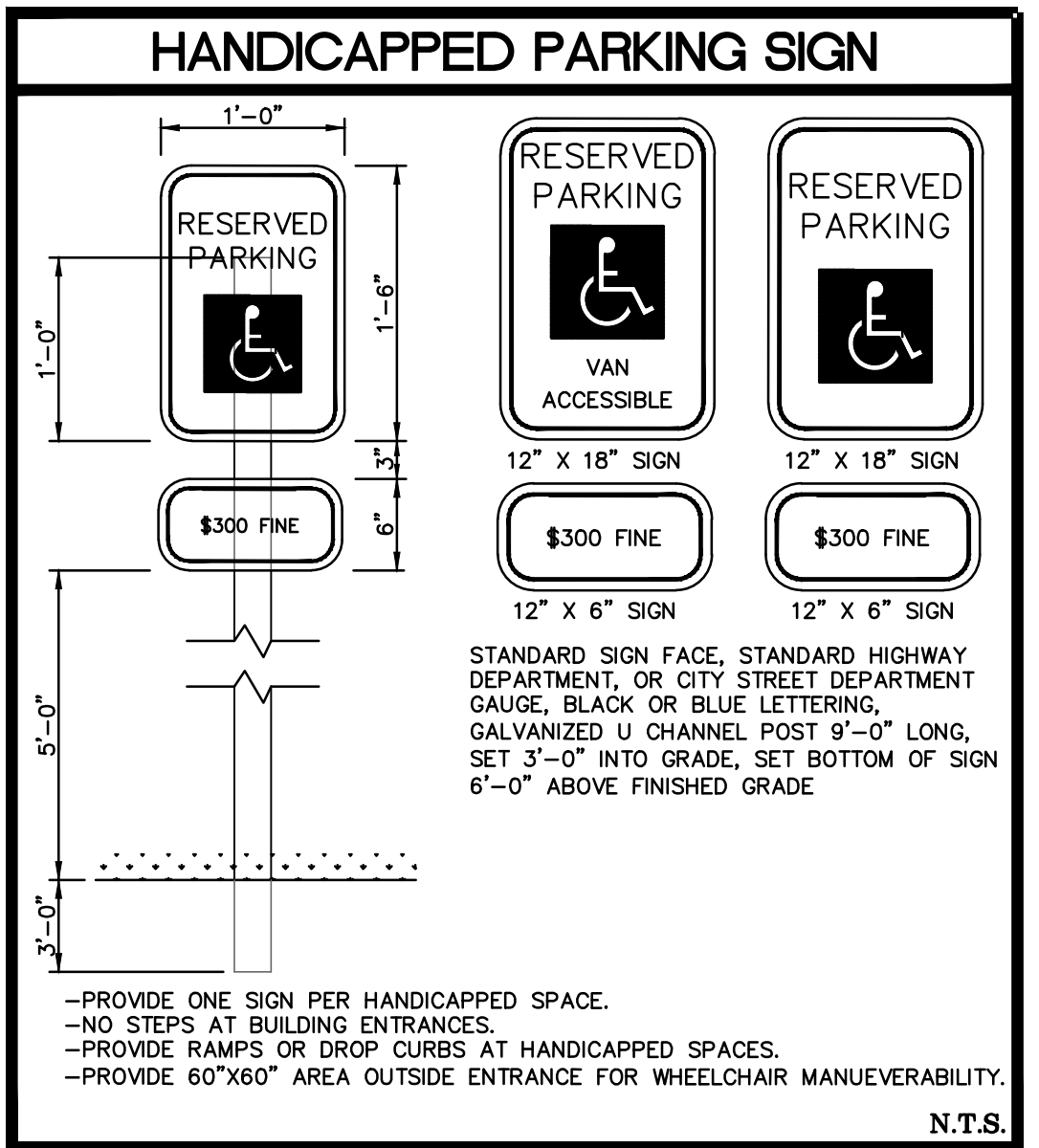
### Attachments

- 1) Draft of Attachment A Language
- 2) Preliminary Development Plan
- 3) Applicant's Issue Letter Response
- 4) Notice of Violation Issued to Petitioner
- 5) Letter sent by Spyglass HOA
- 6) December 12, 2022 CHLPC Minutes





- KEYED NOTES**
- ▲ EXISTING BUILDING WITH PROPOSED INTERIOR RENOVATION FOR RETAIL SHOP WITH OFFICE AND STORAGE AREA FOR OPERATIONS OF BUSINESS
  - ▲ PROPOSED ACCESSIBLE PARKING SIGN WITH VAN ACCESSIBLE PLAQUE. SEE DETAIL ON THIS SHEET
  - ▲ PROPOSED ACCESSIBLE PARKING STRIPING. SEE DETAIL ON THIS SHEET
  - ▲ EXISTING ACCESSORY STRUCTURE TO BE USED FOR STORAGE OF RETAIL PRODUCTS.
  - ▲ EXISTING PARKING LOT TO BE USED IN PLACE



N/F  
PADDINGTON HILL HOMEOWNERS ASSOCIATION  
18967/1289  
LOC# 16R311373

N/F  
DAAKE JAMES T & LINDA S H/W  
19301/3274  
LOC# 16R311285

N/F  
SEYER KURT & WAGNER BARBARA J H/W  
21316/5365  
LOC# 16R311296

N/F  
SHRAWAT ASHOK & SHRIVASTAVA SAVITA T/E  
19299/3687  
LOC# 16R311304

N/F  
PADDINGTON HILL HOMEOWNERS ASSOCIATION  
18967/1289  
LOC# 16R311362

N/F  
FOLEY LIVING TRUST  
20343/2019  
LOC# 16R310482

N/F  
THE MANSIONS AT SPYGLASS SUMMIT TRUSTEES  
D.B. 08226, PG. 2138  
LOCATOR: 16R330370

**SUBJECT PARCEL**  
87,120 SQ.FT.  
OR 2.0 ACRES

**PROPOSED VINEYARD AREA**  
7,225 SQ.FT.±

**RELOCATED OLIVE STREET ROAD (VARIABLE WIDTH) (PUBLIC)**

**THD DESIGN GROUP, INC.**  
"your solution for engineering and surveying"  
148 CHESTERFIELD INDUSTRIAL BLVD, STE E, CHESTERFIELD, MO 63005  
TEL: 636-294-2972  
FAX: 636-294-3027  
WEB: THDDESIGN.COM  
Corporate Certificate of Authority #201004415

**PRELIMINARY DEVELOPMENT PLAN**  
14319 OLIVE BLVD  
SITE DEVELOPMENT PLAN

STATE OF MISSOURI  
ROBERT S. TIEMANN  
PROFESSIONAL ENGINEER  
NUMBER PE-2016001308  
Date: Jun 03, 2022  
Robert Tiemann  
License No. PE-2016001308  
Civil Engineer  
PROJECT NUMBER: 21-5118  
DATE: 06/03/2022  
DRAWN BY: MLP

Call BEFORE you DIG  
TOLL FREE  
1-800-344-7483  
MISSOURI ONE-CALL SYSTEM, INC.

UNDERGROUND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE INFORMATION AND THEREFORE THEIR LOCATIONS SHALL BE CONSIDERED APPROXIMATE ONLY. THE VERIFICATION OF THE LOCATION OF ALL UNDERGROUND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR, AND SHALL BE LOCATED PRIOR TO ANY GRADING AND/OR CONSTRUCTION OF IMPROVEMENTS.

3 OF 4

# Memorandum

## Department of Planning

**To:** Mike Geisel, P.E., City Administrator  
**From:** Justin Wyse, Director of Planning *JW*  
**Date:** April 18, 2023



**RE:** **Traffic Generation Assessment (TGA) Trust Fund Rate Schedule:**  
An ordinance establishing an annual rate schedule for the five Traffic Generation Assessment (TGA) trust funds in the City of Chesterfield, Missouri.

### **Summary**

The City of Chesterfield utilizes Traffic Generation Assessment (TGA) trust funds. The traffic generation assessment is calculated by a dollar amount per measurable unit, typically per parking/loading space. The number of parking/loading spaces is determined by the City of Chesterfield Unified Development Code (UDC).

Traffic generation assessment rates are increased or decreased annually to account for changes in construction costs. The St. Louis County Department of Transportation uses the percent change for the construction cost index for the St. Louis area, from December of a given year to December of the following year, as published in the Engineering News Record, to determine the rate of increase or decrease and the City of Chesterfield has followed the same methodology. The proposed ordinance updates the previously defined rate schedules based on the increases in costs we have seen over the past year.

### **Recommendation**

This item should be forwarded to the Planning and Public Works Committee for review and recommendation to the City Council

Attachments: TGA Trust Fund Ordinance

Please forward to PPW for review and further direction.

*Mike Geisel* 2023-4-11

**BILL NO.** 3441

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AMENDING THE TRAFFIC GENERATION ASSESSMENT (“TGA”) TRUST FUND RATE SCHEDULE OF THE CITY OF CHESTERFIELD, MISSOURI.**

**WHEREAS**, the City has defined five (5) Traffic Generation Assessment Trust Fund Areas throughout the city as established by City ordinance; and,

**WHEREAS**, five (5) trust accounts are known as, "TGA Trust Fund Area A", "TGA Trust Fund Area B", "TGA Trust Fund Area C", "TGA Trust Fund Area D", and "TGA Trust Fund Area E", and are held by the City’s Director of Finance (the “Trustee”); and,

**WHEREAS**, the traffic generation assessment is calculated by a dollar amount per measurable unit, typically per parking/loading space. The number of parking/loading spaces is determined by the City of Chesterfield Unified Development Code (UDC); and,

**WHEREAS**, in order to maintain uniformity and equity from development to development, the traffic generation assessment rates are established by the City of Chesterfield.

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

**Section 1.** The City of Chesterfield hereby adopts an annual rate schedule for the five Traffic Generation Assessment (TGA) trust funds in the City of Chesterfield, Missouri.

**Section 2.** The traffic generation assessment is calculated by a dollar amount per measurable unit, typically per parking/loading space. The number of parking/loading spaces is determined by the City of Chesterfield Unified Development Code (UDC).

**Section 3.** On January 1 of each year, the traffic generation assessment rates are increased or decreased to account for changes in construction costs. The St. Louis County Department of Transportation uses the percent change for the construction cost index for the St. Louis area, from December of a given year

to December of the following year, as published in the Engineering News Record, to determine the rate of increase or decrease.

**Section 4.** The rates per measurable unit are defined as follows:

<b>Land Use</b>	<b>As of 1/1/2023 Rate Per Parking Space</b>
S.F. Dwelling	\$1,438.08
Apartment	\$575.23
Retirement Community	
Condominium	
General Office	\$878.76
Quality Restaurant	
Research Center	
Motel	\$1,757.68
Hotel	
General Retail	\$2,636.43
Medical Office	
Shopping Center	
Nursing Home	
High Turn-Over Sit Down Restaurant	
Hospital	\$5,273.05
Bank	
Drive-In Fast Food Restaurant	
Convenience Store	\$17,576.35
Gas Station	
Manufacturing	\$703.03
Warehouse	\$1,230.36
Recreational User	\$607.28
Mini-Warehouse	\$0.57/SF
Car Wash	\$87,911.30/AC
Loading Space	\$4,314.18

**Section 5.** Contributions to the Traffic Generation Assessment Trust Funds shall be made prior to the approval of the first Municipal Zoning Approval application in conjunction with the development that requires contribution.

**Section 6.** 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: \_\_\_\_\_



# Memorandum

## Department of Planning

**To:** Planning and Public Works Committee

**From:** Justin Wyse, Director of Planning

JW

**Date:** April 20, 2023

**RE:** **Chapter 353 Procedure Ordinance:** An ordinance adopting a procedure for considering development plans pursuant to Chapter 353 of the Revised Statutes of Missouri, as amended.



### **Summary**

City Council previously directed staff to begin the process of consideration of a Chapter 353 area around the Chesterfield Mall. The proposed satisfies the legal requirement for a City to have an ordinance detailing procedures for the review of proposals under Chapter 353. As detailed in the ordinance, Section 353.110.3 provides that notices shall be as provided by local ordinance. The attached ordinance requires notice to be provided prior to the required Public Hearing in a manner consistent with other noticing requirements of the City of Chesterfield. This includes mailed notice and publication in a paper of general circulation.

### **Recommendation**

This item should be forwarded to the Planning and Public Works Committee for review and recommendation to the full City Council.

Attachments: Chapter 353 Procedure Ordinance

BILL NO. 3442

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI, ADOPTING A PROCEDURE FOR CONSIDERING DEVELOPMENT PLANS AND TAX EXEMPTION PURSUANT TO CHAPTER 353 OF THE REVISED STATUTES OF MISSOURI, AS AMENDED.**

**WHEREAS**, Chapter 353 of the Revised Statutes of Missouri, as amended, known and referred to as The Urban Redevelopment Corporations Law ("**Chapter 353**"), authorizes the City of Chesterfield, Missouri (the "**City**") to approve, by ordinance, development plans that allow for the redevelopment of blighted areas within the City and the granting of tax exemptions to encourage such redevelopment; and

**WHEREAS**, Chapter 353 provides that no tax exemption authorized by Chapter 353 shall become effective until the City's City Council (the "**City Council**") conducts a public hearing to consider a proposed development plan and such tax exemption; and

**WHEREAS**, prior to the public hearing, the City Council must furnish to the political subdivisions whose boundaries for ad valorem taxation purposes include any portion of the property to be affected by tax exemption: (1) written notice of the scheduled public hearing; and (2) a written statement of the impact on ad valorem taxes such tax exemption will have on the political subdivisions; and

**WHEREAS**, Section 353.110.3 of Chapter 353, provides that such notice and written statement shall be as provided by local ordinance before the public hearing; and

**WHEREAS**, the City Council desires to establish its procedures to provide the notice and written statement as required by Section 353.110.3 of Chapter 353.

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

**SECTION 1. Notice.** Not less than 10 days before a public hearing to consider a development plan that provides for tax exemption pursuant to Chapter 353, the City or its designee shall furnish (by hand delivery or by registered or certified mail, return-receipt requested) to the political subdivisions whose boundaries for ad valorem taxation purposes include any portion of the property to be affected:

- A. Notice of the scheduled public hearing, which shall include:

- (1) the time, date and place of the public hearing,
- (2) a general description of the boundaries of the proposed redevelopment area,
- (3) a general description of the proposed development plan,
- (4) an invitation to submit comments to the City Council prior to the date of the public hearing concerning matters that will be discussed at the public hearing, and to appear at the public hearing and provide comments, and
- (5) a statement that all interested persons and all political subdivisions will have the opportunity to be heard on such grant of tax exemption; and

B. A written statement of the impact on ad valorem taxes such tax exemption will have on the political subdivisions, which shall be prepared by or at the direction of the applicant and shall include an estimate of the amount of ad valorem tax revenues of each political subdivision which will be affected by the proposed tax exemption, based on the estimated assessed valuation of the real property involved as such property would exist before and after it is redeveloped.

**SECTION 2. Publication.** Following oral or written direction to proceed from the City Administrator, the City Clerk or his or her designee shall publish notice in a paper of general circulation, which shall serve as notice to all interested parties in the area of the proposed development plan that a public hearing will be held on a date and time certain, provided that the public hearing shall not be held less than 10 days following publication of the notice provided for in this section.

**SECTION 3. Additional Information from Applicant.** The applicant for tax exemption under Chapter 353 shall provide or cause to be provided to the City: a complete list of all political subdivisions whose boundaries for ad valorem taxation purposes include any portion of the property to be affected by tax exemption; the written statement specified in Section 1.B above, in a form approved by the City Administrator; and any other information deemed necessary by the City Administrator or his or her designee to evaluate the proposed development plan and comply with the requirements of this Ordinance.

**SECTION 4. Conflict.** To the extent this Ordinance or a provision or section of same conflicts with another ordinance of the City, this Ordinance and its provisions and sections shall control.



**SECTION 5. Effective Date.** This Ordinance shall take effect and be in full force from and after its final passage and approval.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Bob Nation, MAYOR

ATTEST:

\_\_\_\_\_  
Vickie McGownd, CITY CLERK

FIRST READING HELD: _____
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## **FINANCE AND ADMINISTRATION COMMITTEE**

Chair: Councilmember Michael Moore

Vice-Chair:

There are no Finance and Administration Committee items scheduled for Monday's meeting.

### **NEXT MEETING**

The next meeting of the Finance and Administration Committee has not yet been scheduled.

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

## **PARKS, RECREATION AND ARTS COMMITTEE**

Chair: Councilmember Mary Monachella

Vice Chair: Councilmember Gary Budoor

**Contract Approval and Supplemental Budget Adjustment – Aquatic Facilities study** – The Parks, Recreation and Arts Committee recommends approval of a professional services contract with Capri/Waters Edge, in an amount not to exceed \$23,700, to complete the Aquatic Facilities Study that was proposed with the Municipal Parks Planning Grant. \$7,600 is to be reimbursed by the Municipal Parks Grant, and \$2,000 was previously authorized for the purpose when the grant submission was approved. Accordingly, a supplemental budget authorization from the Parks Fund – Fund Reserve in the full amount of \$23,700 is requested, although \$7,600 will be reimbursed. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

**Approval of Sculpture on the Move location** - The Parks, Recreation and Arts Committee recommends approval of the proposed placement of the Creative Community Alliance Sculpture on the Move, “Bird” in Eberwein Park as was recommended by Staff and the Parks, Recreation and Arts Citizen Advisory Committee. **(Voice Vote) Department of Parks, Recreation and Arts recommends approval.**

### **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 TW Dieckmann or me prior to Monday’s meeting.

# MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: TW Dieckmann, Director of Parks, Recreation & Arts

SUBJECT: Parks, Recreation & Arts Committee of Council Meeting  
Summary  
Monday, April 24, 2023



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A meeting of the Parks, Recreation & Arts Committee of the Chesterfield City Council was held on Monday, April 24, 2023 in Conference Room 202.

In attendance were: **Chair Mary Monachella** (Ward 1), **Councilmember Aaron Wahl** (Ward II), and **Councilmember Dan Hurt** (Ward III), and **Councilmember Gary Budoor** (Ward IV).

Also in attendance were: Councilmember MaryAnn Mastorakos (Ward II); Mike Geisel, City Administrator; TW Dieckmann, Director of Parks, Recreation & Arts; and Ann-Marie Stagoski, Executive Administrative Assistant of Parks, Recreation & Arts.

The meeting was called to order at 6:00 p.m.

## I. APPROVAL OF MEETING SUMMARY

A. Approval of the Nov 29, 2022 Committee Meeting Summary was deferred.

## II. UNFINISHED BUSINESS - none

## III. NEW BUSINESS

A. Councilmember Budoor made a motion to nominate himself as both the Vice-Chair of Parks, Recreation & Arts Committee of Council and the Liaison to the Parks, Recreation & Arts Citizens Advisory Committee. The motion was seconded by Councilmember Wahl and passed by a voice vote of 4-0.

B. **Contract Approval and Supplemental Budget Adjustment – Aquatic Facilities study.** Councilmember Hurt made a motion to approve the staff recommendation of a professional services contract with Capri/Waters Edge, in an amount not to exceed \$23,700, to complete the Aquatic Facilities Study that was proposed with the Municipal Parks Planning Grant. \$7,600 is to be reimbursed by the Municipal Parks Grant. Accordingly, a supplemental budget authorization from the Parks Fund – Fund Reserve in the full amount of \$23,700 is requested, although \$7,600 will be reimbursed. The motion was seconded by Councilmember Monachella and passed by a voice vote of 4-0.

C. The Parks, Recreation and Arts Committee recommends approval of the proposed placement of the Creative Community Alliance Sculpture on the Move, “Bird” in Eberwein Park as was recommended by Staff and the Parks, Recreation and Arts Citizen Advisory Committee. **Councilmember Budoor made a motion to**

**accept the recommendation of the Parks, Recreation & Arts Citizens Advisory Committee and move it on to full council. The motion was seconded by Councilmember Hurt and passed by a voice vote of 4-0.**

D. There was discussion on the sponsorship proposal for the Amphitheater. No action was taken.

**IV. OTHER - none**

**V. ADJOURNMENT**

The meeting adjourned at 6:51 p.m.



# Memorandum

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To: Mike Geisel, City Administrator  
Jeannette Kelly, Director of Finance

From: TW Dieckmann, Director of Parks, Recreation & Arts

Date: 4-19-23

Subject: recommendation for aquatic facility study

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On December 5, 2022, City Council approved resolution 482 allowing the Parks, Recreation and Arts department to apply for a planning grant through the Municipal Parks Grant Commission (MUNI grant). At that time, discussion was based on an assumption the grant could be awarded for up to \$10,000, and \$2000 of which would be covered by the city. Specifically, this was based on a \$9500 proposal from Westport Pools.

In January 2023, the city received the official award of that MUNI grant. Funds are reimbursable upon project completion. The grant agreement covers 80% of the cost, not to exceed \$7600. The award was based on the assumption of a \$9500 study (as proposed by Westport Pools). After reviewing Westport's proposal, I did not feel it provided what we need from a true feasibility study. Details that will help us make more informed decisions regarding the future of the Chesterfield Family Aquatic Center.

It basically was a design workshop proposal, that led to one outcome – a new design. It assumed a new facility will be the end product without much analysis. The proposal included two public meetings that centered on the topic of design amenities for a new facility. It lacked exploration of other outcomes, or market and demographic analyses. It also excluded an option for color renderings. These are useful visual tools if we do move forward with a new facility at the end of the study.

So, I requested new proposals from four vendors. Scope was to include assessment of existing facility conditions, public outreach meetings to discuss needs and wants, market and demographic analysis of pool users, potential design concepts based on public input, estimation of operational performance, and opinions of probable construction costs. Three vendors provided quotes listed below.

Westport Pools	<b>\$ 9500</b>	proposal fee, no additional services offered
Capri / Waters Edge	\$18,700	proposal fee
	\$ 1500	market and demographic analysis
	<u>\$ 3500</u>	3D color renderings & video of final concept
	<b>\$27,500</b>	
Councilman-Hunsaker	<b>\$32,500</b>	proposal fee, includes market analysis, no 3D or video

The Capri / Waters Edge proposal provided a detailed outline of services, scope, and proposed schedule. Westport Pools was not as detailed, and focused on design services of a new facility. They chose not to include market and demographic analysis, 3D renderings or video in their proposal. Councilman-

Hunsacker provided a detailed proposal similar to Capri / Waters Edge, but at a higher cost. It did not include 3D renderings or a proposed schedule.

After reviewing the proposals, I recommend issuing a Purchase Order to Capri / Waters Edge. Both vendors have aquatic expertise in planning specific to our purposes. I especially like having a regional perspective (Capri) complimented by an external, out-of-market perspective (Waters Edge, Kansas City based). This different perspective can help reduce regional bias by offering expertise from a different geographic area. I feel their proposal is the most comprehensive received, and is best suited for what we hope to accomplish from this MUNI grant.

**Action Recommended**

This matter should be forwarded to City Council for consideration. Should Council concur with staff's recommendation, it should authorize \$19,900 (= \$27,500 – 7600) for the study. And it would authorize the City Administrator to approve a Purchase Order to Capri / Waters Edge in an amount not to exceed \$27,500. Approval from Council would authorize a budget transfer from Parks Fund Reserve account to Parks Fund Contractual Services account 119-084-5251.

Concurrence:  \_\_\_\_\_  
Jeannette Kelly, Director of Finance

April 19, 2023

**TW DIECKMANN, CPRE**  
 Director of Parks, Recreation and Arts  
 City of Chesterfield

**VIA ELECTRONIC MAIL TO:** [TWDIECKMANN@CHESTERFIELD.MO.US](mailto:TWDIECKMANN@CHESTERFIELD.MO.US)

Re: City of Chesterfield – Outdoor Aquatic Center Feasibility Study  
 Agreement for Services

Dear Mr. Dieckmann:

Thank you for requesting us to submit a scope of work and fee proposal for your aquatic feasibility study. We appreciate the opportunity to offer our services to you. Please note, for this proposal we shall be teaming with **Capri Pools**.

It is our understanding that this study will analyze the feasibility for modifications at the Chesterfield Family Aquatic Center. This document is intended to serve as the agreement of services for the study, including the following main tasks:

1. Facility Programming/Planning
2. Concept Design Alternatives and Costs
3. Public Engagement and Consensus Building
4. Market Analysis
5. Operational Performa (optional)

Detail for the scope of services in phases is outlined below:

Tasks
1. <u>Project Kickoff</u> <ul style="list-style-type: none"> <li>• Establish goals and schedule</li> </ul>
<ul style="list-style-type: none"> <li>• Develop public outreach plan</li> </ul>
2. <u>Review previous public comments</u> <ul style="list-style-type: none"> <li>• Review previous publics comments regarding aquatics</li> </ul>
3. <u>Conditions Assessment</u> <ul style="list-style-type: none"> <li>• Visual inspection of the existing facility</li> <li>• Document observed conditions</li> <li>• Generation opinion of cost for necessary repairs and/or renovations.</li> </ul>



<p>4. <u>Aquatic Facility Programming/Planning</u></p> <ul style="list-style-type: none"><li>• Determine the components to include in the outdoor aquatic center, utilizing input from the steering committee, staff, and public input.</li></ul>
<ul style="list-style-type: none"><li>• Identify current and future aquatics programs to be hosted at the aquatic center</li></ul>
<ul style="list-style-type: none"><li>• Provide space requirements and relative locations for each component</li></ul>
<p>5. <u>Public Outreach and Consensus Building</u></p> <ul style="list-style-type: none"><li>• Create informational material, promotional channels for the project, providing content for brochures, digital newsletters, social media posts, etc. as needed</li></ul>
<ul style="list-style-type: none"><li>• Prepare and participate in two public engagement events.<ul style="list-style-type: none"><li>○ Objective to be both educational for the public about the project goals, and to gather community feedback about desire direction of the aquatic offerings within Chesterfield. Format to be determined, likely townhall or open house structure.</li></ul></li></ul>
<ul style="list-style-type: none"><li>• Organize/Participate in Public Meeting to solicit community and stakeholder input relevant to community needs/interests. Desired input from Public Meeting to be determined following initial public meeting and initial study analysis.</li></ul>
<ul style="list-style-type: none"><li>• Create/maintain project website and survey (Additional Service)</li></ul>
<p>6. <u>Concept Design Alternatives and Costs</u></p> <ul style="list-style-type: none"><li>• Develop and propose concept design alternatives, with alternatives focused on meeting the needs of the community</li></ul>
<ul style="list-style-type: none"><li>• Develop timelines, probable construction costs and operational estimates for alternatives</li></ul>
<ul style="list-style-type: none"><li>• Develop the preferred concept design alternative and corresponding costs including land development costs</li></ul>
<p>7. <u>Operational Performa</u></p> <ul style="list-style-type: none"><li>• Calculate the projected operating costs and anticipated recovery costs for each</li></ul>
<ul style="list-style-type: none"><li>• Prepare proforma forecast</li></ul>
<ul style="list-style-type: none"><li>• Consider the financial implications of the various program and facility elements</li></ul>
<ul style="list-style-type: none"><li>• Explore funding options, sponsorship and partnership opportunities</li></ul>
<p><u>Market and Demographic Analysis</u> (Additional Service)</p> <ul style="list-style-type: none"><li>• Research existing aquatic facilities in the region</li></ul>
<ul style="list-style-type: none"><li>• Assess potential influence on the proposed facility</li></ul>
<ul style="list-style-type: none"><li>• Identify the primary and secondary service areas, current and future demographics, potential users, and facility trends</li></ul>

**Schedule**

We propose the schedule shown below.

- Project Kick-off ..... June 2023
- Conditions Assessment ..... June 2023
- Review previous public comments ..... June 2023
- Facility Programming/Planning ..... June – July 2023
- Public Engagement..... July – August 2023
  - Two (2) public meetings ..... July & August
- Concept Design Alternatives and Costs ..... August 2023
- Operational Performa ..... August 2023
- Final report..... September 2023

**Deliverables**

- Provide promotional support information to assist with communications about the project
- Color plan view drawings of pool concept layouts (2D)
- Capital and operational costs for the final layout
- Magnitude of cost for options
- Operation performa
- Documentation and final report

**REQUESTED FEE**

For our services and scope of work listed above and in the submitted proposal, we request a lump sum fee of \$18,700, including our direct expenses such as travel, printing, copying and related items.

We anticipate two (2) in-person meetings with staff and two (2) public engagement meeting; this number can be adjusted at the City's direction.

The fees provided include all project related expenses. For the planning services listed above, we request a fee based upon the following Phases and associated tasks:

Additional Services

These options are not included in the lump sum above but could be added to it.

- 8. Market and Demographic Analysis..... \$1,500
- 9. Project Website ..... \$1,100
- 10. 3-D renderings and video of the final concept ..... \$3,500

Sincerely,

**Water's Edge Aquatic Design:**

A handwritten signature in black ink that reads "Kyle A. McCawley". The signature is written in a cursive style with a large, stylized initial 'K'.

Name Kyle A. McCawley

Title Senior Project Manager

Date April 19, 2023



# Memorandum

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To: TW Dieckmann, Director of Parks, Recreation & Arts

From: Aleah Vose, Senior Recreation Specialist – Arts & Entertainment

Date: 03/07/2023

Subject: Creative Community Alliance – Sculpture on the Move

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This memo is to present information for the process of the sculpture selection for the Creative Community Alliance's (CCA) Sculpture on the Move program. The overall goal of this memo is to have our secured sculpture choice approved by Council.

## **About CCA and Sculpture on the Move:**

Creative Community Alliance (CCA) is a coalition of municipal and nonprofit organizations dedicated to the development of community arts in the St. Louis region. Sculpture on the Move is a program developed by the CCA that streamlines processes and bridges relationships with artists and communities. This program makes it as easy as possible to install high quality, original artwork in our community and to enhance public spaces, with minimal cost and short-term (2 year) commitment.

## **Sculpture Selection:**

On February 3<sup>rd</sup>, I attended the 2023 Sculpture on the Move artwork presentation via Zoom. Following the meeting, the 2023 Sculpture on the Move presentation link was forwarded to the Parks, Recreation, and Arts Advisory Committee with a request for each member's top ten sculpture choices and an explanation of how each individual's top ten list would be combined to configure a top ten sculpture list as a city overall. The top ten lists from the committee were due on Wednesday, February 15<sup>th</sup> by 5:00pm and on Thursday, February 16<sup>th</sup> the City of Chesterfield's top ten sculpture list was finalized. On February 28<sup>th</sup>, I represented the City of Chesterfield in the art draft. Chesterfield was the sixth city to choose a sculpture and I was able to secure our number one choice of "Bird" by Donald Horstman. Please find photographs and information on the sculpture listed below and let me know if you have any further questions.

"Bird" by Donald Horstman  
Dimensions: 95" x 26" x 21"

Medium: Stainless Steel

Maintenance: None

Price: \$12,000

From: St. Louis, Missouri

Description: Abstract representation of a bird









## Eberwein Park

proposed location of Bird - 2023 Sculpture on  
the Move selection

//



## **PUBLIC HEALTH AND SAFETY COMMITTEE**

Chair: Councilmember Mary Ann Mastorakos

Vice Chair:

There are no Public Health and Safety Committee items scheduled for Monday'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 to Monday's meeting.



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

**Bid Recommendation - 2023 Bridge Deck Sealing Project** Recommendation to accept the low bid from RV Wagner Incorporated and to authorize the City Administrator to enter into an Agreement with RV Wagner in an amount not to exceed \$235,000. The 2023 budget allocation for construction of this project is \$270,000.00. **(Roll Call Vote) Department of Public Works recommends approval.**

**Proposed Budget Amendment – ARPA Project Funds** – The Parks Department originally anticipated using used synthetic turf at the Central Park entertainment plaza, however, the used turf was not available. Concurrently, Parks Staff was able to self-perform the landscape transition at City Hall, saving sufficient ARPA funds to fully cover the increased synthetic turf cost. Staff requests that Council authorize the transfer of \$83,280 from the ARPA Special Projects account to the Parks Fund supply account to fund the increased cost for synthetic turf at the amphitheater entertainment plaza. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

**Logan Park Budgetary Amendment** – Staff requests a budget transfer from the Parks Fund – Fund Reserves in the amount of \$ 40,435 for the purpose of completing improvements and providing furnishings for Logan Park. **(Roll Call Vote) Department of Parks, Recreation and Arts recommends approval.**

### **OTHER LEGISLATION**

**Proposed Resolution of Intent** - A resolution of the City Council of the City of Chesterfield, Missouri, stating its intention to establish the Wildhorse Village Special Business District. The City of Chesterfield has received a petition to establish a Special Business District encompassing the Wildhorse Village Development for the purpose of funding municipal services. Passage of the “Resolution of Intent” is a statutory procedural requirement that will allow the City to schedule a public hearing, generate the required report and survey, and subsequently facilitate a vote of the properties within the proposed district.

### **UNFINISHED BUSINESS**

There is no unfinished business scheduled for this meeting.

### **NEW BUSINESS**

# Memorandum

## Department of Public Works



**TO:** Michael O. Geisel, P.E.  
City Administrator

**FROM:** James A. Eckrich, P.E. *JAE*  
Public Works Dir. / City Engineer

**DATE:** April 20, 2023

**RE:** 2023 Bridge Deck Sealing Project

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The Department of Public Works publicly opened bids for the 2023 Bridge Deck Sealing Project on April 18, 2023. The results of the bid opening are detailed in the attached memorandum from Civil Engineer Steve Merk. After review, Staff recommends the project be awarded to the lone bidder, RV Wagner Incorporated, in an amount not to exceed \$235,000, which is well below the budgeted amount of \$270,000. This includes the low bid amount (\$209,383) and a contingency to account for change orders which may become necessary during construction of the project. RV Wagner has performed similar projects in the past for the City of Chesterfield and is positively recommended by City Staff.

The scope of this project includes concrete sealing on the bridge decks, approach slabs, curbs, and barrier walls for the following bridges: Chesterfield Parkway Pedestrian Bridge, Chesterfield Ridge Center Drive Bridge, Eagle Bluff Court Bridge, Ladue Road Bridge, Schoettler Road Bridge, and Timberlake Manor Drive Bridge. The Chesterfield Ridge Center Drive Bridge will also receive an epoxy polymer concrete overlay. These maintenance treatments are needed to extend the life of these six bridges. The City of Chesterfield maintains a total of 14 bridges with a recommended maintenance schedule contained within our Bridge Inspection and Maintenance Manual. Each bridge is inspected biennially by MODOT.

Concurrence:

*J. Kelly*  
\_\_\_\_\_  
Jeannette Kelly, Finance Director

### Action Recommended

This matter should be forwarded to the City Council for consideration. Should Council concur with Staff's recommendation, it should authorize the City Administrator to execute an Agreement with RV Wagner Incorporated in an amount not to exceed \$235,000.

# Memorandum

## Department of Public Works



TO: James A. Eckrich, PE  
Director of Public Works /City  
Engineer

FROM: Steven J. Merk, PE *SM*  
Civil Engineer

DATE: April 19, 2023

RE: 2023-PW-06 Bridge Deck Sealing & Epoxy Overlay  
Contract Recommendation Memo

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As you are aware, sealed bids for the project referenced above were opened on April 18, 2023. The City received one bid for the project from RV Wagner, Inc. in a corrected amount of \$209,382.50 (bid and bid tab attached). RV Wagner has positive references for this type of work and has successfully completed projects similar to this in the St. Louis area and for the City of Chesterfield. In fact, RV Wagner successfully completed the last Bridge Deck Sealing and Epoxy Overlay project in 2019 for the City of Chesterfield (2019-PW-06).

The project scope includes concrete sealing on the bridge decks, approach slabs, sidewalks, curbs, and barrier walls for the bridges shown on the attached map. The Chesterfield Ridge Center Drive bridge will also receive an epoxy polymer concrete overlay. The specified maintenance will help to extend the service life of each of these City-maintained bridges.

I recommend requesting authorization to enter into an agreement with RV Wagner, Inc. for the 2023 Bridge Deck Sealing & Epoxy Overlay project in an amount not to exceed \$235,000. This amount includes an approximate 12% contingency to allow for any unforeseen conditions and/or additional work as may be necessary to complete this project.

The 2023 budget allocation for construction of this project is \$270,000.00.

Attachments: Bridge Location Map  
Project Bid Tab  
RV Wagner, Inc. Corrected Bid

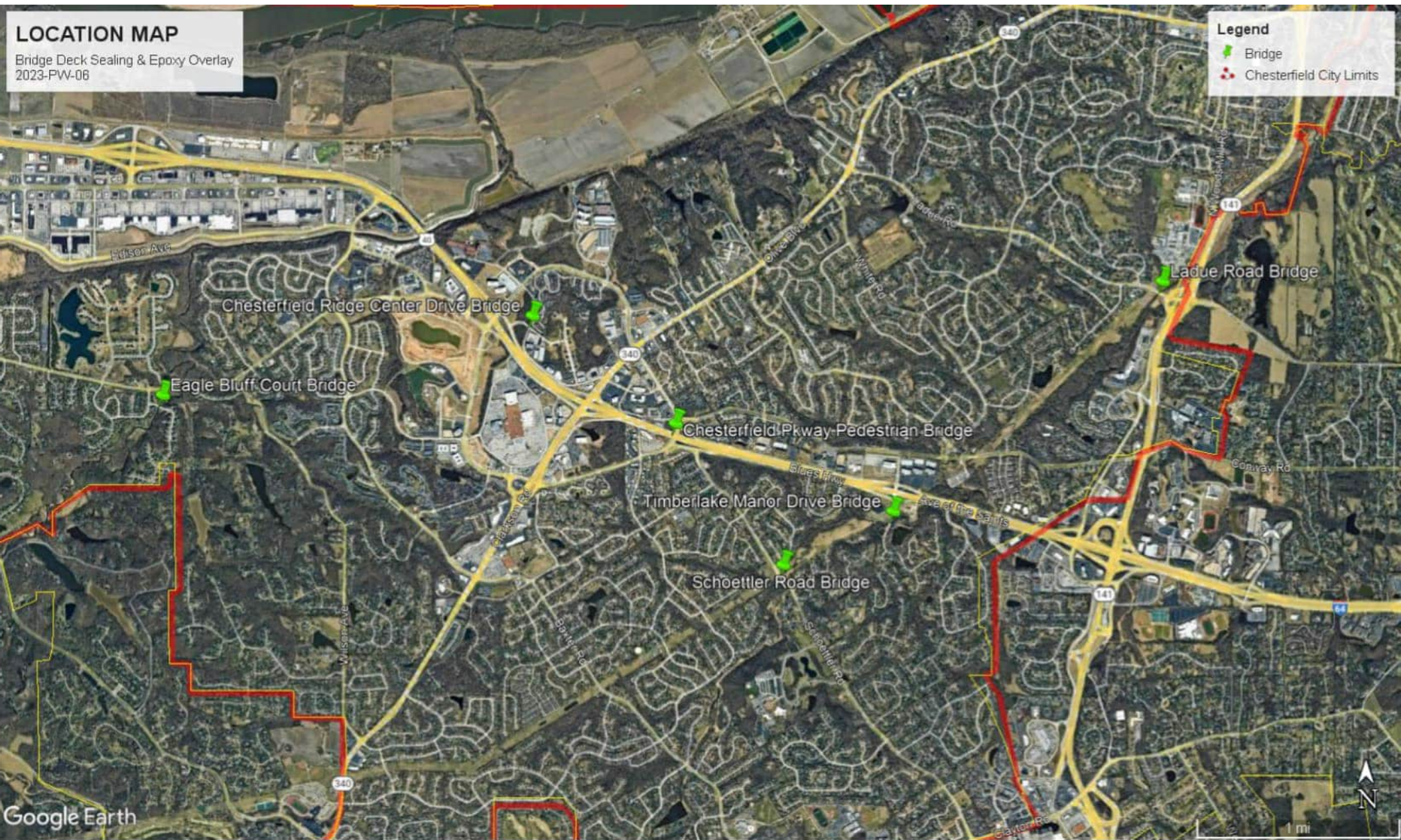


# LOCATION MAP

Bridge Deck Sealing & Epoxy Overlay  
2023-PW-06

**Legend**

- Bridge
- Chesterfield City Limits







**BID TABULATION**  
**Bridge Deck Sealing and Epoxy Overlay**  
**Capital Project #2023-PW-06**

April 18, 2023

Item #	Spec #	Bridge Sealing	Unit	Quantity	Engineer's Estimate		RV Wagner, Inc.	
					Unit Price	Extended Price	Unit Price	Extended Price
1	1053	Timberlake Manor Parkway - Bridge Deck, Barrier wall, Sidewalk, Approach Slabs	SF	9,200	\$ 1.25	\$ 11,500.00	\$ 1.00	\$ 9,200.00
2	1053	Schoettler Road - Bridge Deck, Barrier wall, Sidewalk, Approach Slabs	SF	7,200	\$ 1.25	\$ 9,000.00	\$ 1.10	\$ 7,920.00
3	1053	Eagle Bluff Court - Barrier wall, Sidewalk, Approach Slabs (No bridge deck sealing)	SF	5,400	\$ 1.25	\$ 6,750.00	\$ 1.15	\$ 6,210.00
4	1053	Ladue Road - Bridge Deck, Barrier wall, Sidewalk, Approach Slabs	SF	22,200	\$ 1.25	\$ 27,750.00	\$ 1.15	\$ 25,530.00
5	1053	Chesterfield Parkway Pedestrian Bridge - Bridge Deck, Barrier wall, Approach Slabs	SF	6,700	\$ 2.00	\$ 13,400.00	\$ 2.05	\$ 13,735.00
6	1053	Chesterfield Ridge Center Drive - Barrier wall, Sidewalk, Approach Slabs (No bridge deck sealing)	SF	4,600	\$ 2.00	\$ 9,200.00	\$ 1.25	\$ 5,750.00
7	616	Traffic Control	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 31,300.00	\$ 31,300.00
					Bridge Sealing Subtotal	\$ 97,600.00		\$ 99,645.00

Item #	Spec #	Epoxy Polymer Overlay	Unit	Quantity	Unit Price	Extended Price		Extended Price
8	602.3	Chesterfield Ridge Center Drive Bridge	SF	8,050	\$ 7.50	\$ 60,375.00	\$ 8.75	\$ 70,437.50
9	704	Concrete Masonry Repair (Partial Depth)	SF	500	\$ 50.00	\$ 25,000.00	\$ 23.00	\$ 11,500.00
10	616	Traffic Control	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 27,800.00	\$ 27,800.00
					Epoxy Overlay Subtotal	\$ 93,375.00		\$ 109,737.50

Project Total	\$ 190,975.00	Project Total	\$ 209,382.50
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EXHIBIT A

BID FORM

BID TIME: 10:00 a.m.

BID DATE: Tuesday, April 18, 2023

TO: THE CITY OF CHESTERFIELD

The undersigned, having carefully examined the site and all the Contract Documents, adding Addenda   0   through   0  , for the

Bridge Deck Sealing and Epoxy Overlay  
2023-PW-06

being familiar with the local conditions affecting the work, hereby proposes to furnish all labor, materials, equipment and services required for the performance and completion of said project in accordance with the said Contract Documents for the following itemized bid.

The City is requesting unit price proposals for this work, consisting of all work necessary to complete the bridge sealing on six (6) bridges and an epoxy polymer overlay on one (1) bridge throughout the City of Chesterfield..

The Contract contains a binding arbitration provision which may be enforced by the parties.

Bid submitted by:

Company Name: RV WAGNER, INC.

Address: 4712 GREEN PARK RD

City, State ST LOUIS MO 63123

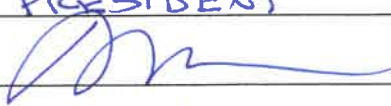
Phone number: 314-892-1600 Fax: 314-892-9496

E-mail address: SCOTT@RVWAGNER.COM

Type of Firm: Sole Partnership \_\_\_\_\_ Partnership \_\_\_\_\_  
 Corporation X Other \_\_\_\_\_

Officer SCOTT INSERRA

Title PRESIDENT

Signature 

Date 4/18/23

**Bridge Deck Sealing and Epoxy Overlay  
Capital Project #2023-PW-06**

**BID FORM**

<u>No.</u>	<u>Spec #</u>	<u>Bridge Sealing (Silane)</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Extended Price</u>
1	1053	Timberlake Manor Parkway - Bridge Deck, Barrier wall, Sidewalk, Approach Slabs	SF	9,200	1.00	9200.00
2	1053	Schoettler Road - Bridge Deck, Barrier wall, Sidewalk, Approach Slabs	SF	7,200	1.10	7920.00
3	1053	Eagle Bluff Court - Barrier wall, Sidewalk, Approach Slabs (No bridge deck sealing)	SF	5,400	1.15	6210.00
4	1053	Ladue Road - Bridge Deck, Barrier wall, Sidewalk, Approach Slabs	SF	22,200	1.15	<del>25,530.00</del> <del>24420.00</del>
5	1053	Chesterfield Parkway Pedestrian Bridge - Bridge Deck, Barrier wall, Approach Slabs	SF	6,700	2.05	13735.00
6	1053	Chesterfield Ridge Center Drive - Barrier wall, Sidewalk, Approach Slabs (No bridge deck sealing)	SF	4,600	1.25	5750.00
7	616	Traffic Control	LS	1	31,300.00	31300.00
<b>Bridge Sealing Subtotal</b>						<del>98,535.00</del>

99,645.00

<u>No.</u>	<u>Spec #</u>	<u>Epoxy Polymer Overlay</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Extended Price</u>
8	602.3	Chesterfield Ridge Center Drive Bridge	SF	8,050	<del>8.75</del> <del>79.00</del> 8.75	70,437.50
9	704	Concrete Masonry Repair (Partial Depth)	SF	500	23.00	11500.00
10	616	Traffic Control	LS	1	27,800.00	27800.00
<b>Epoxy Overlay Subtotal</b>						109,737.50

<b>PROJECT TOTAL BID</b>	<del>208,272.50</del>
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209,382.50



## Memorandum

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To: Mike Geisel, City Administrator  
Jeannette Kelly, Director of Finance

From: TW Dieckmann, Director of Parks, Recreation & Arts

Date: 4-20-23

Subject: recommendation for synthetic turf at Amphitheater entry plaza

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FY23 allocated \$25,000 in APRA funds to install synthetic turf at the entry plaza to the Amphitheater. This is the seating area out front along Veterans Place Drive. The original budget amount was based on installing used turf, however, this never materialized. As expected, new product installation is more expensive. Although staff received multiple quotes in Fall 2022, the project did not move forward, and quotes expired. Therefore we requested revised quotes in 2023.

Xtreme Green Synthetic Turf	\$ 83,280
Byrne & Jones Construction	\$ 99,823
FieldTurf	\$121,520
ForeverLawn	\$138,961

I recommend going with the lowest priced product from Xtreme Green Synthetic Turf. They are based nearby in Edwardsville, Illinois. They provided multiple examples of their product at churches, daycare facilities, playgrounds, and other public areas. It includes a 10-year product warranty and 2-year install warranty. We feel this product will suit our needs.

### Action Recommended

This matter should be forwarded to City Council for consideration. Should Council concur with staff's recommendation, it should authorize the City Administrator to approve a Purchase Order to Xtreme Green Synthetic Turf in an amount not to exceed \$83,280. In addition, approval from Council would authorize a budget transfer from the ARPA account account 137-084-5299 (City Hall landscaping, will have funding left over) to Parks Fund department supplies account 119-085-5313 in the amount of \$58,280.

Concurrence:   
Jeannette Kelly, Director of Finance



Alan Grammer, Authorized Dealer

Putting Greens, Daycare Facilities, Playgrounds, Doggie Day Care, Sports Turf



XTREME GREEN SYNTHETIC TURF  
(314) 241-8873  
www.xgreensynthetic.com



Name: Chesterfield Amphitheater – Jason B / TW

Date: 4/06/2023

Address: 631 Veterans Place Drive  
Chesterfield, MO 63017

BID TOTAL: \$ 83,280.00

Deposit (1/2): \$ 41,640.00

Phone: 314-757-9180

Balance (1/2): \$ 41,640.00

**Balance Due Upon Completion**

**PROPOSAL**

Pricing includes installation, shaping and compaction of base materials for proper drainage, turf installation, including any necessary seaming, infilling of turf to proper specifications (typically) 2-3 lbs/SQ' of sand).

10 Year Product Warranty-2 Year Install Warranty

Install 7945 SQ' +/-	Lawn Turf	\$ 83,280.00
Install Short pile high traffic Turf in (2) existing rock areas – EZ play or similar- install perimeter composite prep boards, scrape/adjust/ top rock layer, infill Turf with Envirofill		

**TOTAL: \$ 83,280.00**

Alan Grammer, Authorized Dealer

*Putting Greens, Daycare Facilities, Playgrounds, Doggie Day Care, Sports Turf*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Please Remit Payment To Processing:*

Xtreme Green Synthetic Turf  
15 Timber Meadows Place  
Edwardsville, IL 62025

Or call (314) 241-8873 with credit card for immediate receipt of payment.

**THANK YOU FOR YOUR BUSINESS!**

Missouri Dealership

Mike Geisel *MOZ*  
City Administrator



690 Chesterfield Pkwy W  
Chesterfield MO 63017  
Phone 636-537-4711  
Fax 636-537-4798

## OFFICE OF THE CITY ADMINISTRATOR

**TO: Mayor & City Council**

**Date: April 24, 2023**

**RE: Logan Park – Budget amendment**

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As you are aware, the City of Chesterfield has received two municipal parks commission grants, each in the amount of \$525,000, for a total grant award of \$1,050,000. The first grant was initiated in July of 2020, while the second grant application was submitted in August of 2021. Work proceeded in phases and we encountered substantial delays in gaining MSD approval, contractor availability and substantial delays due to materials and supply chain (restrooms and pavilion). Initially, MSD required that the Logan Park development include water quality improvements for the entire Logan Campus, an issue which caused extensive delays and substantially increased professional services efforts.

We anticipate completion of the Logan Park improvements by the end of this May and will schedule a ceremonial opening. However, the project delays, inflation, and the impacts of COVID have resulted in slightly increased costs over the initial budget. While we were able to manage and offset most of the cost increases, we require additional authorization to complete the project and provide the normal park amenities.

Staff is requesting a supplemental appropriation in the amount of \$40,435 to fund the final costs of development and accoutrements. The overall total project expenses previously authorized are \$1,570,761. The request for an additional \$40,435 (2.57% increase) brings the authorization to \$1,611,196. The final improvements not fully funded are:

- 10 Picnic Tables
- 14 Trash receptacles
- 5 Park benches
- 3 Pet waste stations

Clarkson Valley Court Administration  
November 7<sup>th</sup>, 2019  
Page 2

1 Hot coals bin  
1 Drinking fountain  
Electric service connection  
Water service connection  
2" Backflow installation with permit

Staff requests and recommends that City Council authorize a budget amendment in the amount of \$40,435 from the Parks Fund – Fund Reserve, to the 2023 Parks, Recreation and Arts budget expenditures. The current Parks Fund – Fund Reserve projected end of year balance is \$3.1 million, which as you know, includes the \$500,000 sinking fund which is restricted for the future replacement of synthetic turf at the CVAC.

If you have any questions, please let me know.

# Memorandum

## Department of Planning



**To:** Michael O. Geisel, City Administrator

**From:** Justin Wyse, Director of Planning

**Date:** May 1, 2023

**RE:** **Special Business District** – A resolution stating the intent to establish the Wildhorse Village Special Business District following receipt of a petition from a property owner within the proposed district.

### **Summary**

Wildhorse Village, LP has submitted a petition to establish a Special Business District (SBD) in accordance with the requirements of the approved Development Agreement between the City of Chesterfield and Wildhorse Village, LP. The purpose of the SBD would be to provide a revenue source that would allow the City to provide additional services that are not currently provided by the City within the proposed district. This would include:

- Maintenance, repair, and replacements of the Paved Lake Trail; and,
- Maintenance, repair, and replacement of City accepted streets and on-street parking; and,
- Maintenance, repair, and replacement of street lighting; and,
- Maintenance, repair, and replacement of landscaped center medians within
- City accepted streets, including irrigation (to the extent they are separable from systems serving other areas not to be maintained by the City); and,
- Security; and,
- Legal, insurance, administration, and financial oversight; and
- All other qualified and allowable expenditures of any other special district located within the City, established in accordance with the Special District Act.

The attached resolution is required by the Revised Statutes of the State of Missouri to provide notice. It should be noted that the Resolution of Intent does not require or constitute approval of the SBD, but simply provides notice of consideration of establishment of the district.

Establishment of the SBD requires multiple steps and the attached resolution is an early step in the process. A draft schedule has been attached to show the steps required

and potential dates for completion of each item. As illustrated in this schedule, we are at the beginning of what is estimated to be a four-month process to establish the district.

Attachments:

- 1) Resolution of Intent
- 2) Draft SBD Establishment Schedule

**RESOLUTION #** 484

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, STATING ITS INTENTION TO ESTABLISH THE WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT.**

**WHEREAS**, the City of Chesterfield, Missouri (the “City”), is a political subdivision duly organized and existing under the Constitution and laws of the State of Missouri; and,

**WHEREAS**, upon petition by one or more owners of real property on which is paid the ad valorem real property taxes within a proposed special business district, the governing body of the City may adopt a resolution of intention to establish a special business district pursuant to the Special Business Districts Act, Sections 71.790 to 71.808 of the Revised Statutes of Missouri, as amended (the “SBD Act”); and,

**WHEREAS**, the City has received a Petition to Establish the Wildhorse Village Special Business District (the “Petition”), filed by an owner of real property subject to real property taxes within the proposed boundaries of the Wildhorse Village Special Business District (the “District”), which Petition is attached hereto and incorporated herein by reference as Exhibit A; and,

**WHEREAS**, the City’s City Council (the “City Council”) desires to adopt a resolution of intention to establish the District in accordance with the SBD Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CHESTERFIELD, MISSOURI, AS FOLLOWS:**

1. The City Council hereby finds that a description of the boundaries of the proposed area of the District is contained in the Petition.
2. In accordance with the SBD Act, the City Council states that it will hold a public hearing to consider the establishment of the District on Monday, May 15, 2023 at 7:00 p.m. at Chesterfield City Hall, 690 Chesterfield Parkway W, Chesterfield, Missouri 63017. In accordance with the SBD Act, the City Council shall cause notice of the public hearing to be published on two separate occasions in at least one newspaper of general circulation not more than fifteen days nor less than ten days before the public hearing; and shall cause to be mailed a notice by United States mail of the public hearing to all owners of record of real property and licensed businesses located in the proposed District. At the public hearing the City Council shall hear all protests and receive evidence for or against the proposed action; rule upon all protests which determination shall be final; and continue the public hearing from time to time, all in accordance with the SBD Act.
3. The City Council hereby finds that the proposed uses to which the additional revenue from the District shall be put is contained in the Petition.

4. The City Council hereby finds that the initial tax rate to be levied by the District is contained in the Petition, which is a sum not to exceed \$0.85 per \$100 assessed valuation on real property, tracts, lots, or parcels of real property on owners of real property in the District.
5. The City Council authorizes there to be conducted a survey and investigation on the proposed District, and a survey and investigation report to be prepared, in accordance with Section 71.792 of the SBD Act.
6. The WHEREAS clauses of this Resolution are hereby incorporated herein by reference.
7. The Mayor of the City or his designated representatives are hereby authorized to take any and all actions as may be necessary and appropriate in order to carry out the matters herein authorized, with no such further action of the City Council being necessary to authorize such action by the Mayor or his designated representatives.
8. It is hereby declared to be the intention of the City Council that each and every part, section, and subsection of this Resolution shall be separate and severable from each and every other part, section, and subsection hereof and that the City Council intends to adopt each said part, section, and subsection separately and independently of any other part, section, and subsection. In the event that any part, section, or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.
9. This Resolution shall be in full force and effect from and after is passage and approval.

**Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

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Presiding Officer

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Mayor

Attest:

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City Clerk



**EXHIBIT A**

Petition

*(Attached hereto.)*

**Proposed Schedule**  
**Establishment of the Wildhorse Village Special Business District and Implementation of a Property Tax**

<u>No.</u>	<u>Task</u>	<u>Statutory Authority</u>	<u>Proposed Dates</u> <sup>1</sup>
1.	Petition by “one or more owners of real property on which is paid the ad valorem real property taxes within the proposed district” filed with the City of Chesterfield, Missouri (the “City”) to adopt a resolution of intention to establish the Wildhorse Village Special Business District (“SBD”)	71.794.(1), RSMo.	By 4/21/23
2.	City submits resolution to City Council for 5/1/23 meeting		By 5 p.m. on 4/25/23
3.	The City Council may adopt a resolution declaring its intention to establish the SBD, which resolution must contain specifics required by statute	71.794.(1), RSMo.	5/1/23
4.	Publication proof submitted for SBD public hearing notice in general circulation newspaper		On 5/2/23
5.	The City Council shall mail a notice by certified mail of the hearing to all owners of record of real property and licensed businesses located in the proposed district	71.794.(2), RSMo.	5/2/23  Not more than 15 days nor less than 10 days before the hearing date
6.	Publication of first SBD public hearing notice in general circulation newspaper	71.794.(2), RSMo.	5/4/23  Not more than 15 days nor less than 10 days before the hearing date.
7.	Publication of second SBD public hearing notice in general circulation newspaper	71.794.(2), RSMo.	5/5/23  Not more than 15 days nor less than ten days before the hearing date.

<sup>1</sup> “Proposed Dates” are a best case scenario and, among other things, are reliant on the working group’s cooperation.

8.	The City shall conduct a survey and investigation. <sup>2</sup>	71.792, RSMo.	By 5/11/23
9.	A written report of the survey and investigation shall be filed in the office of the City Clerk and shall be available for public inspection.	71.792, RSMo.	By 5/11/23
10.	City Council holds formation public hearing <sup>3</sup>		5/15/23
11.	City Council gives first reading of ordinance establishing the SBD <sup>4</sup>		5/15/23
12.	City Council gives second reading and adopts ordinance establishing the SBD <sup>5</sup> , which, among other things, states the initial rate of levy to be imposed upon the property lying within the boundaries of the district <sup>6</sup> , and orders election of qualified voters to approve the property tax. <sup>7</sup> The order shall state the election date as 8/29/23.	71.792, RSMo., 71.794.(4), RSMo., & 71.800.5	5/23/23
13.	Record ordinance.		5/24/23
14.	City Council requests mail-in election for imposition of property tax from election authority		5/24/23
15.	To determine qualified voters, City Clerk to request registered voter check from the St. Louis County Board of Elections for RPA-2 less the AC Hotel and The Pearl.		5/24/23
16.	To determine qualified voters, City Clerk to check St. Louis County, Missouri land records for RPA-2 less the AC Hotel and The Pearl		5/24/23

<sup>2</sup> The cost of the survey and investigation shall be included as a part of the cost of establishing the business district. 71.792, RSMo.

<sup>3</sup> Should the City Council decide to change the boundaries of the proposed District, the hearing shall be continued 15 days from said decision and notice of such continued hearing shall comply with 71.794.(3).

<sup>4</sup> Proposed schedule assumes City Council will conduct the first reading on same day as public hearing. To be confirmed with City Council.

<sup>5</sup> Proposed schedule assumes ordinance becomes effective on date of final passage. To be confirmed with City Council.

<sup>6</sup> Such property tax is subject to a majority of qualified voters voting in favor of such imposition of the tax pursuant to a mail-in election held in accordance with 71.800, RSMo.

<sup>7</sup> The ordinance adopted by the City Council shall "order" the election and specify the date when such election will be held/ballots mailed. 71.800.5, RSMo.

17.	City Clerk mails by certified mail notice of the mail-in election and opportunity to apply for mail-in ballot to all qualified voters	71.800.6, RSMo.	By 5/31/23
18.	City Clerk to verify list of qualified voters is still accurate and submit notice of the mail-in election and opportunity to apply for mail-in ballot by certified mail to any newly identified qualified voters		On or about 6/7/23
19.	Persons entitled to apply for a ballot <sup>8</sup> apply for mail-in ballot.	71.800.6(1), RSMo. & 71.800.6(4), RSMo.	By 6/20/23  Per 71.800.6(4), no person shall apply for such ballot later than the fourth Tuesday before the date for mailing ballots specified in the ordinance
20.	City Clerk to verify list of qualified voters is still accurate		On or before 7/18/23
21.	The City Clerk mails a ballot to each applicant of the district along with a return addressed envelope directed to the City Clerk's office with a sworn affidavit on the reverse side of such envelope for the voter's signature <sup>9</sup>	71.800.7, RSMo. & 71.800.5, RSMo.	7/18/23  Per, 71.800.5, the ordinance shall specify a date on which ballots for the election shall be mailed. Such date shall be a Tuesday, and shall not be earlier than the eighth Tuesday from the issuance of the order, nor later than August 15 <sup>th</sup> of the year the order is issued and shall not be on the same day as an election conducted under the provisions of Chapter 115
22.	Voted ballots shall be returned to the City Clerk's office by mail or hand delivery	71.800.10, RSMo.	By 8/29/23

<sup>8</sup> Per 71.900.6(1), "[p]ersons entitled to apply for a ballot in an election to approve a property tax imposed pursuant to subsection 1 ... of this section shall be: (a) [a] resident individual of the district; or (b) [a] person, including an individual, partnership, limited partnership, corporation, estate, or trust, which owns real property within the special business district.

<sup>9</sup> 71.800.7, RSMo. provides the form for the affidavit.

			No later than 5:00 p.m. on the sixth Tuesday after the date for mailing the ballots as set forth in the ordinance
<b>23.</b>	City Clerk transmits all voted ballots to a team of judges (that the City Clerk selects) of not less than 4, with an equal number from each of the two major political parties	71.800.10, RSMo.	Week of 8/29/23
<b>24.</b>	Upon receipt of the voted ballots the judges shall verify the authenticity of the ballots, canvas the votes, and certify the results	71.800.10, RSMo.	Certification by 9/12/23  Certification by the election judges shall be final and shall be immediately transmitted to the governing body.
<b>25.</b>	If approved, the property tax is effective for the tax year in which the election is held	71.800.11, RSMo.	
<b>26.</b>	City to transmit election results to St. Louis County Assessor		Immediately following receipt of certification

**PETITION TO THE CITY OF CHESTERFIELD, MISSOURI  
TO ESTABLISH THE  
WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT**

Submitted April 26, 2023

**PETITION TO ESTABLISH THE  
WILDHORSE VILLAGE SPECIAL BUSINESS DISTRICT**

To: The City Council, City of Chesterfield, Missouri (the “City”, and the “Council”):

The undersigned, being an owner of real property subject to real property taxes and within the proposed boundaries of the Wildhorse Village Special Business District (the “SBD”), do hereby petition and request that the Council establish the SBD as described herein, pursuant to Sections 71.790 through 71.808 of the Revised Statutes of Missouri, as amended (the “Act”).

**1. Description of the SBD**

**A. SBD Boundaries**

The boundaries of the SBD are: The area enclosed by Burkhardt Place on the west and south, Chesterfield Parkway on the East, and Wildhorse Creek Road on the north.

**B. Map of SBD Boundaries**

A map illustrating the SBD boundaries is attached hereto as **EXHIBIT A**, and incorporated herein by reference.

**C. Name of SBD**

The name of the proposed special business district, to be established pursuant to the Act, will be the “Wildhorse Village Special Business District”.

**2. Purposes of the SBD**

The SBD may generally provide for certain services and public improvements listed in the Act. The SBD’s revenues may be put to use for all qualified and allowable expenditures allowed under the Act including, but not limited to:

- A. maintenance, repair, and replacements of the paved lake trail;
- B. maintenance, repair, and replacement of City accepted streets and on-street parking;
- C. maintenance, repair, and replacement of street lighting;
- D. maintenance, repair, and replacement of landscaped center medians within City accepted streets, including irrigation (to the extent they are separable from systems serving other areas not to be maintained by the City);
- E. security;
- F. legal, insurance, administration, and financial oversight; and
- G. all other qualified and allowable expenditures of any other special business district located within the City, established in accordance with the Act.

All of the foregoing qualified and allowable expenditures shall be spent exclusively within the boundaries of the SBD, provided, however, that legal, insurance, administration, and financial oversight expenditures may be spent outside the boundaries of SBD so long as they directly relate to the geographical area of the SBD.

Also, the SBD may:

- A. Cooperate with other public agencies and with any industry or business located within the SBD in the implementation of projects within the SBD.
- B. Enter into agreements with any other public agency, any person, firm, or corporation to effect any of the provisions contained in the Act.
- C. Contract and be contracted with.
- D. Accept gifts, grants, loans, or contributions from the City, the State of Missouri, political subdivisions, foundations, other public or private agencies, individuals, partnerships or corporations.
- E. Employ or contract engineering, legal, technical, clerical, accountant, and other assistance as it may deem advisable.

### 3. **Type of SBD**

The SBD is a political subdivision of the State of Missouri with the power to impose a real property tax pursuant to the Act.

### 4. **The SBD's Advisory Board**

- A. In accordance with the Act, the Council will have sole discretion as to how the revenue derived from any tax to be imposed within the SBD, or any revenue derived from disposition of assets of the SBD, will be used within the scope of the purposes of the SBD, as described in this Petition to Establish the Wildhorse Village Special Business District (this "**Petition**") and the Act.
- B. In accordance with the Act, the Mayor of the City, with consent of the Council, will appoint a seven-member advisory board (the "**Board**"), in accordance with the qualifications as established by law and as set forth herein, to make recommendations as to the use of the SBD.
- C. *Qualifications*
  - i. Members of the Board must be at least 18 years of age.
  - ii. All seven members of the Board will be selected by the City, appointed by the Mayor, and consented to by the Council. Two of the seven members of the Board will be designees of Wildhorse Village, LP, a Missouri limited partnership, or its permitted successors or assigns in interest (under that certain Redevelopment Agreement for Chesterfield Regional Area RPA-2 by and between the City and Wildhorse Village, LP dated as of April 18, 2023). Five of the seven members of the Board will be designees of the City.
- D. *Term of Office:* Each member of the Board will serve for a four-year term (except as provided herein with respect to the initial members), with terms expiring as of December 31<sup>st</sup> of the designated year or when their successors are appointed as provided herein, whichever is later.
- E. *Initial Members and Terms:* The initial members will be appointed for the terms set forth as follows: (a) one member will be appointed for a term expiring December 31, 2024; (b) two members will be appointed for a term expiring December 31, 2025; (c) two members



will be appointed for a term expiring December 31, 2026; and (d) two members will be appointed for a term expiring December 31, 2027.

- F. *Removal:* The Mayor, with consent of the Council, may remove any member of the Board for misconduct or neglect of duty upon written charges and after a public hearing.
- G. *Vacancies:* Vacancies on the Board occasioned by removal, resignation, expiration of term, or otherwise will be reported in writing to the City Administrator of the City by the Board. The vacancy will be filled in like manner as an original appointment. Appointments to fill vacancies will be for the unexpired portion of a term only.

**5. Life of the SBD**

The SBD will continue to exist and function until dissolved by an ordinance of the Council. If approved by qualified voters in accordance with Section 71.800 of the Act, the levy of tax on real property will go into effect in the tax year in which the election is held, and will remain in effect until repealed in accordance with the Act.

**6. Maximum Rates and the Method of Assessment**

The ballot question will be in substantially the following form:

Shall the special business district of the Wildhorse Village Special Business District (“**SBD**”) be authorized to impose a tax on owners of real property in a sum not to exceed \$0.85 per \$100 assessed valuation on real property, tracts, lots, or parcels of real property for the purpose of providing revenue to the SBD? For purposes of property receiving tax abatement, the assessed value for each is at the current rate until abatement ends. The amount levied annually will be set by the City Council of the City of Chesterfield, Missouri each calendar year by resolution of the City Council of the City of Chesterfield, Missouri.

**7. Limitations on Revenue Generations**

The SBD will have no additional authority to levy taxes except as provided herein, or as provided by amendments to this Petition.

**8. Reports and Meetings**


The SBD will comply with requirements of reporting and meetings described in Section 67.1471 of the Revised Statutes of Missouri, as amended. Meetings will be open to the public.

**9. Severability**

If any provision of this Petition will be held or deemed to be invalid, inoperative, or unenforceable as applied in any particular case, or in all cases, because it conflicts with any other provision or provisions of this Petition or for any other reason, such circumstances will not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision contained in this Petition invalid, inoperative, or unenforceable to any extent whatsoever.

**Wildhorse Village, LP,**  
a Missouri Limited Partnership

By: Wildhorse Village GP, LLC, its Manager

By:   
\_\_\_\_\_  
Jeffrey J. Tegethoff, Manager

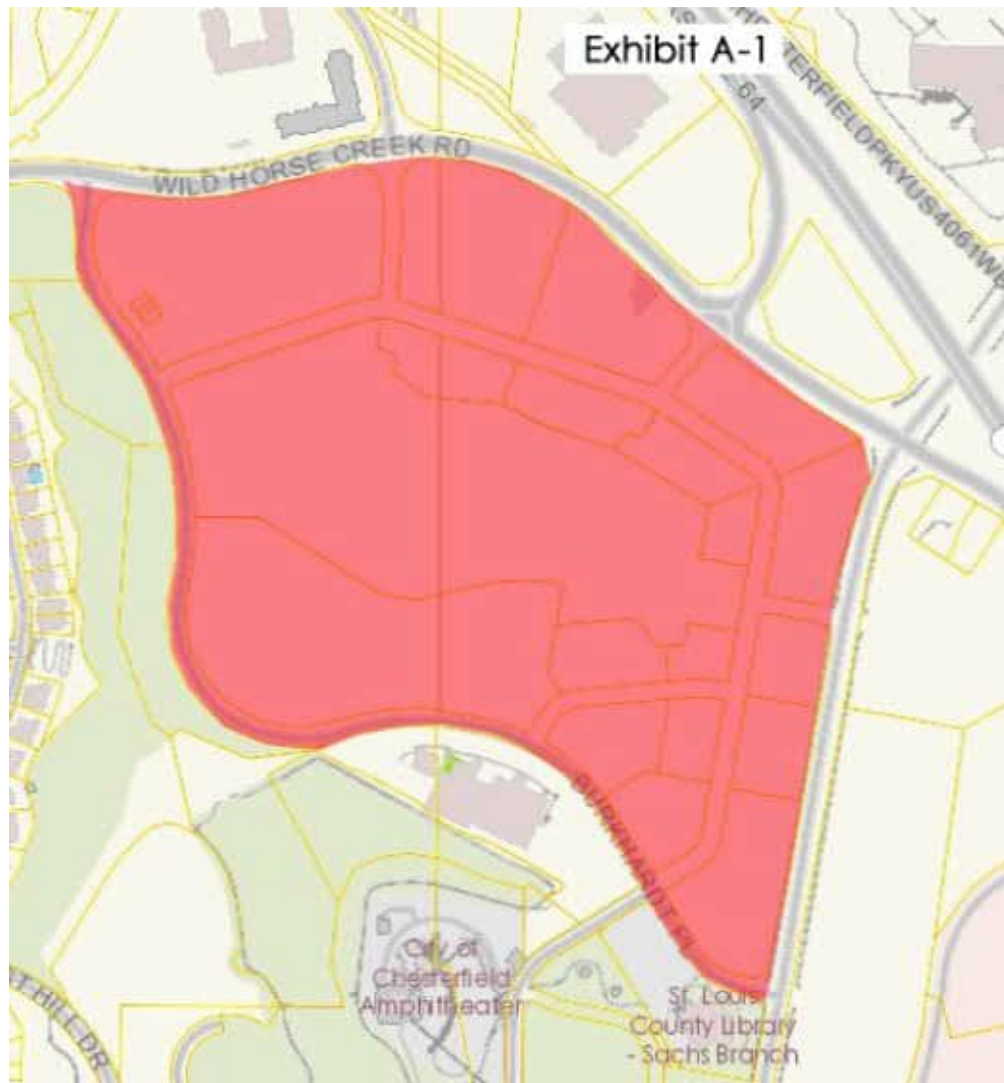
[Signature Page to Petition to the City of Chesterfield, Missouri to Establish the Wildhorse Village  
Special Business District]

**EXHIBIT A**

**Map of SBD Boundaries**

[Attached]

Exhibit A-1





CATEGORIES A & B THIRD AMENDED SITE DEVELOPMENT CONCEPT PLAN

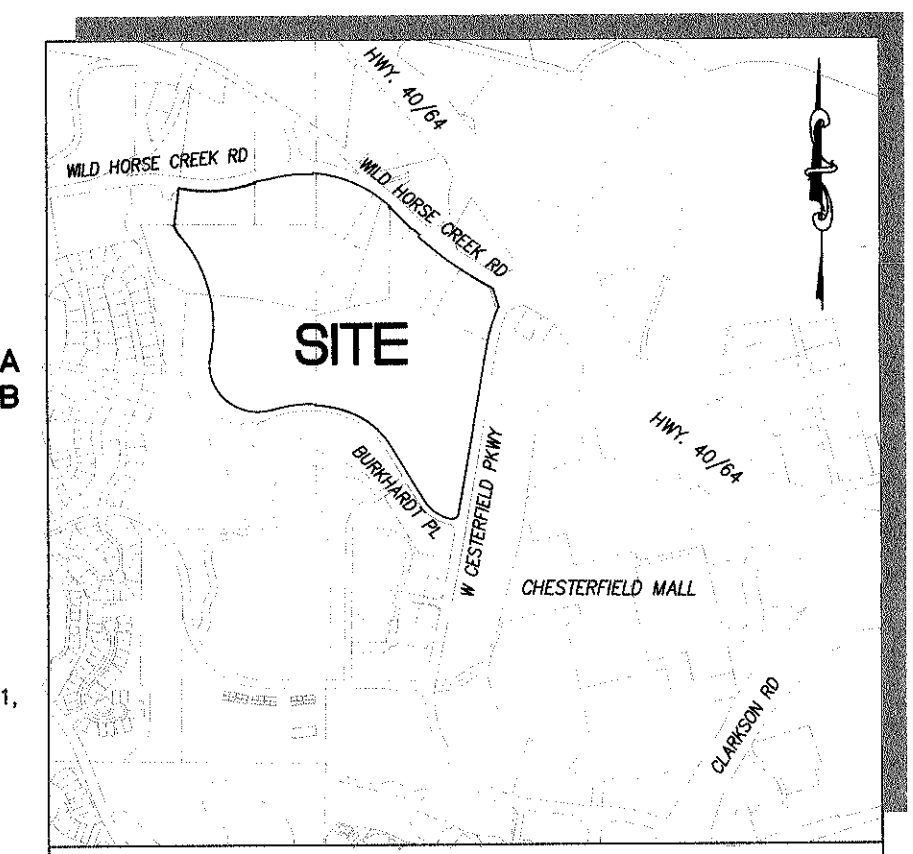
A TRACT OF LAND  
BEING PART OF U.S. SURVEYS 123, 415 AND 2031 AND PART OF LOT C10 OF  
'CHESTERFIELD VILLAGE AREA A PHASE ONE PLAT TWO' IN TOWNSHIP 45 NORTH  
RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

Exhibit A-2

PLAN SHEET LEGEND

- C10 SITE DEVELOPMENT CONCEPT PLAN OVERALL SITE
- C20 SITE DEVELOPMENT CONCEPT PLAN
- C30 SITE DEVELOPMENT CONCEPT PLAN
- C40 SITE DEVELOPMENT CONCEPT PLAN
- C50 SITE DEVELOPMENT CONCEPT PLAN
- C60 TYPICAL STREET SECTIONS
- CL-100 CONCEPT LANDSCAPE PLAN - STREETScape
- CL-110 CONCEPT LANDSCAPE PLAN - OPEN SPACE AREA A
- CL-111 CONCEPT LANDSCAPE PLAN - OPEN SPACE AREA B
- E100 ELECTRICAL SITE LIGHTING PLAN
- E200 ELECTRICAL SITE LIGHTING CALCULATIONS
- TSD-1 TREE STAND DELINEATION
- TFF-1 TREE PRESERVATION PLAN

- SITE DEVELOPMENT CONCEPT PLAN RECORDED ON 10/16/2020, P.B. 368 PGS. 450-462.  
AMENDED SITE DEVELOPMENT CONCEPT PLAN RECORDED ON 3/1/2021, P.B. 369 PGS. 61-73.  
2ND AMENDED SITE DEVELOPMENT CONCEPT PLAN RECORDED ON 9/17/2021, P.B. 369 PGS. 394-398.  
WILDHORSE VILLAGE RECORD PLAT RECORDED ON 12/13/2021, P.B. 369 PGS. 579-586.



PERTINENT DATA

OWNER: WILDHORSE VILLAGE, LP  
A MISSOURI LIMITED PARTNERSHIP  
BOOK: 23906 - PAGE: 2981

OVERALL AREA: 78.397 Acres ±  
EXISTING ZONING: PC & R PER ORDINANCE #3161  
LOTOR NO: 187620206, 187620185, 187630195, 187620053, 187640248, 187640260, 187640271, 187620174, 187610240, 185410206, 187620064, 187630272, 187640983

WURNBERG'S: PG. 21, GRID 18FF & 19EE  
FIRE DISTRICT: MONARCH FIRE PROTECTION DISTRICT  
SCHOOL DISTRICT: PARKWAY  
SEWER DISTRICT: METROPOLITAN ST. LOUIS SEWER DIST.  
WATER SHED: MISSOURI RIVER  
FEMA MAP: 29189C0165K, FEB 4, 2015  
ELECTRIC COMPANY: AMEREN UE  
GAS COMPANY: SPIRE INC  
PHONE COMPANY: AT&T  
WATER COMPANY: MISSOURI AMERICAN WATER COMPANY  
USAGE PERMIT: MVS-2020-554  
ORDINANCE NO.: 3161

PROPERTY DESCRIPTION

AS SURVEYED DESCRIPTION  
A TRACT OF LAND BEING PART OF U.S. SURVEYS 123, 415 AND 2031 AND PART OF LOT C10 OF "CHESTERFIELD VILLAGE AREA A PHASE ONE PLAT TWO" IN TOWNSHIP 45 NORTH - RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN THE DEED TO CHESTERFIELD VILLAGE, INC. RECORDED IN BOOK 6881 PAGE 1745 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTHWARDLY ALONG THE WEST LINE OF AFORESAID CHESTERFIELD VILLAGE, INC. PROPERTY BEING ALSO THE EAST LINE OF PROPERTY DESCRIBED IN THE DEED TO RICHARD B. GODDARD RECORDED IN BOOK 12444 PAGE 721 OF THE ST. LOUIS COUNTY RECORDS NORTH 60 DEGREES 01 MINUTES 02 SECONDS EAST 303.46 FEET TO A POINT ON THE SOUTH LINE OF RELOCATED WILD HORSE CREEK ROAD VARIABLE WIDTH IN PLAT BOOK 354 PAGES 865 OF THE ST. LOUIS COUNTY RECORDS; BEING THE POINT OF BEGINNING OF THE DESCRIBED TRACT; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF WILD HORSE CREEK ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 00 DEGREES 02 MINUTES 48 SECONDS EAST 5.31 FEET, TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 99.00 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 19.25 FEET, AND A CHORD WHICH BEARS NORTH 69 DEGREES 35 MINUTES 49 SECONDS EAST, 19.25 FEET, NORTH 79 DEGREES 48 MINUTES 24 SECONDS EAST, 19.25 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 30.45 FEET, AND A CHORD WHICH BEARS NORTH 84 DEGREES 28 MINUTES 22 SECONDS EAST, 316.79 FEET, NORTH 04 DEGREES 32 MINUTES 49 SECONDS EAST 12.00 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 919.00 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 623.36 FEET, AND A CHORD WHICH BEARS SOUTH 66 DEGREES 01 MINUTE 16 SECONDS EAST, 611.48 FEET, TO A POINT ON THE WEST LINE OF BOOK 12444 PAGE 721 OF SAID RECORDS; THENCE SOUTH 00 DEGREES 43 MINUTES 13 SECONDS WEST ALONG THE WEST LINE OF SAID ROADWAY DEDICATION, 6.68 FEET; THENCE ALONG THE SOUTH LINE OF SAID DEDICATION, SOUTH 44 DEGREES 16 MINUTES 55 SECONDS EAST, 222.40 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 49 SECONDS EAST, 8.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF ABOVE SAID RELOCATED WILD HORSE CREEK ROAD, BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 1191.92 FEET; THENCE THE FOLLOWING COURSES AND DISTANCES: ALONG SAID SOUTH RIGHT OF WAY LINE, ALONG SAID CURVE, AN ARC DISTANCE OF 25.00 FEET, AND A CHORD WHICH BEARS SOUTH 49 DEGREES 48 MINUTES 19 SECONDS EAST, 25.00 FEET; SOUTH 49 DEGREES 48 MINUTES 19 SECONDS EAST, 4.14 FEET; SOUTH 44 DEGREES 11 MINUTES 59 SECONDS EAST 3.70 FEET; SOUTH 49 SECONDS 41 MINUTES 08 SECONDS EAST 36.63 FEET; SOUTH 40 DEGREES 25 MINUTES 28 SECONDS WEST 19.97 FEET; SOUTH 49 DEGREES 40 MINUTES 30 SECONDS EAST 112.48 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 300.82 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 300.82 FEET, AND A CHORD WHICH BEARS SOUTH 54 DEGREES 04 MINUTES 45 SECONDS EAST, 300.52 FEET; SOUTH 49 DEGREES 25 MINUTES 43 SECONDS EAST 184.17 FEET, TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1959.86 FEET, ALONG SAID CURVE AN ARC DISTANCE OF 84.52 FEET, AND A CHORD WHICH BEARS SOUTH 59 DEGREES 40 MINUTES 44 SECONDS EAST, 84.52 FEET; AND SOUTH 17 DEGREES 50 MINUTES 47 SECONDS EAST 135.74 FEET TO A POINT ON THE WEST LINE OF CHESTERFIELD VILLAGE PARKWAY, 73 FEET WIDE, BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 1186.50 FEET; THENCE THE FOLLOWING COURSES AND DISTANCES: ALONG SAID WEST RIGHT OF WAY LINE, ALONG SAID CURVE AN ARC DISTANCE OF 296.68 FEET, AND A CHORD WHICH BEARS SOUTH 17 DEGREES 11 MINUTES 06 SECONDS WEST, 295.91 FEET; SOUTH 10 DEGREES 53 MINUTES 12 SECONDS WEST, 1222.43 FEET; AND SOUTH 55 DEGREES 01 MINUTES 53 SECONDS WEST, 35.38 FEET TO THE NORTH RIGHT OF WAY LINE OF BURKHARDT PLACE, VARIABLE WIDTH; THENCE THE FOLLOWING COURSES AND DISTANCES: ALONG SAID NORTH RIGHT OF WAY LINE, NORTH 80 DEGREES 08 MINUTES 45 SECONDS WEST 15.00 FEET; SOUTH 10 DEGREES 01 MINUTES 02 SECONDS WEST 3.30 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 287.23 FEET; ALONG SAID CURVE, AN ARC DISTANCE OF 244.69 FEET, AND A CHORD WHICH BEARS SOUTH 55 DEGREES 47 MINUTES 14 SECONDS WEST 237.95 FEET; NORTH 31 DEGREES 26 MINUTES 20 SECONDS WEST, 472.64 FEET, TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 588.00 FEET; ALONG SAID CURVE AN ARC DISTANCE OF 351.86 FEET, AND A CHORD WHICH BEARS NORTH 49 DEGREES 10 MINUTES 57 SECONDS WEST, 346.20 FEET; TO A POINT OF COMPOUND CURVE, HAVING A RADIUS OF 816.00 FEET, ALONG SAID CURVE, AN ARC DISTANCE OF 281.27 FEET, AND A CHORD WHICH BEARS NORTH 22 DEGREES 48 MINUTES 37 SECONDS WEST, 279.89 FEET; NORTH 03 DEGREES 22 MINUTES 20 SECONDS EAST, 826.50 FEET; ALONG SAID CURVE, AN ARC DISTANCE OF 244.42 FEET, AND A CHORD WHICH BEARS SOUTH 64 DEGREES 53 MINUTES 57 SECONDS WEST, 244.42 FEET; TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 345.00 FEET; ALONG SAID CURVE AN ARC DISTANCE OF 697.80 FEET, AND A CHORD WHICH BEARS NORTH 45 DEGREES 37 MINUTES 28 SECONDS WEST, 584.80 FEET, TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 985.00 FEET; ALONG SAID CURVE, AN ARC DISTANCE OF 300.56 FEET, AND A CHORD WHICH BEARS NORTH 13 DEGREES 53 MINUTES 58 SECONDS WEST, 869.52 FEET, TO A POINT OF REVERSE CURVATURE HAVING A RADIUS OF 100.00 FEET; ALONG SAID CURVE, AN ARC DISTANCE OF 20 SECONDS WEST, 9.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 84.00 FEET; ALONG SAID CURVE, AN ARC DISTANCE OF 99.68 FEET AND A CHORD WHICH BEARS NORTH 38 DEGREES 52 MINUTES 37 SECONDS EAST, 85.56 FEET; TO A POINT OF REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 826.50 FEET; ALONG SAID CURVE AN ARC DISTANCE OF 99.72 FEET, TO A POINT ON THE ABOVE SAID SOUTH RIGHT OF WAY OF WILD HORSE CREEK ROAD, BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 919.00 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 559.72 FEET, AND A CHORD WHICH BEARS NORTH 68 DEGREES 20 MINUTES 43 SECONDS EAST, 552.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 78,397 ACRES.

FLOOD NOTE:

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP NUMBER 29189C0164K WITH AN EFFECTIVE DATE OF 2-4-2015, BY GRAPHICALLY PLOTTING:

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, 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. OTHER SHOW 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 ABSOLVE ANY PARTY FROM COMPLIANCE WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319 RSMo.

CATEGORY IDENTIFICATIONS

- (A) - CATEGORY A
- (B) - CATEGORY B
- (A/B) - CATEGORY A or B

LEGEND

- PRIVATE ROADS
- PR. COMMERCIAL BLDG.
- PR. RESIDENTIAL BLDG.
- PROPOSED LOT LINES
- LANDSCAPE BUFFER
- BUILD TO LINE
- ELECTRIC MANHOLE
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING TREE
- EXISTING CONTOUR
- EXISTING SPOT ELEVATION
- EXISTING UTILITIES
- PROPOSED CONTOUR
- PROPOSED SPOT
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- FIRE HYDRANT
- POWER POLE
- WATER MANHOLE
- WATER VALVE
- PHONE MANHOLE
- OVERHEAD ELECTRIC
- UNDERGROUND TELEPHONE
- CONCRETE
- ASPHALT
- POLYVINYL CHLORIDE
- CONCRETE
- TRANSFORMER
- SANITARY
- SWALE
- CHAIN-LINK FENCE
- TRAFFIC FLOW

ST. LOUIS COUNTY NOTES

1. UTILITY WORK WITHIN COUNTY RIGHT-OF-WAY OR EASEMENT REQUIRES A SEPARATE SPECIAL USE PERMIT.
2. THE PROPOSED 17' WIDE SHARED USE PATH TO BE MAINTAINED BY THE DEVELOPER.
3. PROPOSED TRAFFIC SIGNALS SHALL BE INSTALLED ONLY WHEN SIGNAL WARRANTS ARE MET. COORDINATE WITH ST. LOUIS COUNTY PRIOR TO ANY TRAFFIC SIGNAL INSTALLATION WORK.
4. COORDINATE WITH COUNTY AR-1817 PRIOR TO THE START OF ANY WORK ON WILD HORSE CREEK ROAD.
5. CHESTERFIELD PARKWAY WEST SIDEWALK IS NOT MAINTAINED BY ST. LOUIS COUNTY.
6. ALL PROPOSED TRAFFIC SIGNALS SHALL BE ADA COMPLIANT WITH THE NUMBER OF CROSSINGS AS DIRECTED BY COUNTY, AND SIGNAL EQUIPMENT LOCATED AS DIRECTED BY COUNTY, REGARDLESS OF PROPERTY RIGHTS.

GENERAL NOTES

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC.
2. 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.
3. NO GRADE SHALL EXCEED 3:1 SLOPE.
4. GRADING AND STORM WATER PER M.S.D., MODOT, ST. LOUIS COUNTY, THE CITY OF CHESTERFIELD AND THE MONARCH CHESTERFIELD LEVEE DISTRICT. STORMWATER SHALL BE DISCHARGED AT ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
5. ALL UTILITIES WILL BE INSTALLED UNDERGROUND.
6. SITE DEVELOPMENT SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS AS OUTLINED IN THE "REVISED PRELIMINARY GEOTECHNICAL EXPLORATION" PREPARED BY MIDWEST TESTING (MT JOB NO. 14938), DATED APRIL 7, 2020.
7. SIGNAGE APPROVAL IS A SEPARATE PROCESS.
8. FINAL LOT GRADING AND ASSOCIATED IMPROVEMENTS, INCLUDING RETAINING WALLS WILL BE REVIEWED AND APPROVED BY SUBSEQUENT SITE DEVELOPMENT CONCEPT PLANS FOR EACH LOT.
10. 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.

PREPARED FOR:

WILDHORSE VILLAGE, LP  
A MISSOURI LIMITED PARTNERSHIP  
CARE OF CRG  
2199 INNERBELT BUSINESS CENTER DR.  
ST. LOUIS, MO 63114  
PHONE 314.429.5100  
ATTN: JEFF TEGETHOFF - 314.492.2572  
OPERATING PARTNER

ST. LOUIS COUNTY BENCHMARK

BENCHMARK# 12048  
NVD09 Elev = 557.81  
Set on top of curb at end of rounding along the north curb line of the easterly extension of Burkhardt Place on the east side of Chesterfield Village Parkway, 0.2 mile north of Lyda Hills Drive.

276  
2022061500276  
BK: 370 PG: 238-240  
FILED FOR RECORD  
06/15/2022 10:45:54 AM  
Number of Pages:  
RECORDED DEEDS  
ST. LOUIS COUNTY, MO  
Witness my hand and official seal on the day and aforesaid.  
Candice Sisk

GEOTECHNICAL STATEMENT

Midwest Testing at the request of Wildhorse Village, LP has provided limited geotechnical services for the project. A preliminary geotechnical exploration was conducted during December 2019 and revised in April 2020 for the development proposed hereon. Our preliminary findings indicate that the earth-related aspects are suitable for the development proposed pursuant to the geotechnical recommendations set forth in the April 7, 2020 report titled "Revised Preliminary Geotechnical Exploration" (MT Job No. 14938) Pearl/RGA - Downtown Chesterfield, Chesterfield, Missouri.

Richard D. Laughlin, PE  
PE-20132  
6/16/22  
DGT



LOT	SIZE (Ac.)	STOCK	RESIDENTIAL USE (SINGLE)	RESIDENTIAL USE (MIXED)	COMMERCIAL USE (OFFICE)	
2A-1	0.530	6774	72	0	0	
2A-2	4.910	6873	286	0	0	
2B-1	0.842	6996	16	0	0	
2B-2	0.668	6996	16	0	0	
2C-1	0.657	6996	16	0	0	
2C-2	0.658	6996	16	0	0	
3A	2.446	-	0	204,000	0	
3B	2.355	-	0	135,000	0	
3C	1.290	-	0	153,000	0	
3D	0.715	-	0	12,000	0	
4A	1.305	6991	0	162,000	0	
4B	1.491	-	0	90,000	0	
4C	3.256	-	0	15,000	0	
4D	0.674	-	0	15,000	0	
5A	0.835	6796	80	30,000	0	
5B	1.456	-	0	14,500	0	
5C	1.840	-	0	6,000	48	0
5D	1.479	6864	48	0	0	
6	11.559	6864	635	0	0	
TOTAL					801,000	

PARTIALLY AMENDED SDCP NOTE

1. LOTS 2B AND 2C WERE SPLIT INTO TWO LOTS, LOTS 2B-1/2 AND LOTS 2C-1/2 AND THE NUMBER OF ALLOCATED RESIDENTIAL UNITS IN THE USE TABLE WERE SPLIT EVENLY BETWEEN THEM.
2. 70 RESIDENTIAL UNITS WERE ALLOCATED TO LOT 2A-2.
3. THE SPECIES OF STREET TREES WERE REVISED PER COORDINATION WITH THE MONARCH FIRE PROTECTION DISTRICT TO PROVIDE AERIAL APPARATUS ACCESS.

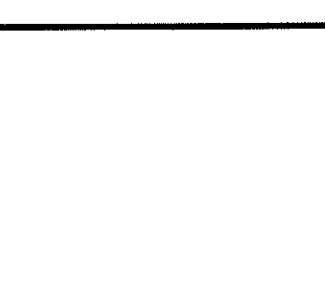


(IN FEET)  
1 inch = 100 ft.



MO DOT LOCATE (314) 340-4100

257 Chesterfield Business Parkway  
St. Louis, MO 63003 PH: (636) 530-9100 FAX: (636) 530-9100  
e-mail: general@stockandassociates.com  
Web: www.stockandassociates.com



PREPARED BY:  
STOCK & ASSOCIATES  
Consulting Engineers, Inc.

CATEGORIES A & B THIRD AMENDED SITE DEVELOPMENT CONCEPT PLAN:  
WILDHORSE VILLAGE  
WILD HORSE CREEK ROAD, W. CHESTERFIELD PARKWAY  
BURKHARDT PLACE - CHESTERFIELD, MISSOURI



REVISIONS:  
1 04/11/2022 REVISED PER CITY COMMENTS  
2 06/08/2022 MYLARS

DATE: 03/14/2022  
W.S.D. P.#: 20250303355  
S.I.C. INT.#: 155/147  
W.M.K.#: 776  
MORATE: 218-9670  
BASE MAP: 20250303355  
HAT: S.I.C.#  
SHEET TITLE:  
SITE DEVELOPMENT CONCEPT PLAN (OVERALL SITE)  
SHEET NO.: C10