



**AGENDA REVIEW MEETING  
CHESTERFIELD CITY COUNCIL  
Tuesday, September 05, 2023  
6:15 PM**

**I. Appointments** – Mayor Bob Nation

- 1. Planning Commission** – Walter Bilgram
- 2. Police Personnel Board** – John F. Foster Jr.

**II. Council Committee Reports**

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

- 1. Proposed Amended Bill No. 3463 - P.Z. 06-2023 Chesterfield Village Mall (TSG Downtown Chesterfield Redevelopment, LLC) –**  
A request to rezone an existing C-8 Planned Commercial District to “PC&R” – Planned Commercial and Residential District for 96.017 acres located west of Clarkson Road / MO 340, south of S Outer 40 Road, east and north of Chesterfield Parkway. **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 2. Proposed Bill No. 3464 - Chesterfield Pkwy Temporary Slope Construction License** – An ordinance authorizing waiver of compensation and dedicating temporary slope construction licenses in connection with St. Louis County project number AR-1768, Chesterfield Parkway West (South) resurfacing in the City of Chesterfield. **(Second Reading) Planning & Public Works Committee recommends approval.**
- 3. Proposed Bill No. 3466 – P.Z. 10-2023 Carshield F.C. (Stock & Associates):** A request to rezone from “PI” Planned Industrial to a new “PI” Planned Industrial district for a 16.58-acre tract of land located east of Eatherton Rd and north of Wings Corporate Dr. (17W130064). (Ward 4). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 4. Proposed Bill No. 3467 – P.Z. 11-2023 Burkhardt Place, Lot 11:** A request for an ordinance amendment to the existing “PC” Planned Commercial District to new “PC” Planned Commercial District for 0.32 of the Historical District, located on the south side of Old Chesterfield Road (17T220036). (Ward 4). **(First Reading) Planning**

**Commission recommends approval. Planning & Public Works Committee recommends approval. Green Sheet Amendments.**

**5. Proposed Bill No. 3468** – An Ordinance of the City of Chesterfield, Missouri repealing the 2015 International Property Maintenance Code and Local amendments thereto. **(First Reading). Planning & Public Works Committee recommends approval.**

**6. Next Meeting – Thursday, September 07, 2023 (5:30pm)**

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

**1. Next Meeting – October 03, 2023 (Committee of the Whole) – (5:30pm)**

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

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

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

**1. Proposed Resolution No. 489** – A Resolution of the City of Chesterfield, Missouri to permit the City of Ballwin, Missouri to install a license plate recognition camera within the municipal boundaries of the City of Chesterfield. **(Roll Call Vote) Public Health and Safety Committee recommends approval.**

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

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

**IV. Other Legislation**

**A. Proposed Bill No. 3469 - Spirit Valley Business Park II (Record Plat):** A Record Plat for a 27.35-acre tract of land zoned “PI” Planned Industrial located south of Olive Street Rd., east of Eatherton Rd., and west of Spirit Valley Central Dr. **(First and Second Reading) Planning Commission recommends approval.**



## **V. Unfinished Business**

## **VI. New Business**

## **VII. Adjournment**

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

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

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



**AGENDA**  
**CITY COUNCIL MEETING**  
**Chesterfield City Hall**  
**690 Chesterfield Parkway West**  
**Tuesday, September 05, 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** – August 21, 2023
  
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
  - A. Thursday, September 07, 2023 – Planning & Public Works (5:30pm)**
  - B. Monday, September 11, 2023 – Planning Commission (7:00pm)**
  - C. Monday, September 18, 2023 – City Council (7:00pm)**
  
- VII. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
  
- VIII. APPOINTMENTS** – Mayor Bob Nation
  - A. Planning Commission** – Walter Bilgram
  - B. Police Personnel Board** – John F. Foster Jr.

## **IX. COUNCIL COMMITTEE REPORTS**

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

- 1. Proposed Amended Bill No. 3463 - P.Z. 06-2023 Chesterfield Village Mall (TSG Downtown Chesterfield Redevelopment, LLC)** – A request to rezone an existing C-8 Planned Commercial District to “PC&R” – Planned Commercial and Residential District for 96.017 acres located west of Clarkson Road / MO 340, south of S Outer 40 Road, east and north of Chesterfield Parkway. **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 2. Proposed Bill No. 3464 - Chesterfield Pkwy Temporary Slope Construction License** – An ordinance authorizing waiver of compensation and dedicating temporary slope construction licenses in connection with St. Louis County project number AR-1768, Chesterfield Parkway West (South) resurfacing in the City of Chesterfield. **(Second Reading) Planning & Public Works Committee recommends approval.**
- 3. Proposed Bill No. 3466 – P.Z. 10-2023 Carshield F.C. (Stock & Associates):** A request to rezone from “PI” Planned Industrial to a new “PI” Planned Industrial district for a 16.58-acre tract of land located east of Eatherton Rd and north of Wings Corporate Dr. (17W130064). (Ward 4). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 4. Proposed Bill No. 3467 – P.Z. 11-2023 Burkhardt Place, Lot 11:** A request for an ordinance amendment to the existing “PC” Planned Commercial District to new “PC” Planned Commercial District for 0.32 of the Historical District, located on the south side of Old Chesterfield Road (17T220036). (Ward 4). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Green Sheet Amendments.**
- 5. Proposed Bill No. 3468** – An Ordinance of the City of Chesterfield, Missouri repealing the 2015 International Property Maintenance Code and Local amendments thereto. **(First Reading). Planning & Public Works Committee recommends approval.**
- 6. Next Meeting – Thursday, September 07, 2023 (5:30pm)**

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

**1. Next Meeting – October 03, 2023 - Committee of The Whole  
(5:30pm)**

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

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

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

**1. Proposed Resolution No. 489** – A Resolution of the City of Chesterfield, Missouri to permit the City of Ballwin, Missouri to install a license plate recognition camera within the municipal boundaries of the City of Chesterfield. **(Roll Call Vote) Public Health and Safety Committee recommends approval.**

**2. Next Meeting – not yet scheduled**

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

**XI. OTHER LEGISLATION**

**A. Proposed Bill No. 3469 - Spirit Valley Business Park II (Record Plat):** A Record Plat for a 27.35-acre tract of land zoned “PI” Planned Industrial located south of Olive Street Rd., east of Eatherton Rd., and west of Spirit Valley Central Dr. **(First and Second Reading) Planning Commission recommends approval.**

**XII. UNFINISHED BUSINESS**

**XIII. NEW BUSINESS**

**XIV. ADJOURNMENT**

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

**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 REVIEW – TUESDAY, SEPTEMBER 05, 2023 – 6:15 PM**

An AGENDA REVIEW meeting has been scheduled to start at **6:15 PM, on Tuesday, September 05, 2023.**

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

### **UPCOMING MEETINGS/EVENTS**

- A. Thursday, September 07, 2023 – Planning & Public Works (5:30pm)**
- B. Monday, September 11, 2023 – Planning Commission (7:00pm)**
- C. Monday, September 18, 2023 – City Council (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 two appointments proposed for Tuesday's meeting.

**Planning Commission** – Walter Bilgram

**Police Personnel Board** – John F. Foster Jr.



## RECORD OF PROCEEDING

---

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

**AUGUST 21, 2023**

---

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

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

A roll call was taken with the following results:

PRESENT

ABSENT

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

APPROVAL OF MINUTES

The minutes of the August 7, 2023 City Council meeting were submitted for approval. Councilmember Mastorakos made a motion, seconded by Councilmember Moore, to approve the August 7, 2023 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.



The minutes of the August 7, 2023 Special Council Work Session were submitted for approval. Councilmember Hansen made a motion, seconded by Councilmember Moore, to approve the August 7, 2023 Special Council Work Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **INTRODUCTORY REMARKS**

Mayor Nation announced that City Hall will be closed on Monday, September 4, in observance of Labor Day.

Mayor Nation announced that the next meeting of City Council is scheduled for Tuesday, September 5, at 7 p.m.

### **COMMUNICATIONS AND PETITIONS**

Chief Ray Johnson awarded the Chief's Commendation Award to Officers Joseph Brewer and John Hartman for their heroic life-saving response involving a six-year-old child.

Ms. Patricia Tocco, 14720 Whitebrook Drive, made comments pertaining to compromises reached for Bill No. 3463 (P.Z. 06-2023 Chesterfield Village Mall [TSG Downtown Chesterfield Redevelopment, LLC]).

Mr. Michael Doster, 16150 Main Circle Drive, representing The Staenberg Group, reaffirmed the request to postpone consideration of Bill No. 3463 (P.Z. 06-2023 Chesterfield Village Mall [TSG Downtown Chesterfield Redevelopment, LLC]).

The following individuals spoke in support of Bill No. 3463 (P.Z. 06-2023 Chesterfield Village Mall [TSG Downtown Chesterfield Redevelopment, LLC]) and expressed opposition to any amendment that restricts the successful redevelopment of Chesterfield Mall:

- Mr. Ralph Pfremer, 16573 Wildhorse Creek Road
- Mr. Rob Rodermund, 17134 Surrey View Drive
- Ms. Mary Brown, 62 Chesterfield Lakes Road

### **APPOINTMENTS**

There were no appointments scheduled on the agenda for this meeting.

## COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

### Planning & Public Works Committee

Bill No. 3463      Rezones an existing C-8 Planned Commercial District to “PC&R” – Planned Commercial and Residential District for 96.017 acres located west of Clarkson Road / MO 340, south of S Outer 40 Road, east and north of Chesterfield Parkway **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Green Sheet Amendments. Petitioner requests postponement**

Councilmember Merrell Hansen, Chairperson of the Planning & Public Works Committee, made a motion, seconded by Councilmember Moore, to postpone the reading of Bill No. 3463 until the next City Council meeting, as requested by the petitioner.

After lengthy discussion, Councilmember Wahl made a motion, seconded by Councilmember Hansen, to amend the original motion to postpone, by moving forward with the first reading, incorporating green sheet amendment numbers 1-15 and excluding green sheet amendment number 16, which created the 1.35 million square foot residential ground floor footprint restriction. A roll call vote was taken on the amendment, with the following results: Ayes – Moore, Wahl, Budoor and Hansen. Nays – Hurt, McGuinness, Monachella and Mastorakos. Mayor Nation voted “Aye” to break the tie and declared the motion passed. This vote invalidates the original motion to postpone.

Councilmember Hansen made a motion, seconded by Councilmember Wahl, for the first reading of Bill No. 3463, as amended. A roll call vote was taken with the following results: Ayes – Budoor, Mastorakos, Wahl, Hansen, Hurt, Monachella and Moore. Nays – McGuinness. Mayor Nation declared the motion passed, as amended. Bill No. 3463 was read for the first time.

Bill No. 3464      Authorizes waiver of compensation and dedicates temporary slope construction licenses in connection with St. Louis County project number AR-1768, Chesterfield Parkway West (South) resurfacing in the City of Chesterfield **(First Reading) Planning & Public Works Committee recommends approval**

Councilmember Hansen made a motion, seconded by Councilmember Monachella, for the first reading of Bill No. 3464. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3464 was read for the first time.

Councilmember Hansen announced that the next meeting of this Committee is scheduled for Thursday, August 24, at 5:30 p.m.

### **Finance & Administration Committee**

Councilmember Michael Moore, Chairperson of the Finance & Administration Committee, announced that the next meeting of this Committee, scheduled for Monday, September 24, will be re-scheduled due to a conflict with a religious holiday.

### **Parks, Recreation & Arts Committee**

Councilmember Mary Monachella, Chairperson of the Parks, Recreation & Arts Committee, made a motion, seconded by Councilmember Wahl, to approve a proposed resolution authorizing the City's Municipal Parks Grant Application, as recommended by the Parks, Recreation & Arts Committee. A roll call vote was taken with the following results: Ayes – Hurt, McGuinness, Moore, Monachella, Wahl, Hansen, Mastorakos and Budoor. Nays – None. Mayor Nation declared the motion passed. The successful resolution became Chesterfield Resolution No. 488.

Councilmember Monachella made a motion, seconded by Councilmember Hansen, to approve an expenditure of up to \$40,000 of the existing American Rescue Plan Act (ARPA) allocation, for windscreens and fencing at the Chesterfield Valley Athletic Complex (CVAC) Pickleball Courts, as recommended by the Parks, Recreation & Arts Committee. A roll call vote was taken with the following results: Ayes – Mastorakos, Monachella, Hurt, Wahl, Hansen, Budoor, McGuinness and Moore. Nays – None. Mayor Nation declared the motion passed.

Councilmember Monachella made a motion, seconded by Councilmember Budoor, to approve “earmarking” \$500,000 from the General Fund – Fund Reserves over the 40% Fund Reserve Policy for the future construction of Pickleball facilities, with the expectation to contribute additional funds in the future, as recommended by the Parks, Recreation & Arts Committee. A roll call vote was taken with the following results: Ayes – Hansen, Budoor, Moore, Hurt, Wahl, Mastorakos, McGuinness and Monachella. Nays – None. Mayor Nation declared the motion passed.

### **Public Health & Safety Committee**

Councilmember Mary Ann Mastorakos, Chairperson of the Public Health & Safety Committee, announced that the Committee met immediately prior to the Council meeting, and action items from that meeting will be addressed at the next City Council meeting.

## **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Geisel reported that Staff is recommending award of a contract for the 2023 Asphalt Mill and Overlay Project. Based upon review of information provided by Jim Eckrich, Director of Public Works/City Engineer, Mr. Geisel joined with him in recommending approval of the low bid as submitted by Ford Asphalt, and authorization for the City Administrator to execute a contract in an amount not to exceed \$420,000, which is the budgeted value in the Capital Projects Fund. Councilmember Moore made a motion, seconded by Councilmember Wahl, to approve this recommendation. A roll call vote was taken with the following results: Ayes – McGuinness, Wahl, Hurt, Monachella, Hansen, Moore, Budoor and Mastorakos. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that 4 Hands Brewing Company, located at 17081 N. Outer 40 Road, has requested a new liquor license to sell all kinds of liquor by the drink, to be consumed on premise and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Budoor made a motion, seconded by Councilmember Hansen, to approve issuance of a new liquor license to 4 Hands Brewing Company. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Moore made a motion, seconded by Councilmember Monachella, to approve and authorize payment of the St. Louis County Metro Municipal League dues in the amount of \$7,122. A roll call vote was taken with the following results: Ayes – Monachella, Budoor, Hansen, McGuinness, Mastorakos, Hurt, Moore and Wahl. Nays – None. Mayor Nation declared the motion passed.

## **OTHER LEGISLATION**

Bill No. 3462            Re-adopts the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials **(Second Reading)**

Councilmember Wahl made a motion, seconded by Councilmember Budoor, for the second reading of Bill No. 3462. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3462 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3462 with the following results: Ayes – Mastorakos, Moore, Hurt, Wahl, Monachella, McGuinness, Hansen and Budoor. Nays – None. Whereupon Mayor Nation declared Bill No. 3462 approved, passed it and it became **ORDINANCE NO. 3254**.

Bill No. 3465 Amends Section 110.380 of the City Code related to the City Council's rules of procedure **(First Reading) City Attorney recommends approval**

Councilmember McGuinness made a motion, seconded by Councilmember Wahl, to send Bill No. 3465 to the Finance & Administration Committee for review and further consideration. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

**UNFINISHED BUSINESS**

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

**NEW BUSINESS**

There was no new business.

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:45 p.m.

---

Mayor Bob Nation

**ATTEST:**

---

Vickie McGownd, City Clerk

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

## **PLANNING AND PUBLIC WORKS COMMITTEE**

Chair: Councilmember Merrell Hansen

Vice-Chair: Councilmember Dan Hurt

**Proposed Amended Bill No. 3463 - P.Z. 06-2023 Chesterfield Village Mall (TSG Downtown Chesterfield Redevelopment, LLC)** – A request to rezone an existing C-8 Planned Commercial District to “PC&R” – Planned Commercial and Residential District for 96.017 acres located west of Clarkson Road / MO 340, south of S Outer 40 Road, east and north of Chesterfield Parkway. **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

**Proposed Bill No. 3464 - Chesterfield Pkwy Temporary Slope Construction License** – An ordinance authorizing waiver of compensation and dedicating temporary slope construction licenses in connection with St. Louis County project number AR-1768, Chesterfield Parkway West (South) resurfacing in the City of Chesterfield. **(Second Reading) Planning & Public Works Committee recommends approval.**

**Proposed Bill No. 3466 – P.Z. 10-2023 Carshield F.C. (Stock & Associates):** A request to rezone from “PI” Planned Industrial to a new “PI” Planned Industrial district for a 16.58-acre tract of land located east of Eatherton Rd and north of Wings Corporate Dr. (17W130064). (Ward 4). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

**Proposed Bill No. 3467 – P.Z. 11-2023 Burkhardt Place, Lot 11:** A request for an ordinance amendment to the existing “PC” Planned Commercial District to new “PC” Planned Commercial District for 0.32 of the Historical District, located on the south side of Old Chesterfield Road (17T220036). (Ward 4). **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval. Green Sheet Amendments.**

**Proposed Bill No. 3468** – An Ordinance of the City of Chesterfield, Missouri repealing the 2015 International Property Maintenance Code and Local amendments thereto. **(First Reading). Planning & Public Works Committee recommends approval.**

## **NEXT MEETING**

The next meeting of the Planning and Public Works Committee is scheduled for Thursday, September 7<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 Tuesday’s meeting.

# MEMORANDUM

TO: Mike Geisel, City Administrator  
FROM: Justin Wyse, Director of Planning  
SUBJECT: Planning & Public Works Committee Meeting Summary  
Thursday, August 24, 2023



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, August 24, 2023 in Conference Room 101.

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: Mayor Bob Nation; Councilmember Aaron Wahl (Ward II); Councilmember Gary Budoor (Ward IV); Justin Wyse, Director of Planning served as the Recording Secretary at the meeting; Shilpi Bharti, Planner; Alyssa Ahner, Planner;

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

## I. APPROVAL OF MEETING SUMMARY

### A. Approval of the August 10, 2023 Committee Meeting Summary

Councilmember Mastorakos made a motion to approve the Meeting Summary of August 10, 2023 with the change to a misspelling on page 2 of the minutes. The motion was seconded by Councilmember Monachella and passed by a voice vote of 4-0.

## II. UNFINISHED BUSINESS - None

## III. NEW BUSINESS

### A. Planning Commission Nominee Interview

Chair Hansen asked Mr. Walter Bilgram to give a brief summary of his background and interest in serving on the Planning Commission. Following Mr. Bilgram's introduction, the Committee provided an overview of many of the important elements of the position.

Councilmember Hurt made a motion to forward Mr. Walter Bilgram's nomination for the Planning Commission to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos and passed by a voice vote of 4-0.

### B. Power of Review: Chesterfield Commons Six, Lot 3 (Chick-fil-A) ASDSP: A Third Amended Site Development Section Plan, Amended Landscape Plan, Lighting Plan



and Amended Architectural Elevations for a 1.28-acre tract of land zoned “C-8” Planned Commercial District located on the north side of Chesterfield Airport Road and west of Boone’s Crossing. (Ward 4)

### **STAFF PRESENTATION**

Shilpi Bharti, Planner presented an overview of the proposed changes to the site to accommodate an expanded drive-thru lane, relocate menu board and order canopy, install a canopy on the east side of the building, adjustments to landscaping and lighting based on the changes, and the associated request for 45% parking reduction. The Planning Commission approved the project by a vote of 4-2 and Power of Review was called by Councilmember Hansen.

### **DISCUSSION**

Discussion was held regarding concerns from neighboring property owners regarding trash pickup and shared parking. Councilmember Monachella expressed her concern for the 20% increase in the drive-thru customers. She expressed that the increase percentage might create an additional congestion. The project engineer from Chick-fil-a noted that the drive-thru expansion will have total of 33 stacking space, which is double the number of stacking space existing on the site. The increase in stacking number will address the 20% increase, additionally he mentioned that they are reducing the number of seats for dine-in customers, and expanding the size of kitchen to offer faster delivery to the drive-thru customers.

Additionally, the committee discussed concerns with the amount of parking being removed and expressed a preference to reduce green space to maintain as much parking as possible on the site while improving conditions that result in congestion from the drive thru spilling onto adjacent roadways. Mr. Wyse noted that they were at the minimum green space percentage on the site and may not be able to further reduce the parking islands to accommodate replacement parking.

Councilmember Hurt made a motion to postpone **Chesterfield Commons Six, Lot 3 (Chick-fil-A)** until the next meeting to allow time for the neighbors to discuss cooperative maintenance and allow the design team to investigate options to minimize the amount of lost parking on the site. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

- C. **P.Z. 10-2023 Carshield F.C. (Stock & Associates)**: A request to rezone from “PI” Planned Industrial to a new “PI” Planned Industrial district for a 16.58-acre tract of land located east of Eatherton Rd and north of Wings Corporate Dr. (17W130064). (Ward 4)

### **STAFF PRESENTATION**

Alyssa Ahner, Planner presented an overview of the request to add additional uses to allow for outdoor and indoor soccer facilities on the site, adjust setbacks, allow for taller lighting standards to be installed with the proposed fields, and provide a Preliminary Development Plan for the proposed development.

### **DISCUSSION**

The committee discussed concerns about increasing traffic on Eatherton Road and Mr. Wyse noted that a traffic study would be required with a future site development plan submittal for the

project. Additionally, the committee discussed the impact on lighting and noted the distance of residential properties from the proposed lighting.

Several Councilmembers noted concerns about soccer balls leaving the property. Mr. George Stock, on behalf of the project, stated that fencing, netting, and landscaping will be utilized in various areas around the site to minimize the occurrences of this similar to Maryville off Conway Road in Town and Country.

Councilmember Hurt questioned the driveway spacing proposed. Ms. Ahner informed the committee that the current configuration is slightly short of the City's UDC requirement and the Attachment 'A' references that these are conceptual location and that all access management requirements will be met on the Site Development Plan. Mr. Wyse noted that the two access points on the northern portion of the site are required by the Monarch Fire Protection District. Councilmember Hurt noted, and George Stock concurred, that additional restrictions such as gating or limited access (e.g., right-in / right-out) may be necessary.

**Councilmember Monachella made a motion to forward P.Z. 10-2023 Carshield F.C. (Stock & Associates) to City Council with a recommendation to approve. The motion was seconded by Councilmember Hansen and passed by a voice vote of 4-0.**

**[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 10-2023 Carshield F.C. (Stock & Associates).]**

- D. **P.Z. 11-2023 Burkhardt Place, Lot 11:** A request for an ordinance amendment to the existing "PC" Planned Commercial District to new "PC" Planned Commercial District for 0.32 of the Historical District, located on the south side of Old Chesterfield Road (17T220036). (Ward 4)

### **STAFF PRESENTATION**

Shilpi Bharti, Planner presented the request to modify development criteria for the existing site. The proposed changes would allow for renovation of the existing structure and address areas of existing non-conformance on the site. Additionally, staff has coordinated with the applicant since the Planning Commission meeting and proposes that the committee consider including an amendment to clarify when TGA payments are required.

### **DISCUSSION**

The Committee noted the improvements that the applicants have made along the historic corridor and the benefits to the City with the preservation and enhancement efforts made.

**Councilmember Hurt made a motion to forward P.Z. 11-2023 Burkhardt Place, Lot 11 to City Council with an amendment to clarify when TGA payments are due with a recommendation to approve. The motion was seconded by Councilmember Hansen and passed by a voice vote of 4-0.**

**[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 11-2023 Burkhardt Place, Lot 11.]**

- E. **Public Street Acceptance – Schoettler Grove Subdivision** (Ward 3)

## **STAFF PRESENTATION**

Justin Wyse, Director of Planning explained that Public Works staff recently conducted an inspection of the Schoettler Grove subdivision. As part of the inspection, Staff has determined that the following street meets the City of Chesterfield's design and construction standards for acceptance as public streets:

- Schoettler Grove Court: Approximately 1,965 feet; from Schoettler Road to the cul-de-sac Book 364, Pages 109-110

## **DISCUSSION**

Councilmember Hurt noted there have been ongoing complaints regarding the home under construction on Lot 17. Specifically, there is a port-a-potty on the lot and his preference would be for the construction to install plumbing and use the home. Councilmember Mastorakos stated that she believes temporary facilities are more appropriate for this type of project.

Councilmember Hurt made a motion to postpone **Public Street Acceptance – Schoettler Grove Subdivision** until the next meeting. The motion was seconded by Councilmember Monachella and **passed** by a voice vote of 4-0.

## **F. [International Property Maintenance Code](#)**

## **STAFF PRESENTATION**

Justin Wyse, Director of Planning explained that Staff presented to the Planning and Public Works Committee in May regarding two conflicting sections of City Code regarding property maintenance requirements. After discussion, the Committee directed Staff to prepare an ordinance that would repeal the 2015 International Property Maintenance Code.

This would remove the conflicting ordinance and result in property maintenance being regulated under Section 500.140 Minimum Exterior Standards. As previously discussed, this limits the City's authority to regulate property to exterior elements only.

## **DISCUSSION**

The Committee discussed concerns with complaints that would be forwarded to the St. Louis County Department of Public Health. Councilmember Monachella indicated that she was told by the County that approval from the City would be required before action taken by the County. The Committee asked staff to follow up on these requirements so they are fully aware of the County's requirements moving forward.

Councilmember Hurt made a motion to forward the repeal of the **International Property Maintenance Code** to City Council with a recommendation to approve an ordinance repealing the International Property Maintenance Code. The motion was seconded by Councilmember Mastorakos and **passed** by a voice vote of 4-0.

**[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on the [International Property Maintenance Code](#).]**

**IV. OTHER**

**V. ADJOURNMENT**

The meeting adjourned at 7:05 p.m.

# Memorandum

## Department of Planning



**To:** Michael O. Geisel, City Administrator  
**From:** Justin Wyse, Director of Planning *JW*  
**Date:** September 5<sup>th</sup>, 2023  
**RE:** **PZ -06-2023 Chesterfield Village Mall (TSG Downtown Chesterfield Redevelopment, LLC)**

### Proposal Summary

Stock & Associates Consulting Engineers, Inc., on behalf of TSG Downtown Chesterfield Redevelopment, LLC., are requesting a change in zoning to permit construction of a mixed-use development on 96.017 acres that includes portions of Chesterfield Mall and surrounding area. The area borders are south of S. Outer 40 Road, west of Clarkson/MO 340, and north and east of Chesterfield Parkway. It does not include the Dillards/Swift Parcels.



The applicant seeks to change the zoning from “C-8” Planned Commercial District to “PC&R” Planned Commercial and Residential District. The request would allow for residential and commercial uses to create “Downtown Chesterfield”. This request was discussed in detail at the Planning Commission Public Hearing on May 22, 2023. and

at the Planning Commission on June 26, 2023 where a recommendation for approval of the above-referenced matter was approved by a vote of 8-0.

On July 20 and August 10, 2023, the Planning and Public Works Committee met and discussed. The Committee forwarded several amendments by a vote of 4-0 and one amendment by a vote of 3-1. On August 21, 2023 the City Council incorporated the amendments approved unanimously by PPW; however, the amendment passed by a vote of 3-1 for additional regulations to establish a maximum residential footprint within the development failed and is not included in the proposed Attachment 'A' for the site.

**BILL NO.** 3463

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

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING A “C-8” PLANNED COMMERCIAL DISTRICT TO A “PC&R” PLANNED COMMERCIAL AND RESIDENTIAL DISTRICT FOR A 96.017 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF INTERSTATE I-64/SOUTH OUTER 40 ROAD, EAST AND NORTH OF CHESTERFIELD PARKWAY AND WEST OF CLARKSON/MO STATE HIGHWAY 340. (P.Z. 6-2023 CHESTERFIELD VILLAGE MALL)**

**WHEREAS**, the petitioner, Stock & Associate Consulting Engineers, Inc. is requesting to change the zoning from a “C-8” Planned Commercial District to a “PC & R” Planned Commercial and Residential District for a 96.017 acre tract of land located south of U.S. Interstate Highway 40/I-64 and South Outer 40 Road and east and north of Chesterfield Parkway West, and west of Clarkson Road/MO State Highway 340; and

**WHEREAS**, the Planning Commission held a public hearing on May 22, 2023 to consider the matters; and

**WHEREAS**, the Planning Commission having considered said request, recommended approval of the rezoning request.

**WHEREAS**, the Planning and Public Works Committee, having considered said request, recommended approval of the change in zoning with amendments; 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.** The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are part thereof, are hereby amended by establishing a “PC & R” Planned Commercial and Residential District for 96.017 acre tract of land located south of U.S. Interstate I-64/South Outer 40 Road, east and north of Chesterfield Parkway West, and west of Clarkson Road/MO State Highway 340 and described as follows:



## **Property Description**

### **Area 1.**

Beginning at the southeastern corner of Lot C-108 of Chesterfield Village A Phase One Plat One, a subdivision according to the plat thereof as recorded in Plat Book 158, Page 96 of the St. Louis County records, said point also being located on the northern right-of-way line of West Chesterfield Parkway, variable width; thence along the eastern line of said lot C-108, North 02 degrees 24 minutes 55 seconds East, 153.50 feet to the northeastern corner thereof, thence along the northeastern lines of said Lot C108 and Lot 1 of the Chesterfield Village Area "A" Phase One Plat One Lots C109 and C208 Lot Consolidation Plat, a subdivision according to the plat thereof as recorded in Plat Book 367, Page 521 of above said records, the following courses and distances: North 52 degrees 55 minutes 05 seconds West, 837.00 feet; North 18 degrees 15 minutes 05 seconds West, 305.01 feet and North 64 degrees 14 minutes 40 seconds West, 41.67 feet to the beginning of a non-tangent curve to the left having a radius of 432.37 feet; thence along said curve with an arc length of 106.89 feet and a chord which bears South 60 degrees 42 minutes 07 seconds West, 106.62 feet to the beginning of a non-tangent curve to the left having a radius of 338.26 feet an arc length of 254.23 feet and a chord which bears South 73 degrees 46 minutes 00 seconds West, 248.28 feet and North 84 degrees 40 minutes 43 seconds West, 14.47 feet to the eastern right-of-way line of West Chesterfield Parkway, 73 feet wide, said point also being located on a curve to the right having a radius of 763.50 feet; thence along said curve with an arc length of 75.03 feet and a chord which bears North 05 degrees 18 minutes 40 seconds East, 75.00 feet to the southwest corner of Lot C110 of Chesterfield Village Area A Phase 1 Plat 2 according to the plat thereof as recorded in Plat Book 166, Page 84 of above said records, thence along southern and eastern lines of said Chesterfield Village Area A Phase 1 Plat 2 the following courses and distances: South 84 degrees 40 minutes 43 seconds East, 14.48 feet to a non-tangent curve to the left having a radius of 262.50 feet, an arc length of 191.02 feet and a chord which bears North 74 degrees 28 minutes 28 seconds East, 186.83 feet; North 53 degrees 37 minutes 39 seconds East, 8.62 feet to the beginning of a non-tangent curve to the right having a radius of 507.82 feet, an arc length of 160.61 feet and a chord which bears North 62 degrees 41 minutes 17 seconds East, 159.94 feet; North 27 degrees 29 minutes 54 seconds East, 207.73 feet; North 14 degrees 25 minutes 19 seconds East, 758.46 feet and North 08 degrees 46 minutes 20 seconds East, 85.00 feet to the northmost corner of New Section B of the Resubdivision Plat of Lot C101F of Parcel C101F of Chesterfield Village Area A Phase 1 Plat One, Plat Book 334, Pages 65 and 65A; thence along the northern and eastern lines of said New Section B the following courses and distances: South 75

degrees 34 minutes 41 seconds East, 51.88 feet; South 12 degrees 26 minutes 49 seconds East, 123.89 feet; North 77 degrees 33 minutes 11 seconds East, 250.00 feet; South 12 degrees 26 minutes 49 seconds East, 240.00 feet; North 77 degrees 33 minutes 11 seconds East, 451.32 feet; South 12 degrees 26 minutes 49 seconds East, 74.00 feet and North 77 degrees 33 minutes 11 seconds East, 497.94 feet and to a point on a non-tangent curve to the left having a radius of 515.00 feet, said point also being located on the west line of Lot C 106 of above said Chesterfield Village A Phase One Plat One; thence along said curve with an arc length of 155.67 feet and a chord which bears North 32 degrees 57 minutes 40 seconds West, 155.08 feet to the western most corner of said Lot C 106; thence along the northwestern lines of said Lot C 106 the following: North 50 degrees 55 minutes 27 seconds East, 245.99 feet and North 32 degrees 52 minutes 18 seconds East, 32.53 feet to its intersection with the southern right-of-way line of Chesterfield Airport Road, variable width; thence along said right-of-way line South 57 degrees 07 minutes 42 seconds East, 341.40 feet to the northwest corner of that part of Chesterfield Center vacated by City of Chesterfield Ordinance Number 511, and recorded in Book 8872, Page 2431 of above said records; thence along the north, east and south lines of said vacation the following courses and distances: continuing Southeasterly along said line, South 57 degrees 07 minutes 42 seconds East, 21.18 feet; South 42 degrees 52 minutes 34 seconds East, 8.16 feet to the beginning of a non-tangent curve to the right having a radius of 61.00 feet, an arc length of 31.10 feet and a chord which bears South 13 degrees 33 minutes 13 seconds West, 30.76 feet; South 28 degrees 09 minutes 48 seconds West, 126.11 feet to the beginning of a curve to the right having a radius of 495.58 feet, an arc length of 17.10 feet and a chord which bears South 29 degrees 9 minutes 7 seconds West 17.10 feet; South 30 degrees 07 minutes 59 seconds West, 34.42 feet and North 69 degrees 47 minutes 38 seconds West, 5.45 feet to the eastern most corner of above said Lot C 106; thence along the southern line of said Lot C 106, South 77 degrees 7 minutes 6 seconds West, 290.42 feet; to the east line of New Section A of Lot C101F of above said Resubdivision Plat of Lot C101F of Parcel C101F of Chesterfield Village Area A Phase 1 Plat One; thence along said east lines of said New Section A the following courses and distances: South 12 degrees 26 minutes 49 seconds East, 451.59 feet; South 56 degrees 32 minutes 18 seconds East, 43.09 feet to the beginning of a non-tangent curve to the right having a radius of 473.00 feet, and along said curve with an arc length of 151.21 feet and a chord which bears South 89 degrees 38 minutes 16 seconds East, 150.56 feet; thence crossing Chesterfield Center Drive; South 12 degrees 32 minutes 53 seconds West, 100.14 feet to the north line of Lot C 102 of above said Chesterfield Village A Phase One Plat One, said point also being located on a non-tangent curve to the right having a radius of 373.00 feet; thence along said north line and last said curve with an arc length of

137.75 feet and a chord which bears South 70 degrees 43 minutes 56 seconds East, 136.97 feet; thence South 11 degrees 41 minutes 44 seconds East, 41.56 feet to the western right-of-way line of Clarkson Road, variable width thence along said right-of-way line the following courses and distances: South 34 degrees 27 minutes 25 seconds West, 386.00 feet; South 23 degrees 33 minutes 07 seconds West, 181.60 feet; South 31 degrees 8 minutes 12 seconds West, 828.33 feet and South 85 degrees 41 minutes 13 seconds West, 26.89 feet to the northern right-of-way line of above said West Chesterfield Parkway, said point also being located on a curve to the left having a radius of 1,060.17 feet; thence along said right-of-way line the following courses and distances: along said curve with an arc length of 334.12 feet and a chord which bears North 73 degrees 49 minutes 52 seconds West, 332.74 feet; North 82 degrees 51 minutes 36 seconds West, 126.21 feet; North 82 degrees 52 minutes 12 seconds West, 37.73 feet and South 86 degrees 45 minutes 4 seconds West, 35.95 feet to the POINT OF BEGINNING.

Containing 2,902,238 square feet or 66.626 acres, more or less.

## **Area 2.**

A tract of land being Lot C101D of the Chesterfield Village A Phase One Plat One, a subdivision according to the plat thereof as recorded in Plat Book 158, Page 96 of the St. Louis County records, located in U.S. Surveys 415 and 2002, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at the northernmost corner of above said Lot C101D, said point also being located on the southern right-of-way line of Chesterfield Airport Road, variable width, said point also being located on a curve to the left having a radius of 2,914.93 feet; thence along said right-of-way line the following courses and distances: southeasterly along said curve with an arc length of 477.12 feet and a chord which bears South 40 degrees 27 minutes 57 seconds East, 476.59 feet; South 44 degrees 50 minutes 42 seconds West, 10.00 feet; to the beginning of a curve to the left having a radius of 2,924.93 feet an arc length of 231.79 feet and a chord which bears South 47 degrees 25 minutes 30 seconds East, 231.70 feet to the southeast corner of above said Lot C101D; thence along the southeastern line of said Lot C101D, South 40 degrees 18 minutes 17 seconds West, 194.14 feet to the west line of said Lot C101D; thence along said west line the following courses and distances: North 42 degrees 53 minutes 57 seconds West, a distance of 124.85 feet; South 47 degrees 06 minutes 03 seconds West, 5.00 feet; to the beginning of a non-tangent curve to the left having a radius of 400.00 feet; along

said curve with an arc length of 307.06 feet and a chord which bears North 64 degrees 53 minutes 28 seconds West, 299.58 feet to the southwest corner of said Lot C101D; thence along the western lines of said Lot C101D the following: North 12 degrees 26 minutes 49 seconds West, 397.78 feet and North 54 degrees 13 minutes 23 seconds East, 121.24 feet to the POINT OF BEGINNING.

Containing 152,812 square feet or 3.508 acres, more or less.

### **Area 3.**

Tracts of land being Lots C110, C111, C112, and C113 of Chesterfield Village Area A Phase One Plat Two as recorded in Plat Book 166, Page 84; and Part of US. Survey 415 as described in Book 10308, Page 1461 both of the St. Louis County Records. located in U.S. Surveys 415 and 2022, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being mor particularly described as follows:

Beginning at the southwestern corner of above said Lot C 110, said point also being located on the eastern right of-way line of West Chesterfield Parkway, 73 feet wide, Said point also being located on a non-tangent curve to the right having a radius of 763.50 feet, thence along said right-of-way line the following courses and distances: along said curve with an arc length of 45.90 feet and a chord which bears North 10 degrees 04 minutes 33 seconds East, 45.90 feet; North 11 degrees 34 minutes 17 seconds East, 735.22 feet to the beginning of a curve to the left having a radius of 3,036.50 feet; along said curve with an arc length of 79.87 feet and a chord which bears North 10 degrees 49 minutes 04 seconds East 79.87 feet; North 10 degrees 03 minutes 51 seconds East, 1,599.81 feet to the beginning of a non-tangent curve to the right having a radius of 1,113.50 feet and a chord which bears North 17 degrees 03 minutes 36 seconds East, 269.98 feet and North 71 degrees 18 minutes 34 seconds East, 135.85 feet to its intersection with the southern right-of-way line of Chesterfield Airport Road, variable width; thence along said right-of-way line the following: South 69 degrees 05 minutes 13 seconds East, 32.21 feet and South 59 degrees 27 minutes 09 seconds East, 11.64 feet to the northwest corner of a tract of land as conveyed to First Baptist Church, by instrument recorded in Book 5232, Page 199 of above said records, thence along the west, south and eastern lines of said Church tract the following courses and distances: South 34 degrees 10 minutes 41 seconds West, 180.51 feet; South 55 degrees 53 minutes 58 seconds East, 137.63 feet; North 34 degrees 59 minutes 13 seconds East, 43.04 feet; North 15 degrees 05 minutes 30 seconds East, 47.83 feet and North 27 degrees 03 minutes 38 seconds East, 17.67 feet and North 35 degrees 05 minutes 17

seconds East, 82.29 feet to the southern right-of-way line of above said Chesterfield Airport Road; thence along said right-of-way line the following: South 59 degrees 27 minutes 09 seconds East, 84.03 feet and South 33 degrees 54 minutes 11 seconds East, 408.23 feet to the easternmost corner of above said Lot C111; thence along the eastern and southern lines of said Chesterfield Village Area A Phase One Plat Two the following courses and distances: South 02 degrees 31 minutes 25 seconds West, 74.82 feet; South 28 degrees 18 minutes 26 seconds West, 85.00 feet; South 60 degrees 52 minutes 24 seconds West, 334.47 feet; South 08 degrees 46 minutes 20 seconds West, 912.12 feet; South 14 degrees 25 minutes 19 seconds West, a distance of 758.46 feet; South 27 degrees 29 minutes 54 seconds West, 207.73 feet to the beginning of a non-tangent curve to the left having a radius of 507.82 feet; along said curve with an arc length of 160.61 feet and a chord which bears South 62 degrees 41 minutes 17 seconds West, 159.94 feet; South 53 degrees 37 minutes 39 seconds West, a distance of 8.62 feet to the beginning of a non-tangent curve to the right having a radius of 262.50 feet; along said curve with an arc length of 191.02 feet and a chord which bears South 7 41 degrees 28 minutes 28 seconds West, 186.83 feet and North 84 degrees 40 minutes 43 seconds West, 14.47 feet to the POINT OF BEGINNING.

Containing 1,127,465 square feet or 25.883 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 and specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment A, Attachment B and Attachment C, which are attached hereto and made a part of.

**Section 3.** The City Council, pursuant to the petition filed by the TSG Downtown Chesterfield Redevelopment, LLC in P.Z. 06-2023 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 22<sup>nd</sup> day of May, 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 Unified Development Code of the City of Chesterfield.

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

Pass and approved this \_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FIRST READING HELD:

08 / 21 /2023

## ATTACHMENT A

**All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein or to be addressed in the Site Development Concept Plan and/or the Site Development Section Plans.**

This ordinance provides a framework for various development requirements established in this ordinance, criteria to be established on the Site Development Concept Plan, and criteria to be established on Site Development Section Plans. This framework is to deliver a “Downtown Concept”: a diverse residential and commercial mixed-use environment in which residential and commercial uses that are integrated

### **I. SPECIFIC CRITERIA FOR ALL DEVELOPMENT**

Residential and commercial uses may be combined in the same building, combined on the same lot in separate buildings or on separate lots within the development.

#### **A. PERMITTED USES**

1. The uses allowed in this PC&R District (“District”) shall be:
  - a. Administrative offices for educational or religious institutions
  - b. Church and other places of worship
  - c. Community center
  - d. Library
  - e. Parks
  - f. Dwelling, multi-family
  - g. Single Family Attached
  - h. Single Family Detached
  - i. Home Occupation
  - j. Art Gallery
  - k. Art Studio
  - l. Auditorium
  - m. Banquet Facility



- n. Club
- o. Farmer's market
- p. Gymnasium
- q. Museum
- r. Reading Room
- s. Recreation Facility
- t. Office-dental
- u. Office-general
- v. Office-medical
- w. Automobile Dealership (Storefront Only)
- x. Bakery
- y. Bar
- z. Bowling Center
- aa. Brewery
- bb. Brewpub
- cc. Coffee shop
- dd. Grocery-community
- ee. Grocery-neighborhood
- ff. Grocery-supercenter
- gg. Newspaper stands.
- hh. Restaurant-sit down
- ii. Restaurant-fast food – No Drive Thru
- jj. Restaurant-takeout
- kk. Restaurant-takeout - Neighborhood
- ll. Retail sales establishment – community

- mm. Retail sales establishment – regional
- nn. Animal grooming service
- oo. Barber or beauty shop
- pp. Broadcasting studio
- qq. Commercial service facility
- rr. Day care center
- ss. Drug store and pharmacy
- tt. Dry cleaning establishment
- uu. Financial institution, no drive-thru
- vv. Hospital
- ww. Hotel and motel
- xx. Hotel and motel-extended stay
- yy. Kennel, boarding
- zz. Kennel, private
- aaa. Laboratory-professional, scientific
- bbb. Laboratory
- ccc. Laundromat
- ddd. Nursing home
- eee. Parking area (stand-alone), including garages for automobiles. Not including sales or storage of damaged vehicles for more than 72 hours.
- fff. Professional and technical service facility
- ggg. Research laboratory and facility
- hhh. Theatre, indoor
- iii. Theatre, outdoor
- jjj. Veterinary clinic
- kkk. College/university

- III. Kindergarten or nursery school
  - mmm. Specialized private school.
2. The District shall prioritize the following:
- a. Ground floor development shall be a mix of pedestrian-oriented commercial/retail in the following locations: on the portion of the parcels that face the primary streets that flank Park Area R2 (parcels A1, A2, A3, A4, A6 and R1) and on the portion of the parcels that face the roundabout and primary street coming off Clarkson Road (parcels A5 and A6) and the corner of the parcel at the primary street and pedestrian walkway (parcel B9) as shown on the Preliminary Development Plan.



- b. Developer shall prioritize build-to-line, excluding sidewalks, in lieu of prescribed setbacks on the portion of the primary streets that flank Park Area R2 shown on the Preliminary Development Site Plan.

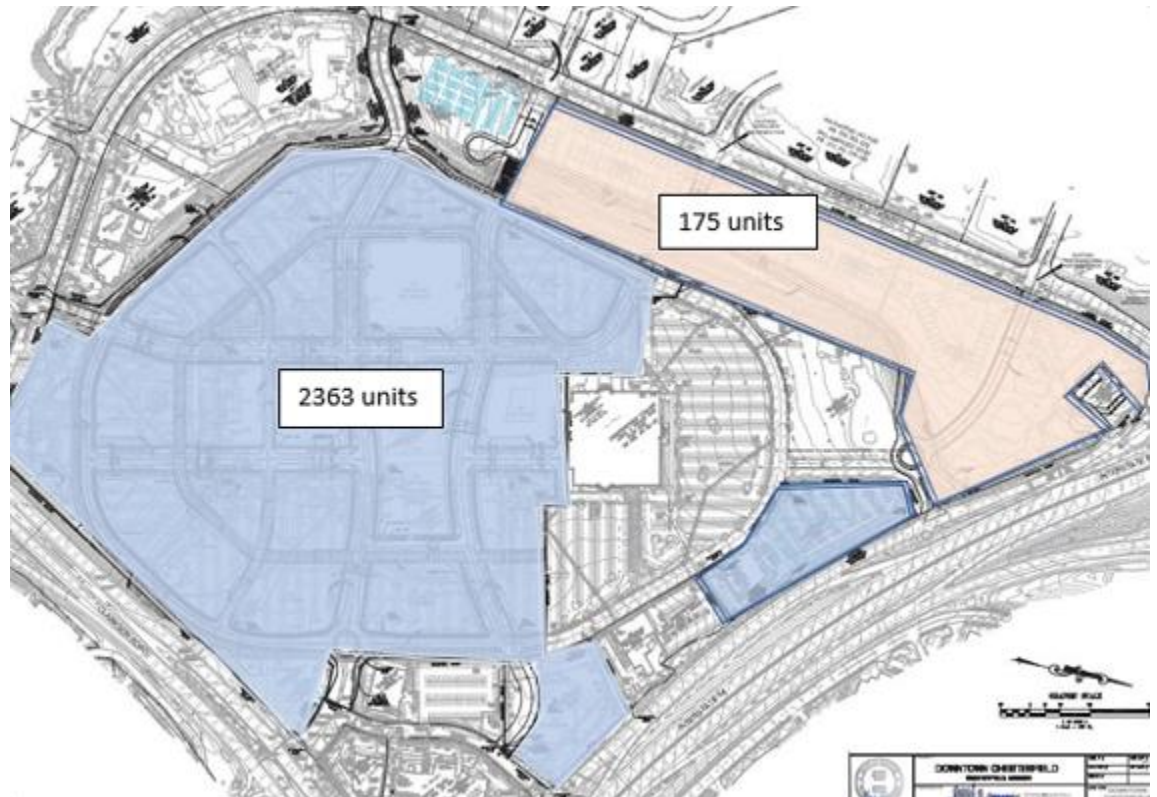
Hours of Operation.

- a. Hours of operation for this “PC&R” District shall not be restricted.
3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

**B. DENSITY, HEIGHT, SET BACKS AND OPEN SPACE REQUIREMENTS**

1. Density Limitations

- a. The cumulative gross floor area for Commercial Uses in this District shall be limited to not more than a Floor Area Ratio (F.A.R.) = .75 Floor Area Ratio (F.A.R.) shall be Calculated by Total Gross Floor Area of all buildings divided by the Gross Area of land within the “PC&R” District. F.A.R. shall not be calculated on a lot-by-lot basis.
- b. The maximum number of residential units allowable within this District shall not be more than 2363 units cumulatively on Parcels A1-A10, B1, B2, B8,B9, R1,R3, R4 and H-1 on the Preliminary Development Plan and 175 units on Parcels 3A and 3B on the Preliminary Development Plan.



- c. The maximum number of rooms for hotels and lodging shall be 300 rooms; the maximum number of square feet for hotels and lodging shall be 350,000 square feet.

- d. Developer shall provide a distribution of density by area on the Site Development Concept Plan. The Site Development Concept Plan shall be amended when allocation of density changes.

## 2. Height Requirements

Total building height for any permitted use shall not exceed 200 feet or 15 stories whichever is more as measured from street elevation.

## 3. Setbacks

No setbacks are prescribed herein and build-to-line is permitted. All other setbacks and/or build to lines shall be as approved on the Site Development Concept Plan or Site Development Section Plans.

## 4. Open Space Requirements

- a. Open space in Park Area R2 and Area 3A south of Chesterfield Parkway and Park Circle shall be provided on the Site Development Concept Plan and substantially conform to the Preliminary Development Site Plan. Where known, additional open spaces including pocket parks, plazas, natural areas and seating areas shall be depicted on the Site Development Concept Plan and/or Site Development Sections Plans. Proposed location(s) of public art may be depicted on the Site Development Concept Plan and/or Site Development Section Plans.

## **C. BUILDING AND STRUCTURE FUNCTION**

1. Ground floor of all buildings shall include pedestrian access to retail, restaurant, office, multi-family residential, or hotel use-when those uses are present.
2. Private parking access shall not be permitted along portions of the primary streets that flank Park Area R2. Private parking garage access is permitted from other primary streets locations and service alleys.
3. Trash pickup, building receiving and loading, utility and service functions shall be located at the rear of buildings along the outer loop road and off service alleys.

## **D. PARKING AND LOADING REQUIREMENTS**

1. Public parking garages and on-street parking satisfies parking requirements for all ground floor commercial (retail, restaurant, art galleries, entertainment, art or other pedestrian-oriented uses), as defined on the Site Development Concept Plan or Site Development Section Plans. All other uses shall provide parking in accordance with this ordinance.
2. Public parking in garages and on-street parking for the existing department store in Area R1 meets parking requirements for that use.

3. Parking shall be calculated for each use category as follows:

Minimum Parking Required

Retail/Restaurant: 4.0 Parking Ratio / 1,000 G.F.A.  
Grocery: 5.0 Parking Ratio / 1,000 G.F.A.  
Office: 3.0 Parking Ratio / 1,000 G.F.A.  
Residential: 1.5 Parking spaces per unit  
Hotel: 0.8 Parking spaces per room

4. Off-street surface parking shall be allowed as shown on the Site Development Concept Plan but shall be minimized and designed to mitigate the visual impact on the development and be consistent with the purpose and intent of this PC&R District.
5. Joint parking to meet minimum parking standards may be permitted through approval of the Site Development Section Plan and shall require an appropriate legal instrument binding the owners of the properties and their successors and assigns to the agreement.
6. Parking lots shall not be used as streets.
7. No construction related parking shall be permitted within rights of way or on any existing roadways. All construction related parking shall be confined to the District. Construction parking shall be depicted on all Improvement Plans for lots within the district.

**E. LANDSCAPING AND TREE REQUIREMENTS**

1. The developer shall adhere to the Tree Preservation and Landscape requirements of the Unified Development Code Chapter 405, Section 405.040.020 et seq. and submit a Concept Landscape Plan with the Site Development Concept Plan. Landscaping shall enhance the pedestrian experience, compliment architectural features, provide shade and screen utility areas and surface parking. The developer shall provide for street furnishings such as benches, planters, bike racks, drinking fountains, pedestrian trash receptacles, public art and water features in the Site Development Concept Plan. Locations for street furnishings shall be detailed in the Site Development Concept Plan and Site Development Section Plans.

**F. SIGN REQUIREMENTS**

1. The developer shall adhere the City's Sign Ordinance Chapter 405 Section 405.04.050 et seq. and/or submit a Comprehensive Sign Package by Area in the Site Development Concept Plan and/or Site Development Section Plans. All individual signs including street and wayfaring signage in the public and private spaces shall be coordinated and consistent with the signage concept contained therein.

## **G. LIGHTING REQUIREMENTS**

1. The developer shall adopt the City's Lighting Ordinance Chapter 405, Section 405.04.030 et seq and/or submit an Architectural Specialty Lighting Package. All lighting, in the public and private spaces, shall be coordinated and consistent with the lighting concept contained therein.

## **H. ARCHITECTURAL REQUIREMENTS**

1. The developer shall submit design standards for public spaces and street character in the Site Development Concept Plan and/or Site Development Section Plans. Site Development Concept and/or Section Plans shall contain design standards that create visually appealing development pattern consistent with the intent of the Downtown Concept. Section plans shall contain architectural elevations, colored renderings and building materials to be reviewed by the Architectural Review Board and subject to approval by the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the façade elements. The planes of exterior walls may be varied in height, depth or directions.
3. Trash enclosures: the location, material, and elevation of any trash enclosure will be approved on the Site Development Concept Plan or Site Development Section Plan. All exterior trash areas, except pedestrian trash receptacles, will be enclosed with a six (6) foot high sight-proof enclosure with materials that match the adjacent structures and complemented by adequate landscaping as approved on the Master Landscape Package.
4. Mechanical equipment shall be adequately screened in accordance to the Architecture Review Design Standards.

## **I. ACCESS/ACCESS MANAGEMENT**

1. Access to the development from external roadways shall be shown on the Site Development Concept Plan and as directed by the City of Chesterfield, the Missouri Department of Transportation and the St. Louis County Department of Transportation, as applicable.
2. Any improvements within Missouri Department of Transportation's right-of-way will require a permit. The entrance geometries and drainage design shall be in accordance with Missouri Department of Transportation standards.
3. No gated streets will be permitted.

4. Cross access shall be provided to adjoining properties as directed by the City of Chesterfield.

**J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION**

1. Sidewalks shall substantially conform with the Preliminary Development Plan. ADA compliant sidewalks will be required along all roadways and connections to existing sidewalks of all roadways adjacent to the District shall be provided. The design and layout of the sidewalks and pedestrian ways shall be detailed in the Site Development Concept Plan and Site Development Section Plans.
2. Sidewalks and pedestrian trails/bicycle path shall provide future connectivity to adjacent developments and/or roadway projects. Sidewalks may be located within a right-of-way controlled by another agency if permitted by that agency, or on private property within a sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
3. Evaluate and provide pedestrian access and connectivity from the District to Central Park in the Site Development Concept Plan.
4. On street parking shall substantially conform with the Preliminary Development Plan. On-street parking stalls shall be designed and located such that vehicles do not back out into an intersection. Corner clearance distance shall be not less than 30 feet between the edge of the parking stall and the intersection. The design and layout of the on street parking shall be finalized on the Site Development Concept Plan.
5. Obtain approvals from the City of Chesterfield, St. Louis County Department of Transportation and the Missouri Department of Transportation 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, St. Louis County Department of Transportation, and the City of Chesterfield.
7. Pedestrian crossing of roadways is required to be at a 90-degree angle in order to minimize the crossing distance for pedestrians.
8. Internal streets and sidewalks shall be private and remain private forever unless an alternate agreement is reached and executed between the City of Chesterfield and TSG Downtown Chesterfield Redevelopment LLC whereby the City accepts the internal streets and/or sidewalks as public. The City is under no obligation to enter into such an agreement.



## **K. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and/or Missouri Department of Transportation or St. Louis County. 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, an updated model shall be required.
2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrances, as directed. 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, St. Louis County Department of Transportation and/or the Missouri Department of Transportation as applicable.

## **L. STORM WATER**

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system. Formal review, approval and permits by Metropolitan St. Louis Sewer District is required.
2. Stormwater management shall comply with the Chesterfield Village Southwest Quadrant Storm Water Management Plan exhibit (MSD P-002807800) as directed by the City of Chesterfield and the Metropolitan St. Louis Sewer District.

## **M. SANITARY SEWER**

1. Provide public sewer service for the site including sanitary force mains, gravity lines and/or regional pump stations, in accordance with MSD and the City of Chesterfield regulations.
2. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis District.
3. Extension of public sanitary sewer lines will be necessary to serve this site and proper easements may be required. Private sanitary sewer laterals may not cross property lines. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts to the existing systems.
4. The project is in the Caulks Creek Service Area and subject to the Caulks Creek Surcharge. Sanitary flow rates leaving the sites shall be limited to the maximum

extent practical. The maximum allowable sanitary flow release rate is 1.98 CFS. The 1.98 CFS rate includes all phases of the development as well as any existing uses.

5. MSD will allow the entire site to connect to the public sanitary system as proposed after the completion of the Caulks B Pump Station Replacement project. MSD will allow a portion of the development to connect to the sanitary system prior to completion of the replacement pump station for Caulks B limited by based on the actual flows at the existing pump stations, its capacity, anticipated flows from the development.
6. Formal plan submittal and approval will be required by the MSD prior to the issuance of permits.

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

The City Council shall have automatic power of review of all Site Development Plans, Site Development Concept Plans, and Site Development Section Plans for the subject development. The City Council will then take appropriate action relative to the proposal.

#### **O. CITY COUNCIL REVIEW OF SITE DEVELOPMENT CONCEPT PLANS, SITE DEVELOPMENT PLANS AND SITE DEVELOPMENT SECTION PLANS**

The City Council reserves full authority to deny any request for approval of a Site Development Concept Plan, Site Development Plan or Site Development Section Plan (each a "Development Plan"), or to impose conditions on their approval. The City Council shall not approved a Development Plan unless it finds that the application and evidence presented clearly indicate that the proposed Development Plan:

1. Will contribute to and promote a diverse residential and commercial mixed-use environment in which residential and commercial uses are integrated pursuant to a downtown concept;
2. Will contribute to and promote a creative and coordinated design and architectural styles;
3. Will contribute to and promote efficient and effective pedestrian and vehicular circulation;
4. Complies with the Unified Development Code (unless modified herein), the City's Comprehensive Plan, as amended from time to time, and the provisions of this Ordinance; and
5. Is consistent with the June 15, 2023 Narrative submitted by the Applicant, Attached hereto as Exhibit C.

## **P. GEOTECHNICAL REPORT**

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

## **Q. SUPPLEMENTATION, MODIFICATION, AND/OR ALTERATION**

Upon application from a petitioner, any performance standard provided in this Attachment "A" or required by any other District regulation or Ordinance of the City may be supplemented, modified, or altered in the Site Development Concept Plan or Site Development Section Plan provided such supplement, modification and/or alteration will further the purpose and intent of the PC&R District. A public hearing is not required in the process and recommendation by the Planning Commission will be forwarded by the City Council for final approval.

## **R. MISCELLANEOUS**

1. All utilities shall be installed underground.
2. Prior to record plat approval, the developer shall cause, at its expense and prior to recording any plat, the reestablishment, restoration or appropriate witnessing of 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 US Survey Corners located on or near the development site must be protected and shall be restored if disturbed due to construction.
3. Prior to the 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 the United States Public Land Survey Corners have not been disturbed during construction activities or that have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
4. Any retaining wall along public right of way shall be private and remain private forever and shall be located such that it is not necessary to support any public improvements.
5. 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. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
6. Applicant/Owners of parcels submitting Site Development Section Plans shall be required to contribute a Traffic Generation Assessment (TGA)-Fund D to the City of Chesterfield. Allowable credits for required improvements will be awarded as directed by the City of Chesterfield.
  7. The TGA deposit shall be made prior to the issuance of a Municipal Zoning Approval (MZA) by the City of Chesterfield.
  8. The developer is advised that utility companies will require compensation for relocation of their facilities with public road right of way. Utility relocation cost shall not be considered an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of the extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.
  9. Kiosks are allowed in the District provide they do not impede pedestrian and vehicular traffic and meet ADA accessibility requirements. Kiosks can be an arrangement of mobile units, fixed units, or a mixture of both joined together to form a structure not to exceed 100 square feet. Uses within kiosks will be approved uses in this Attachment. A Special Activity Permit may be required as directed by the City of Chesterfield.

## **II. GENERAL CRITERIA**

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

The Site Development Concept Plan shall include all items previously referenced in this Attachment and:

1. Any Site Development Concept Plan shall show all information required on a preliminary plat as required in the City of Chesterfield Code and as required herein.
2. 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.
3. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

4. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
5. Out boundary plat and legal description of property.
6. A note indicating all utilities will be installed underground.
7. Adhere to the Tree Preservation and Landscape requirements of the UDC and submit a Concept Landscape Plan.
8. Adhere to the Lighting requirements of the UDC and/or submit a Specialty Lighting package.
9. Adhere to the Signage requirements of the UDC and/or submit a comprehensive sign package.
10. Provide a design standards for all public spaces and street character. The Architectural Review Board shall review all Site Development Concept Plans of the design of public spaces and street character and make recommendations for approval to the Planning Commission.
11. Where known, depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
12. Specific structure, parking setbacks and build-to lines along all roadways and property lines.
13. Indicate location of all existing and proposed freestanding development monument signs.
14. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
15. Depict existing and proposed improvements within 150 feet of the site. 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.
16. 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.
17. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
18. 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.

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.

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

The Site Development Section Plans shall include all items previously referenced in this Attachment and:

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 calculation, including calculation for all spaces, required and proposed, and the number, size and location for handicap designed.
3. For commercial development, provide square footage proposed.
4. For residential development provide the number of units proposed to be built.
5. For hotel development provide the square footage and number of rooms proposed.
6. A note indicating all utilities will be installed underground.
7. Address all signage in accordance with the City of Chesterfield Code and provided in the Site Development Concept Plan.
8. Address landscaping in accordance with the Tree Preservation and Landscape requirements in the UDC and provided in the Site Development Concept Plan.
9. Address all lighting in accordance with the Lighting requirements in the UDC and provided in the Site Development Concept Plan.
10. Depict the location of all buildings, size, including height and distance from adjacent property lines and proposed use.
11. Specific structure, parking setbacks and build-to lines along all roadways and property lines.
12. Indicate location of all existing and proposed freestanding monument signs.

13. Zoning district lines, subdivision name, lot number, lot dimensions, lot area, and zoning of adjacent parcels where different than site.
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. 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 Department of Highways and Traffic, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
20. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

### **III. RECORDING**

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

### **IV. ENFORCEMENT**

- A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.

- C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- E.** This document shall be read as a whole and any inconsistency to be interpreted to carry out the overall intent of this Attachment A.

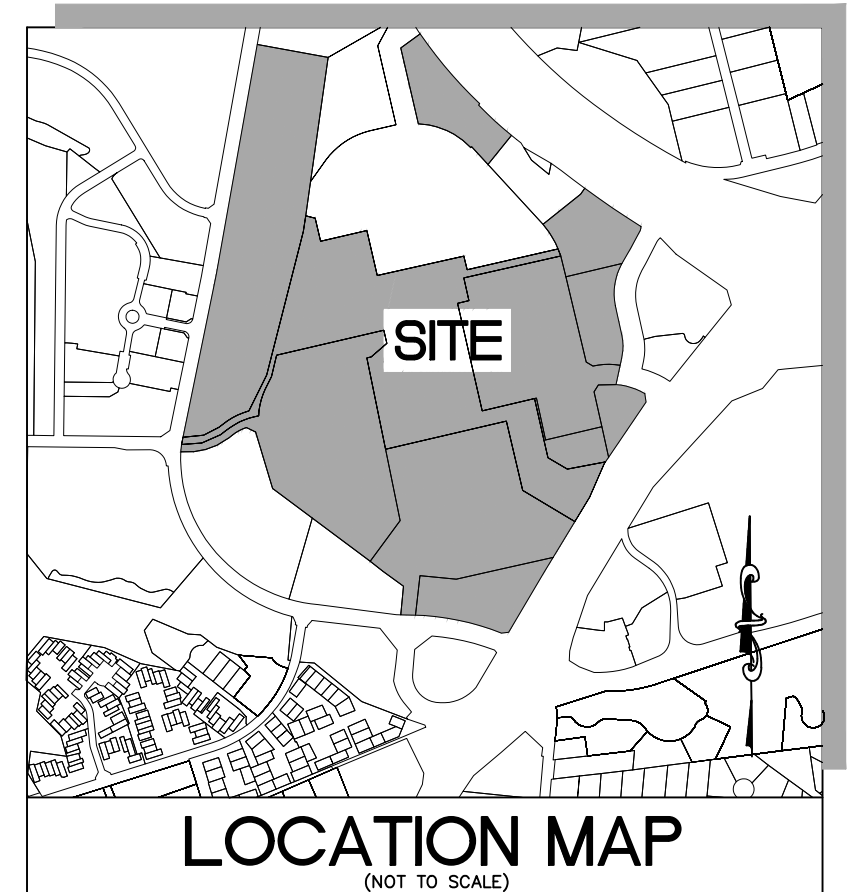


**AREA 3**  
Tracts of land being Lots C110, C111, C112, and C113 of Chesterfield Village Area A Phase One Plat Two as recorded in Plat Book 166, Page 84, and Part of U.S. Survey 415, as described in Book 10306, Page 1461 both of the St. Louis County Records, located in U.S. Survey 415 and 2022, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

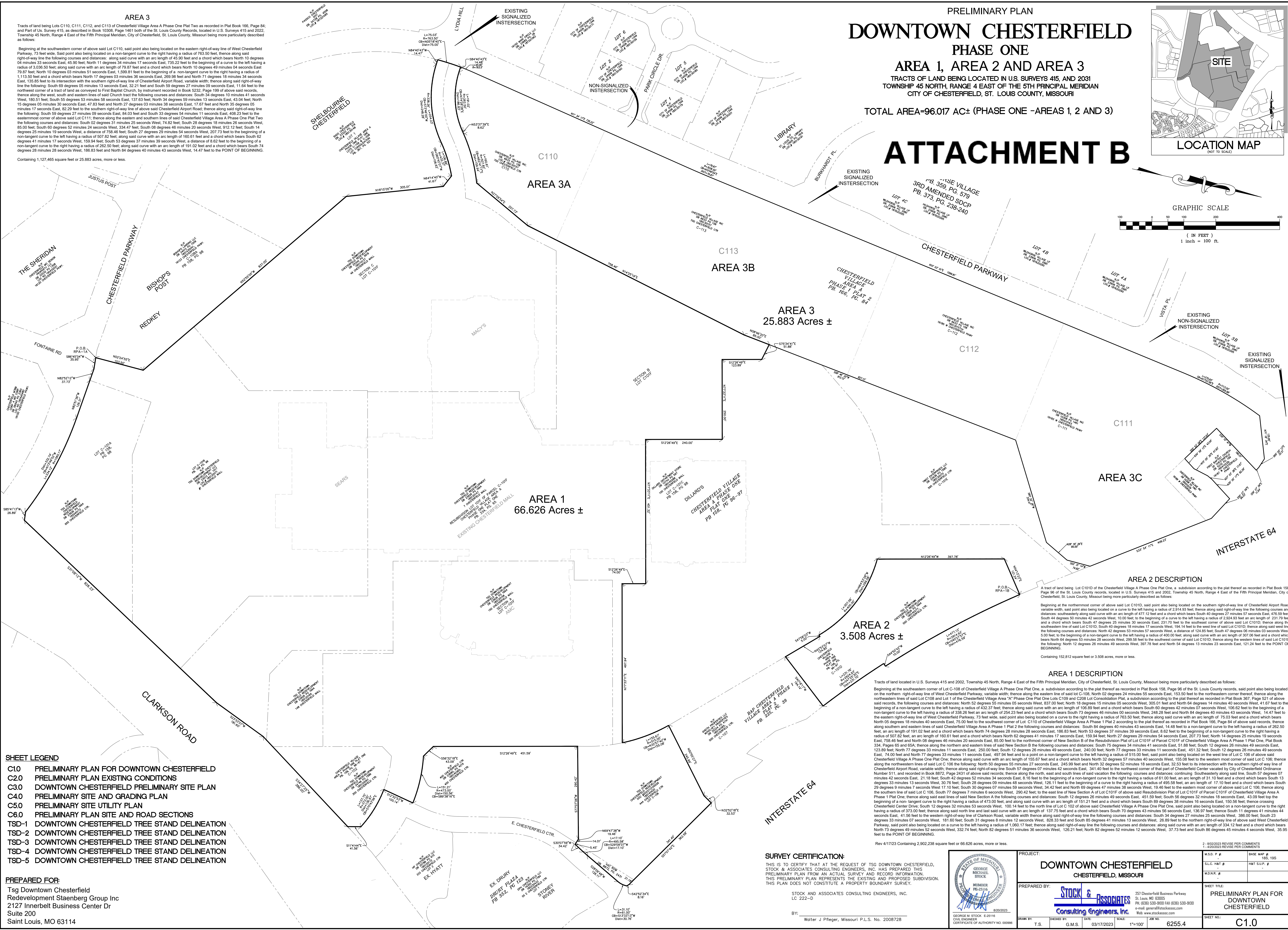
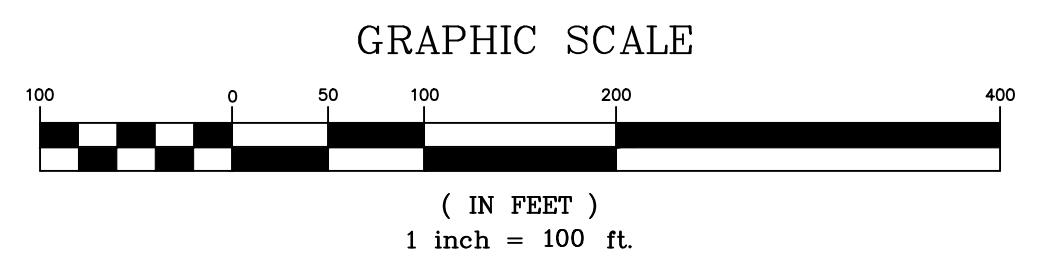
Beginning at the southwestern corner of above said Lot C110, said point also being located on the eastern right-of-way line of West Chesterfield Parkway, 73 feet wide, said point also being located on a non-tangent curve to the right having a radius of 763.50 feet, thence along said right-of-way line the following courses and distances: along said curve with an arc length of 45.90 feet and a chord which bears North 10 degrees 04 minutes 33 seconds East, 45.90 feet; North 11 degrees 34 minutes 17 seconds East, 735.22 feet to the beginning of a curve to the left having a radius of 3,036.50 feet, along said curve with an arc length of 79.87 feet and a chord which bears North 10 degrees 49 minutes 04 seconds East 79.87 feet; North 10 degrees 03 minutes 51 seconds East, 1,599.81 feet to the beginning of a non-tangent curve to the right having a radius of 1,113.50 feet and a chord which bears North 17 degrees 03 minutes 36 seconds East, 209.98 feet and North 71 degrees 18 minutes 34 seconds East, 130.85 feet to its intersection with the southern right-of-way line of Chesterfield Airport Road, variable width, thence along said right-of-way line the following: South 69 degrees 05 minutes 13 seconds East, 32.21 feet and South 59 degrees 27 minutes 09 seconds East, 11.84 feet to the northwest corner of a tract of land as conveyed to First Baptist Church, by instrument recorded in Book 5232, Page 199 of above said records, thence along the west, south and eastern lines of said Church tract the following courses and distances: South 34 degrees 10 minutes 41 seconds West, 180.51 feet; South 55 degrees 03 minutes 58 seconds East, 137.63 feet; North 34 degrees 59 minutes 13 seconds East, 43.04 feet; North 15 degrees 05 minutes 30 seconds East, 47.83 feet and North 27 degrees 03 minutes 38 seconds East, 17.67 feet and North 35 degrees 05 minutes 17 seconds East, 82.29 feet to the southern right-of-way line of above said Chesterfield Airport Road, thence along said right-of-way line the following: South 59 degrees 27 minutes 09 seconds East, 84.03 feet and South 33 degrees 54 minutes 11 seconds East, 408.23 feet to the easternmost corner of above said Lot C111, thence along the eastern and southern lines of said Chesterfield Village Area A Phase One Plat Two the following courses and distances: South 02 degrees 31 minutes 25 seconds West, 74.82 feet; South 28 degrees 18 minutes 28 seconds West, 85.00 feet; South 60 degrees 52 minutes 24 seconds West, 334.47 feet; South 08 degrees 46 minutes 20 seconds West, 912.12 feet; South 14 degrees 25 minutes 19 seconds West, a distance of 756.46 feet; South 27 degrees 29 minutes 54 seconds West, 207.73 feet to the beginning of a non-tangent curve to the left having a radius of 507.92 feet, along said curve with an arc length of 160.81 feet and a chord which bears South 52 degrees 41 minutes 17 seconds West, 159.94 feet; South 53 degrees 37 minutes 39 seconds West, a distance of 8.62 feet to the beginning of a non-tangent curve to the right having a radius of 282.50 feet, along said curve with an arc length of 191.02 feet and a chord which bears South 74 degrees 28 minutes 28 seconds West, 186.83 feet and North 84 degrees 40 minutes 43 seconds West, 14.47 feet to the POINT OF BEGINNING.

Containing 1,127,465 square feet or 25,883 acres, more or less.

PRELIMINARY PLAN  
**DOWNTOWN CHESTERFIELD**  
**PHASE ONE**  
**AREA 1, AREA 2 AND AREA 3**  
TRACTS OF LAND BEING LOCATED IN U.S. SURVEYS 415, AND 2031  
TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN  
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI  
TOTAL AREA=96.017 AC± (PHASE ONE -AREAS 1, 2 AND 3)



**ATTACHMENT B**



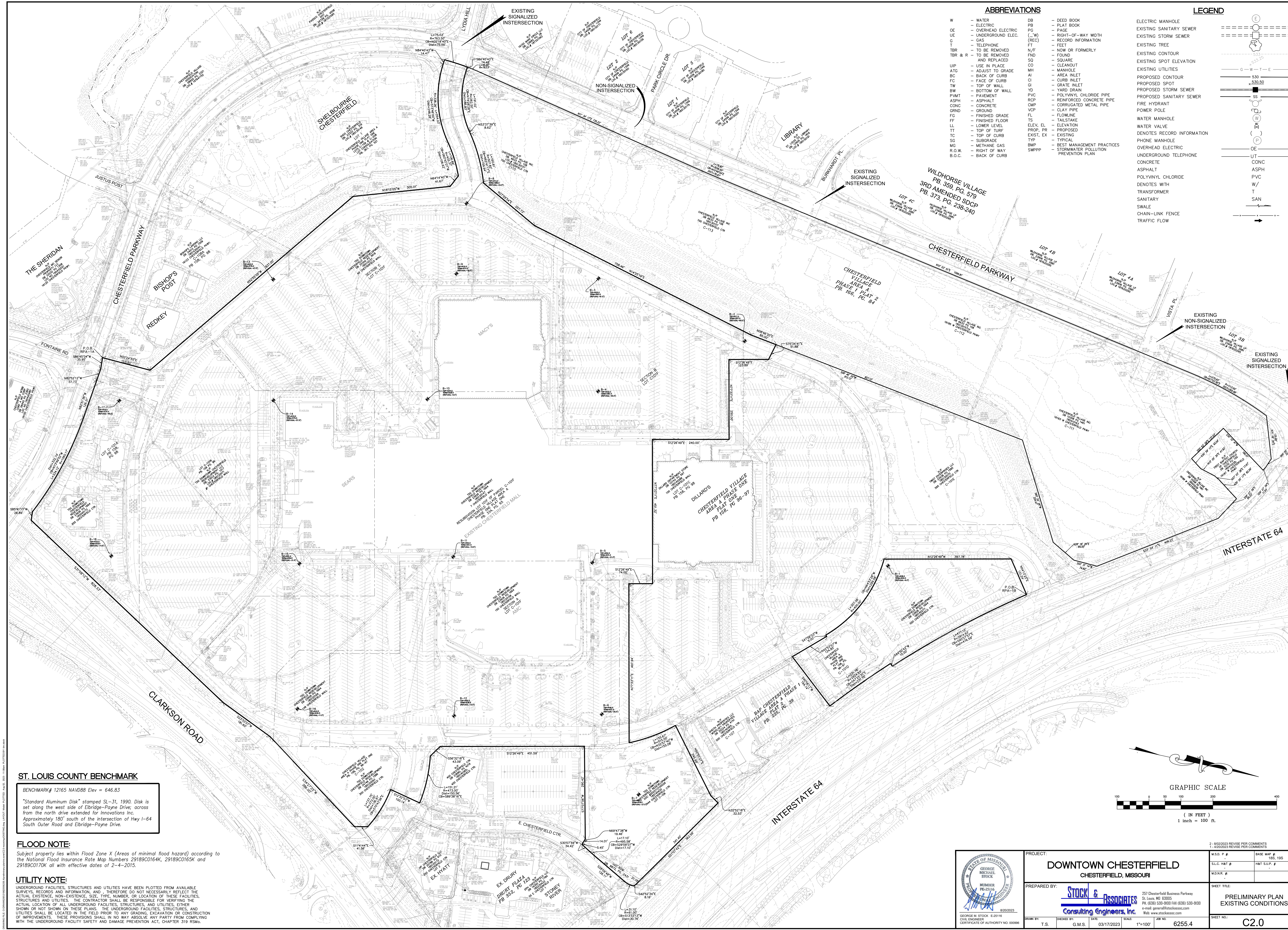
- SHEET LEGEND**
- C10 PRELIMINARY PLAN FOR DOWNTOWN CHESTERFIELD
  - C20 PRELIMINARY PLAN EXISTING CONDITIONS
  - C30 DOWNTOWN CHESTERFIELD PRELIMINARY SITE PLAN
  - C40 PRELIMINARY SITE AND GRADING PLAN
  - C50 PRELIMINARY SITE UTILITY PLAN
  - C60 PRELIMINARY PLAN SITE AND ROAD SECTIONS
  - TSD-1 DOWNTOWN CHESTERFIELD TREE STAND DELINEATION
  - TSD-2 DOWNTOWN CHESTERFIELD TREE STAND DELINEATION
  - TSD-3 DOWNTOWN CHESTERFIELD TREE STAND DELINEATION
  - TSD-4 DOWNTOWN CHESTERFIELD TREE STAND DELINEATION
  - TSD-5 DOWNTOWN CHESTERFIELD TREE STAND DELINEATION

**PREPARED FOR:**  
Tsg Downtown Chesterfield  
Redevelopment Staenberg Group Inc  
2127 Innerbelt Business Center Dr  
Suite 200  
Saint Louis, MO 63114

**SURVEY CERTIFICATION:**  
THIS IS TO CERTIFY THAT AT THE REQUEST OF TSG DOWNTOWN CHESTERFIELD, STOCK & ASSOCIATES CONSULTING ENGINEERS, INC. HAS PREPARED THIS PRELIMINARY PLAN FROM AN ACTUAL SURVEY AND RECORD INFORMATION. THIS PRELIMINARY PLAN REPRESENTS THE EXISTING AND PROPOSED SUBDIVISION. THIS PLAN DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY.  
STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.  
LC 222-D  
BY: Walter J Pfeiffer, Missouri P.L.S. No. 2008728

	<b>PROJECT:</b> DOWNTOWN CHESTERFIELD CHESTERFIELD, MISSOURI		M.S.D. P. # _____ BASE MAP # 385, 195
	<b>PREPARED BY:</b> 		S.L.C. MAP # _____ H&T SLIP # _____ M.D.N.R. # _____
<b>DATE:</b> 03/17/2023 <b>SCALE:</b> 1"=100' <b>JOB NO.:</b> 6255.4		<b>SHEET TITLE:</b> PRELIMINARY PLAN FOR DOWNTOWN CHESTERFIELD <b>SHEET NO.:</b> C1.0	



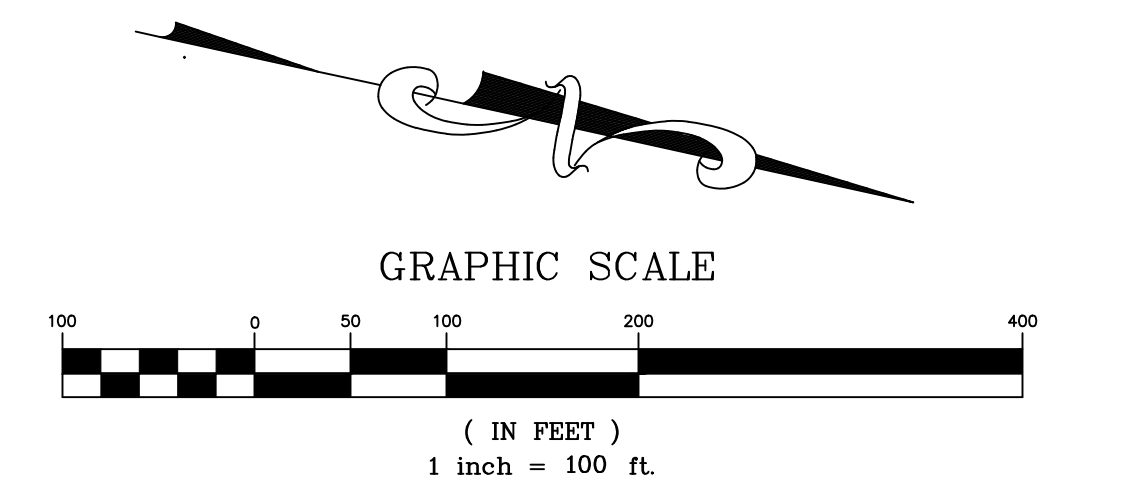


ABBREVIATIONS		LEGEND	
W	- WATER	DB	- DEED BOOK
OE	- OVERHEAD ELECTRIC	PB	- PLAT BOOK
UE	- UNDERGROUND ELEC.	PG	- PAGE
G	- GAS	(C-W)	- RIGHT-OF-WAY WIDTH
T	- TELEPHONE	(REC)	- RECORD INFORMATION
TBR	- TO BE REMOVED	FT	- FEET
TBR & R	- TO BE REMOVED AND REPLACED	N/F	- NOW OR FORMERLY
U/P	- USE IN PLACE	FND	- FOUND
ATG	- ADJUST TO GRADE	SD	- SQUARE
BC	- BACK OF CURB	CO	- CLEANOUT
FC	- FACE OF CURB	MH	- MANHOLE
TW	- TOP OF WALL	AI	- AREA INLET
BW	- BOTTOM OF WALL	CI	- CURB INLET
PWMT	- PAVEMENT	GI	- GRATE INLET
ASPH	- ASPHALT	YD	- YARD DRAIN
CONC	- CONCRETE	PVC	- POLYVINYL CHLORIDE PIPE
GRND	- GROUND	RCP	- REINFORCED CONCRETE PIPE
FG	- FINISHED GRADE	CMP	- CORRUGATED METAL PIPE
FF	- FINISHED FLOOR	CLP	- CLAY PIPE
LL	- LOWER LEVEL	FL	- FLOWLINE
TT	- TOP OF TURF	TS	- TAILSTAKE
TC	- TOP OF CURB	EL	- ELEVATION
SG	- SUBGRADE	PROP. PR	- PROPOSED
MG	- METHANE GAS	EXIST. EX	- EXISTING
R.O.W.	- RIGHT OF WAY	TYP	- TYPICAL
B.O.C.	- BACK OF CURB	SMP	- BEST MANAGEMENT PRACTICES
		SWPPP	- STORMWATER POLLUTION PREVENTION PLAN

**ST. LOUIS COUNTY BENCHMARK**  
 BENCHMARK# 12165 NAVD88 Elev = 646.83  
 "Standard Aluminum Disk" stamped SL-31, 1990, Disk is set along the west side of Elbridge-Payne Drive, across from the north drive extended for Innovations Inc. Approximately 180' south of the intersection of Hwy I-64 South Outer Road and Elbridge-Payne Drive.

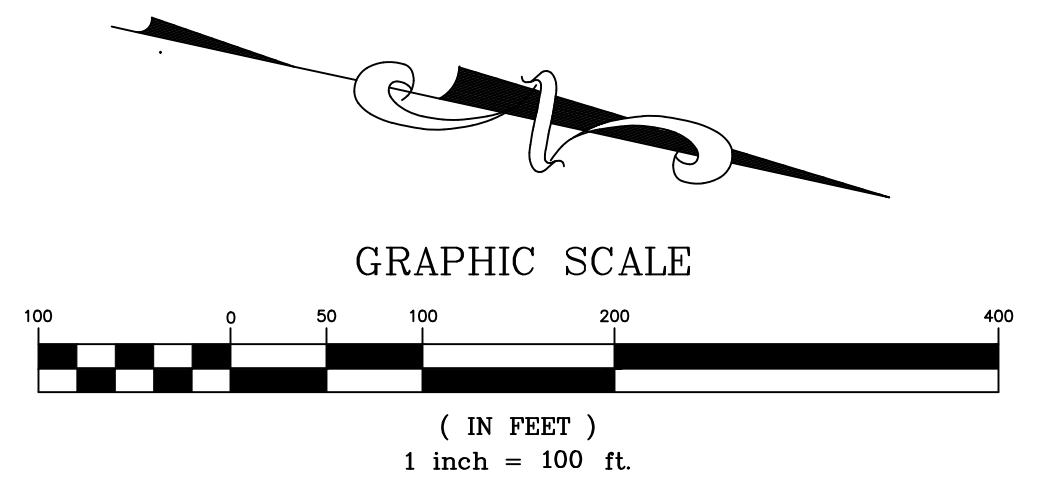
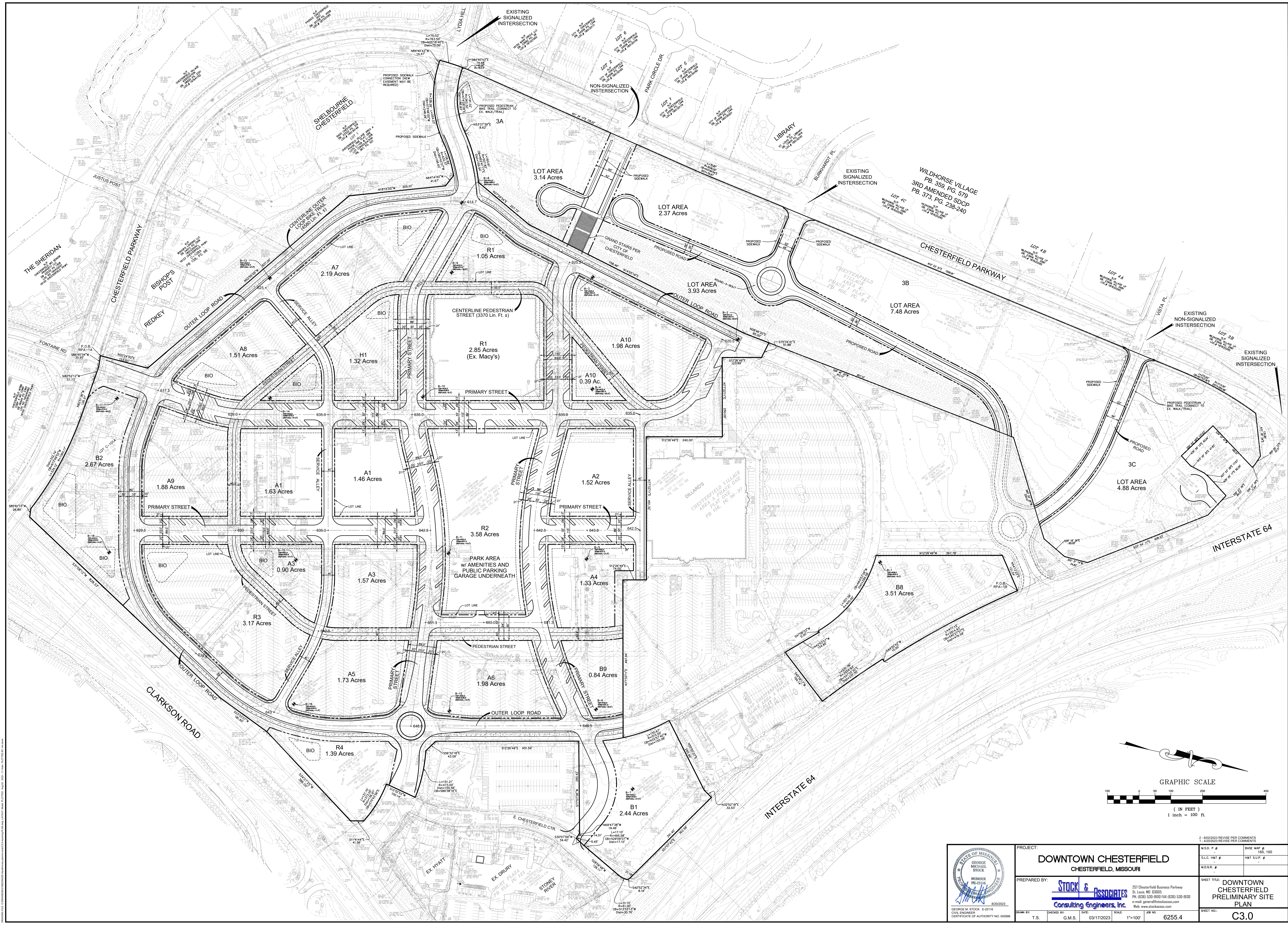
**FLOOD NOTE:**  
 Subject property lies within Flood Zone X (Areas of minimal flood hazard) according to the National Flood Insurance Rate Map Numbers 29189C0164K, 29189C0165K and 29189C0170K all with effective dates of 2-4-2015.

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



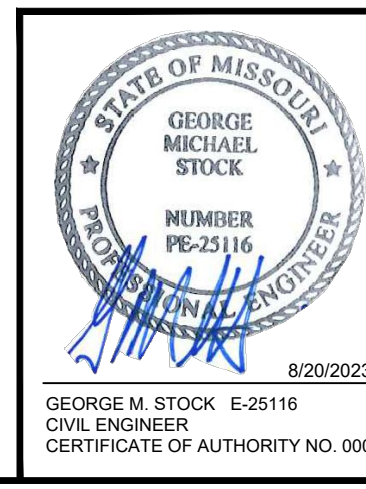
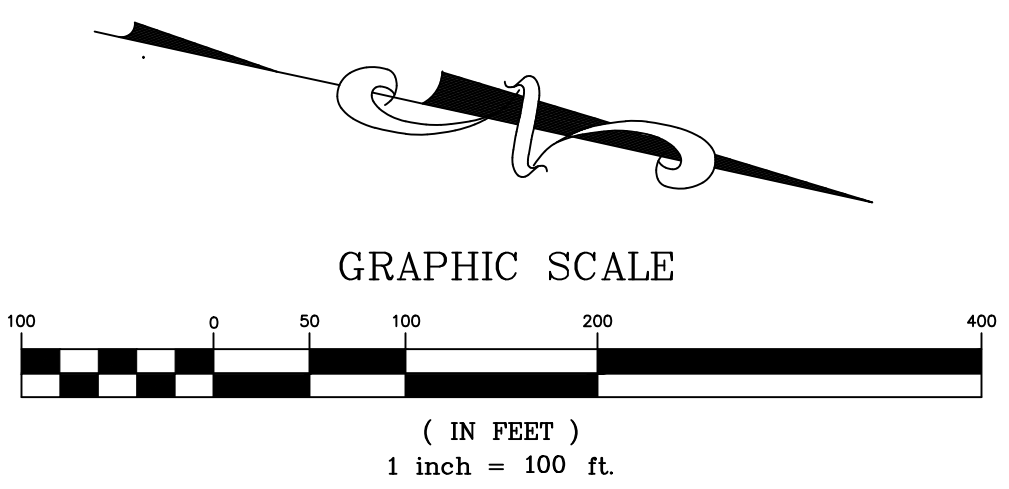
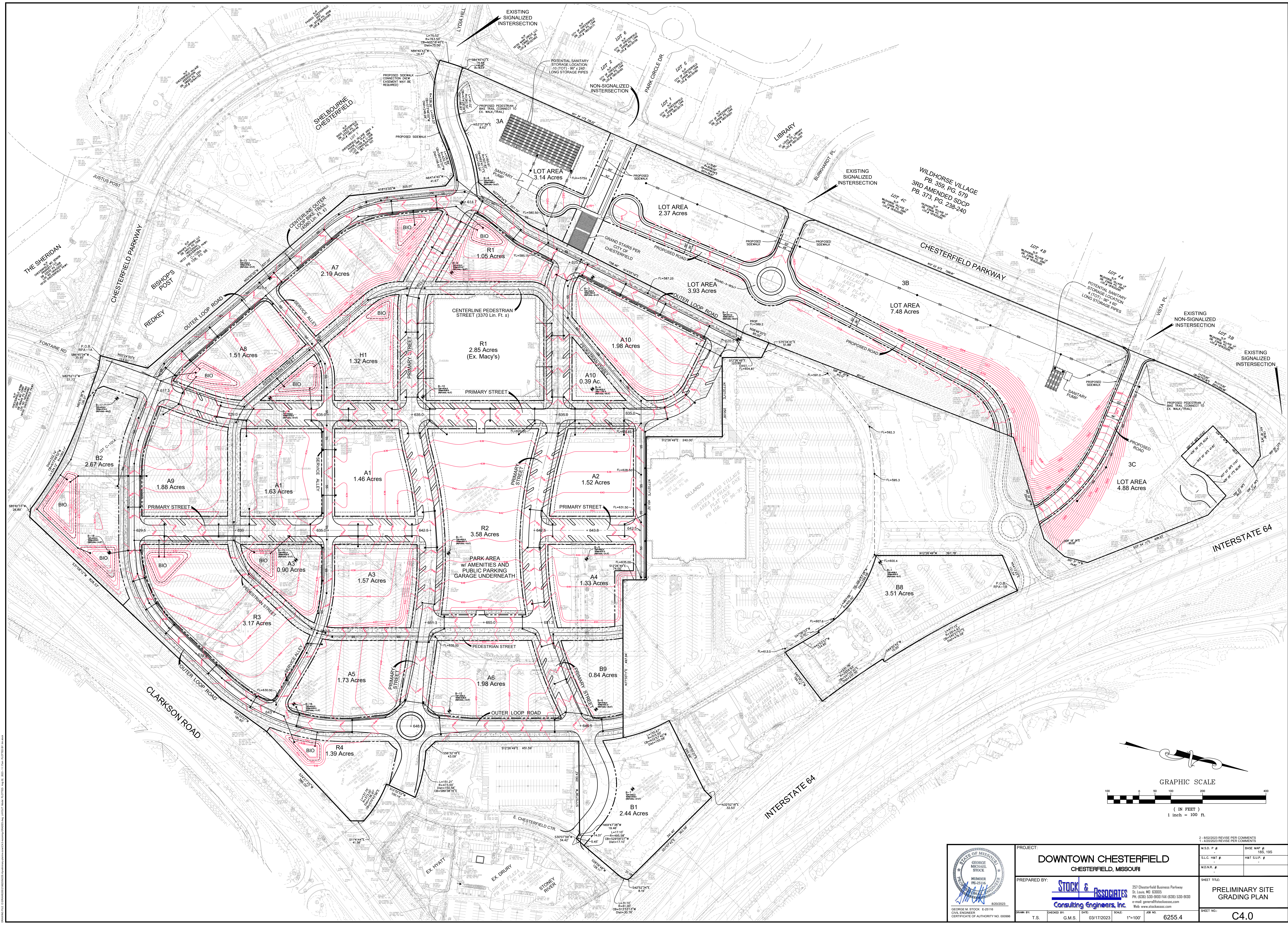
	PROJECT:	<b>DOWNTOWN CHESTERFIELD</b> CHESTERFIELD, MISSOURI	M.S.D. P. #	BASE MAP #
	PREPARED BY:	<b>STOCK &amp; ASSOCIATES</b> Consulting Engineers, Inc.	257 Chesterfield Business Parkway St. Louis, MO 63005 PH: (636) 530-9100 FAX: (636) 530-9100 e-mail: geoff@stockassociates.com Web: www.stockassociates.com	185, 195
	DATE:	03/17/2023	SHEET TITLE:	<b>PRELIMINARY PLAN</b> EXISTING CONDITIONS
	SCALE:	1"=100'	JOB NO.:	6255.4
	SHEET NO.:	C2.0		





	PROJECT:	<b>DOWNTOWN CHESTERFIELD</b> CHESTERFIELD, MISSOURI	M.S.D. P. #	BASE MAP #
	PREPARED BY:	<b>STOCK &amp; ASSOCIATES</b> Consulting Engineers, Inc.	S.L.C. H&T #	H&T S.L.P. #
2-8/2023 REVISE PER COMMENTS 1-4/2023 REVISE PER COMMENTS	DATE:	03/17/2023	M.D.N.R. #	
GEORGE M. STOCK CIVIL ENGINEER CERTIFICATE OF AUTHORITY NO. 00096	SCALE:	1"=100'	SHEET TITLE:	<b>DOWNTOWN CHESTERFIELD PRELIMINARY SITE PLAN</b>
DRAWN BY: T.S. CHECKED BY: G.M.S.	JOB NO.:	6255.4	SHEET NO.:	<b>C3.0</b>



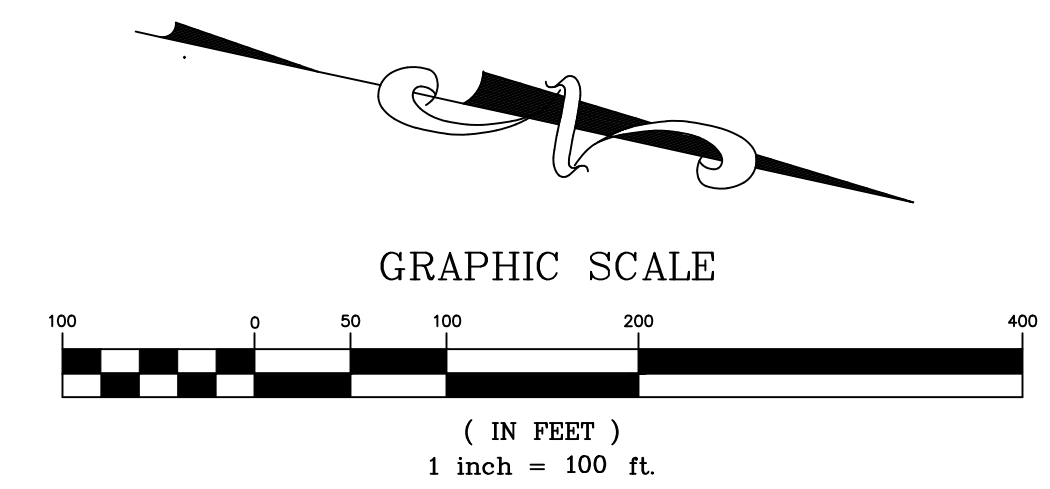
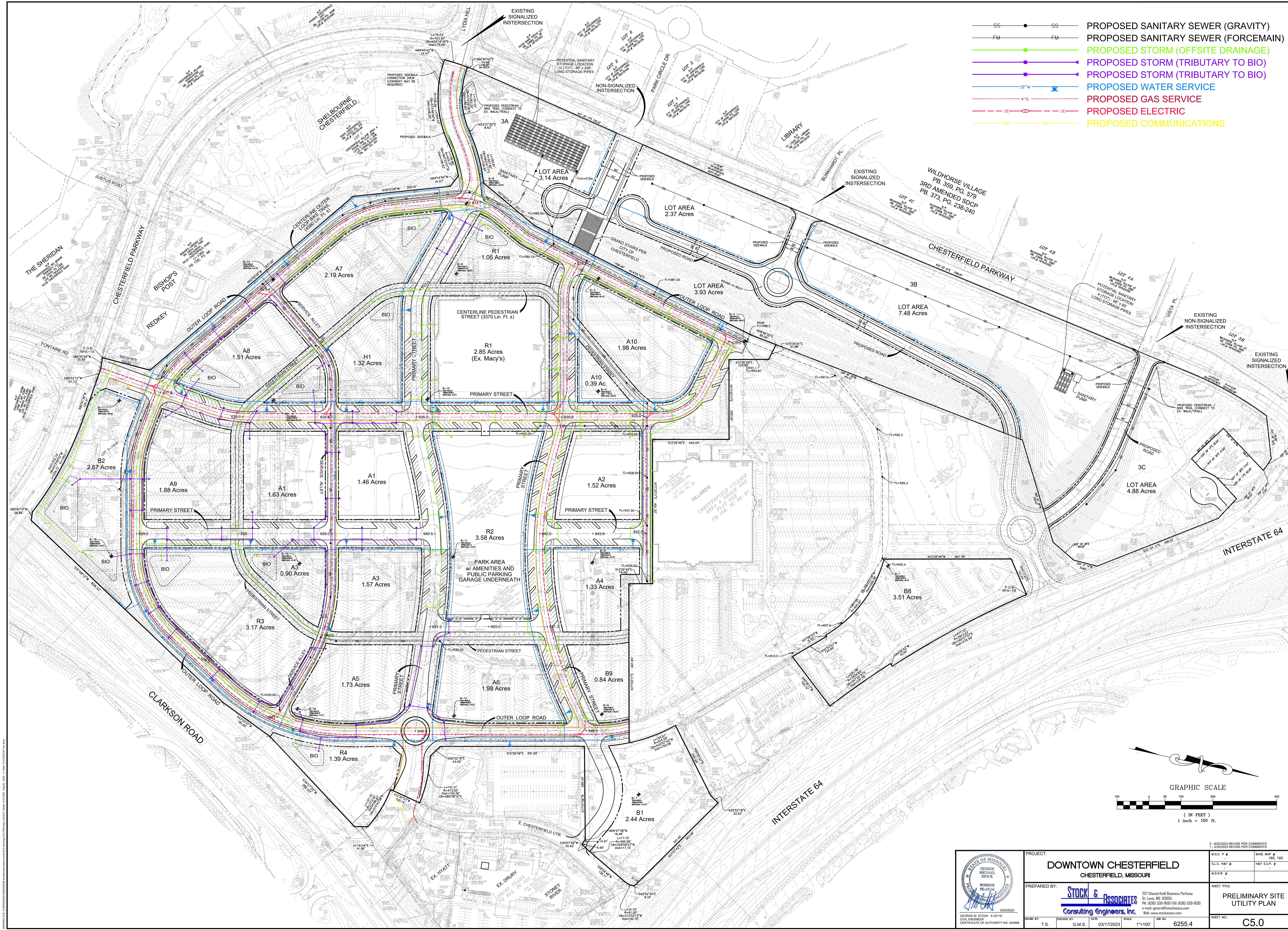


PROJECT: <b>DOWNTOWN CHESTERFIELD</b> CHESTERFIELD, MISSOURI		M.S.D. P. # 185, 195
PREPARED BY: <b>STOCK &amp; ASSOCIATES</b> Consulting Engineers, Inc.		H&T SLIP. # -
257 Chesterfield Business Parkway St. Louis, MO 63105 PH: (636) 530-9100 FAX: (636) 530-9330 e-mail: gstock@stockassoc.com Web: www.stockassoc.com		SHEET TITLE: <b>PRELIMINARY SITE GRADING PLAN</b>
DRAWN BY: T.S.	CHECKED BY: G.M.S.	SHEET NO.: <b>C4.0</b>
DATE: 03/17/2023	SCALE: 1"=100'	JOB NO.: 6255.4

2-8/2023 REVISE PER COMMENTS  
 1-4/2023 REVISE PER COMMENTS



- PROPOSED SANITARY SEWER (GRAVITY)
- PROPOSED SANITARY SEWER (FORCEMAIN)
- PROPOSED STORM (OFFSITE DRAINAGE)
- PROPOSED STORM (TRIBUTARY TO BIO)
- PROPOSED STORM (TRIBUTARY TO BIO)
- PROPOSED WATER SERVICE
- PROPOSED GAS SERVICE
- PROPOSED ELECTRIC
- PROPOSED COMMUNICATIONS



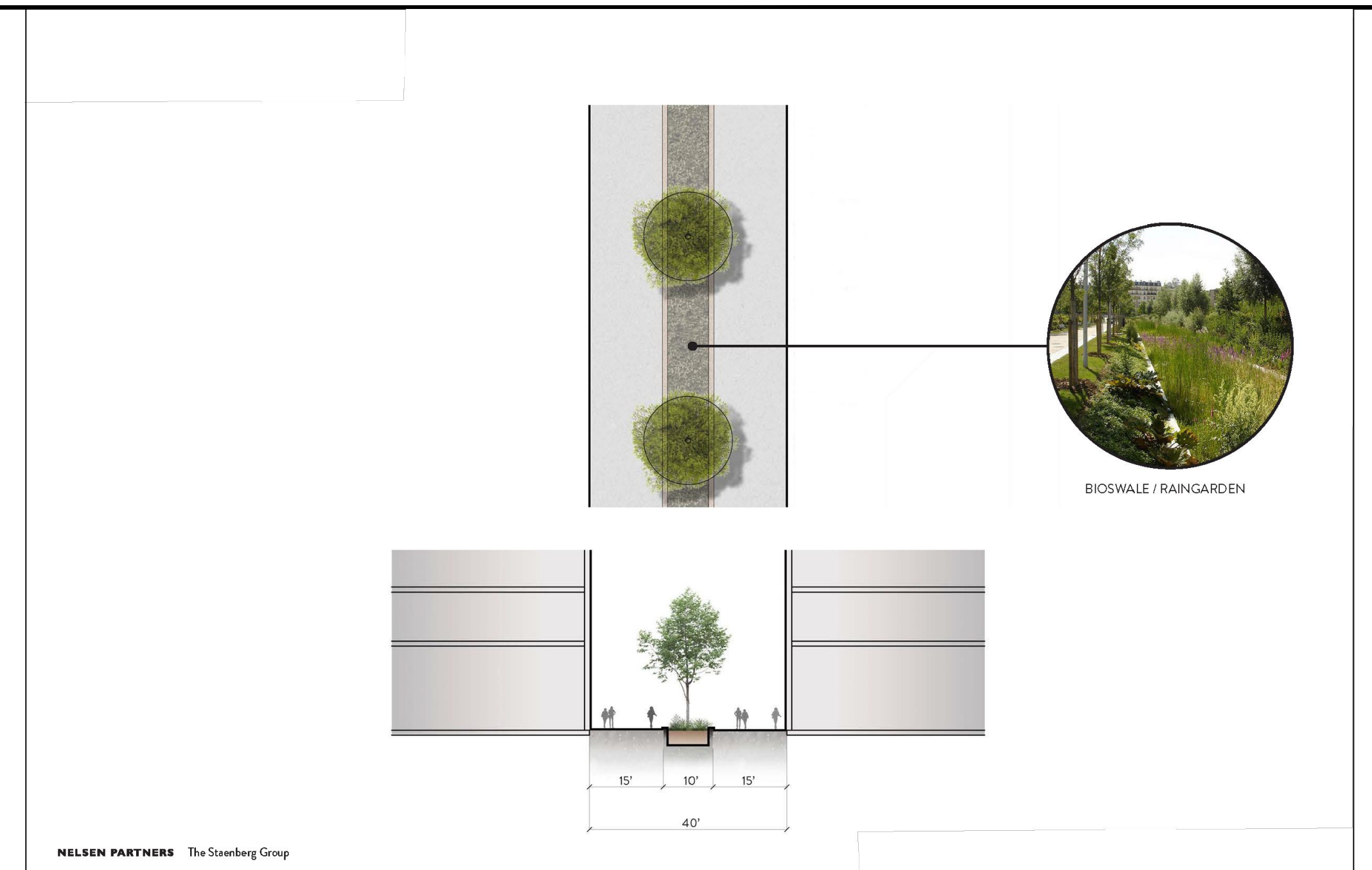
	<b>PROJECT:</b> DOWNTOWN CHESTERFIELD CHESTERFIELD, MISSOURI		M.S.D. P. #	BASE MAP #
			S.L.C. H&T #	H&T S.L.P. #
PREPARED BY: <b>STOCK &amp; ASSOCIATES</b> Consulting Engineers, Inc.		257 Chesterfield Business Parkway St. Louis, MO 63105 PH: (636) 530-9100 FAX: (636) 530-9330 e-mail: gstock@stockassociates.com Web: www.stockassociates.com		SHEET TITLE:
DRAWN BY: T.S.    CHECKED BY: G.M.S.    DATE: 03/17/2023    SCALE: 1"=100'    JOB NO.: 6255.4		PRELIMINARY SITE UTILITY PLAN		SHEET NO.:
				<b>C5.0</b>

2-8/2023 REVISE PER COMMENTS  
 1-4/2023 REVISE PER COMMENTS

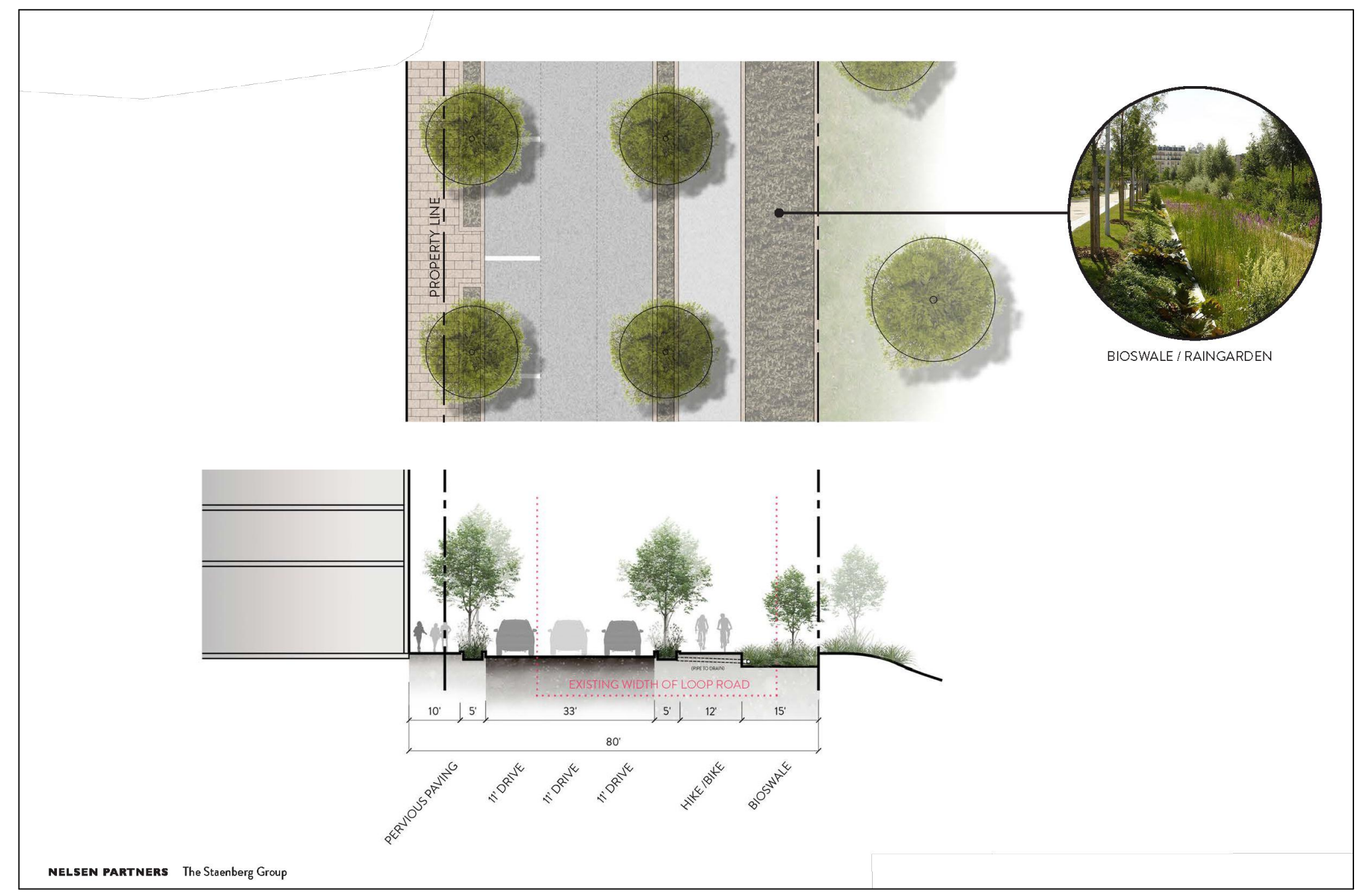




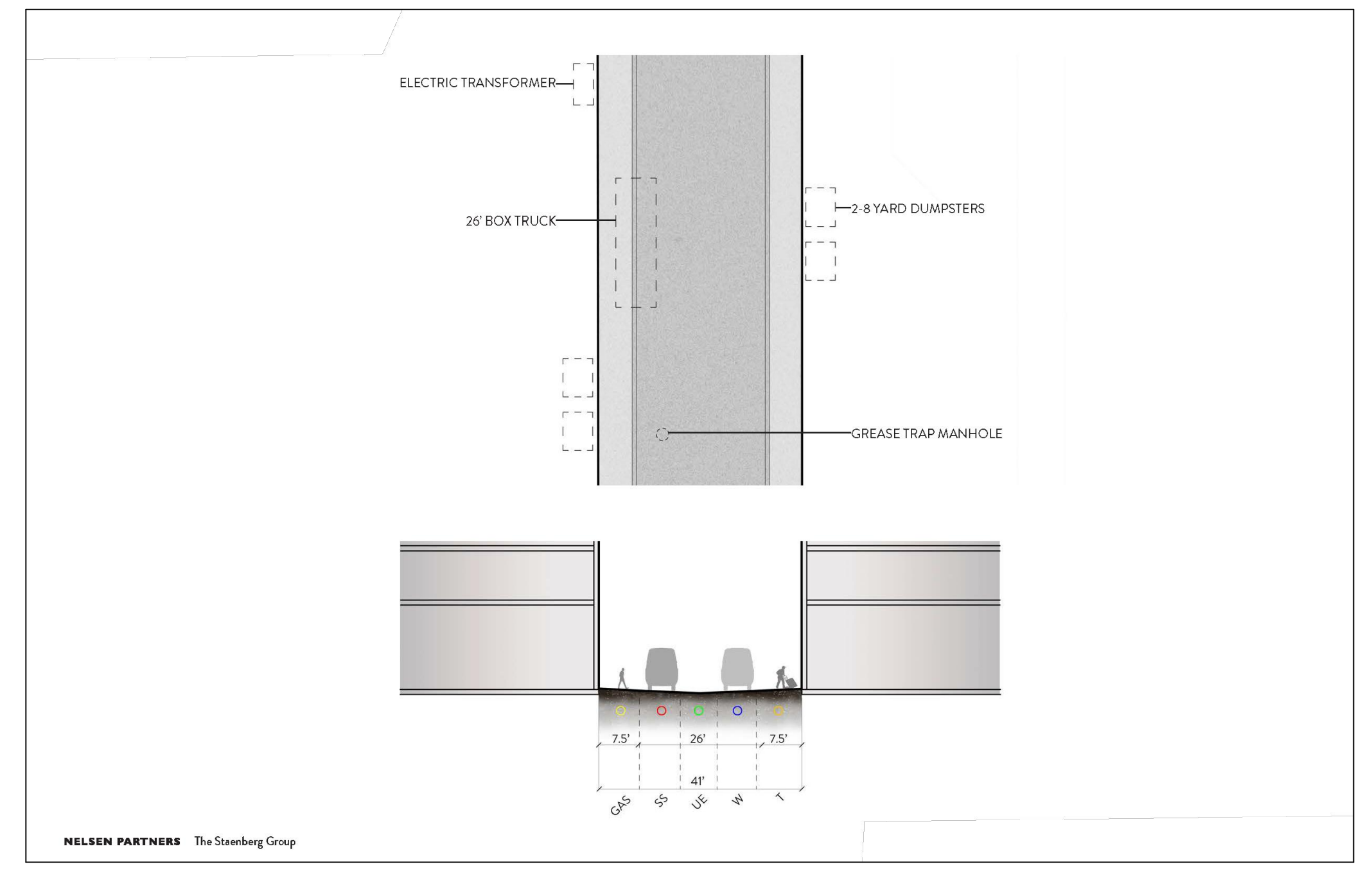
PRIMARY STREET



PEDESTRIAN STREET

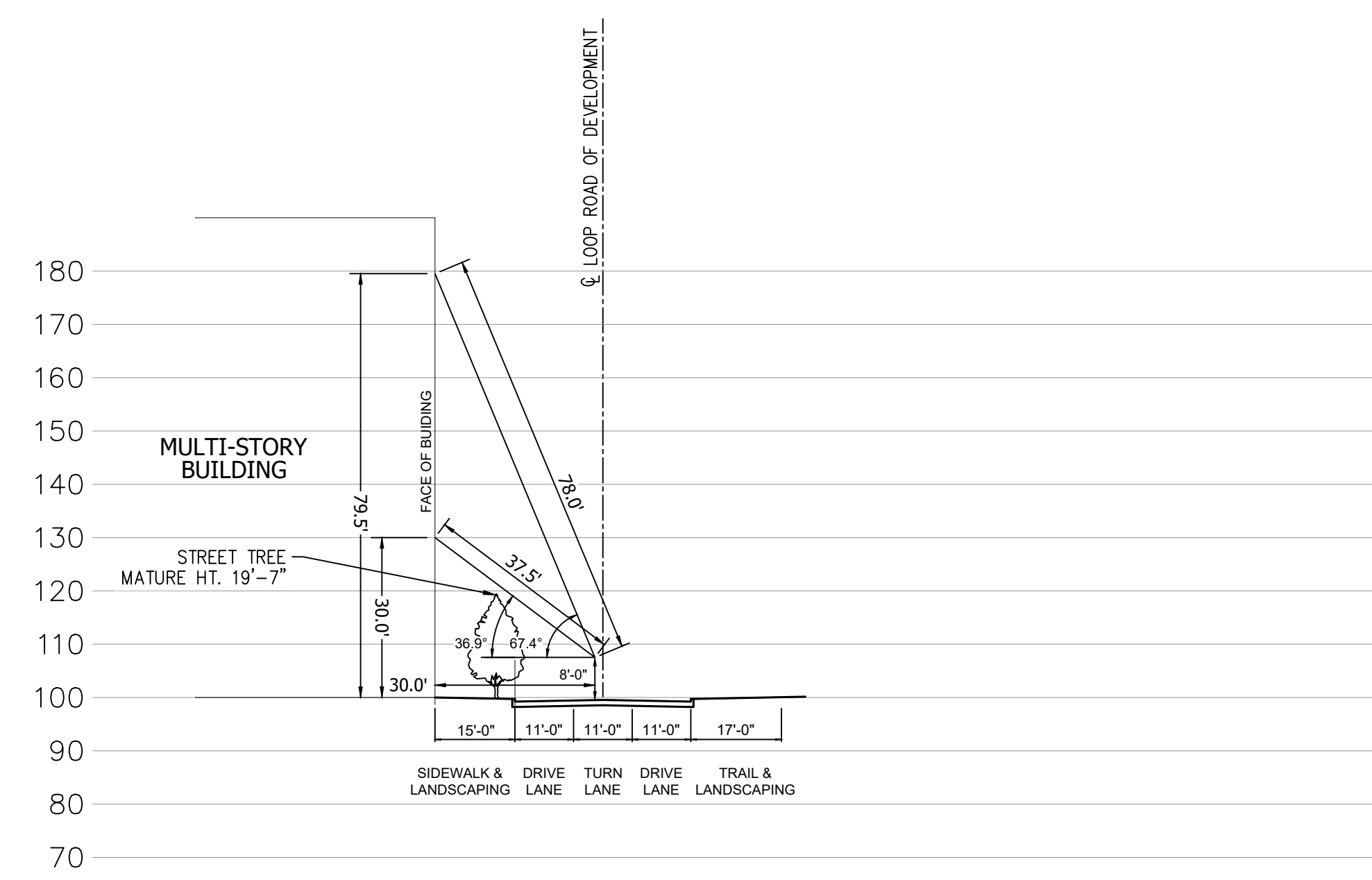


OUTER LOOP ROAD / HIKE & BIKE TRAIL

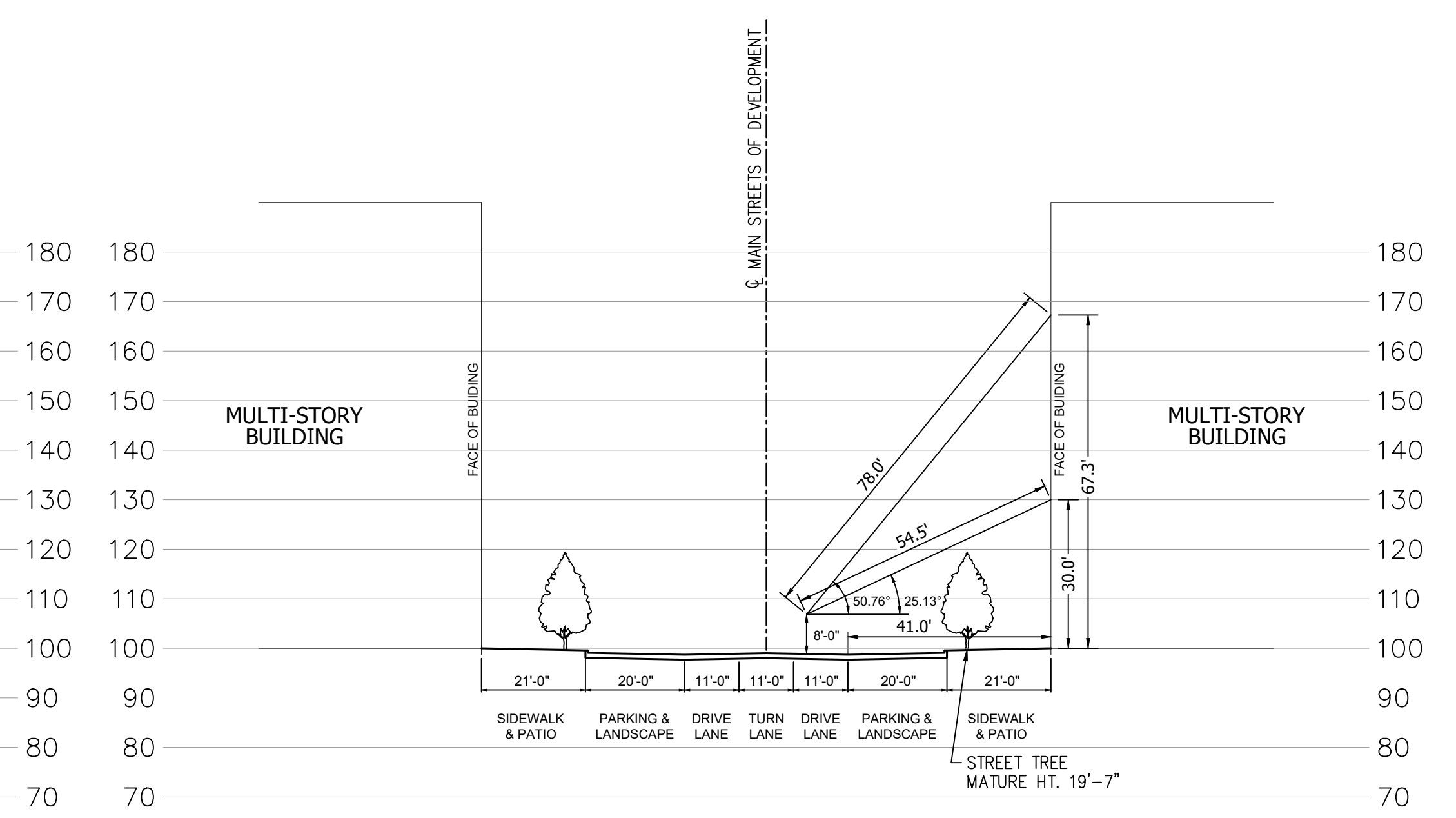


SERVICE ALLEY

NOTE: SECTIONS PER NELSON PARTNERS MASTER PLAN DATED 02.15.2023



COMPLIANT AERIAL APPARATUS ACCESS SECTION (LOOP ROAD)

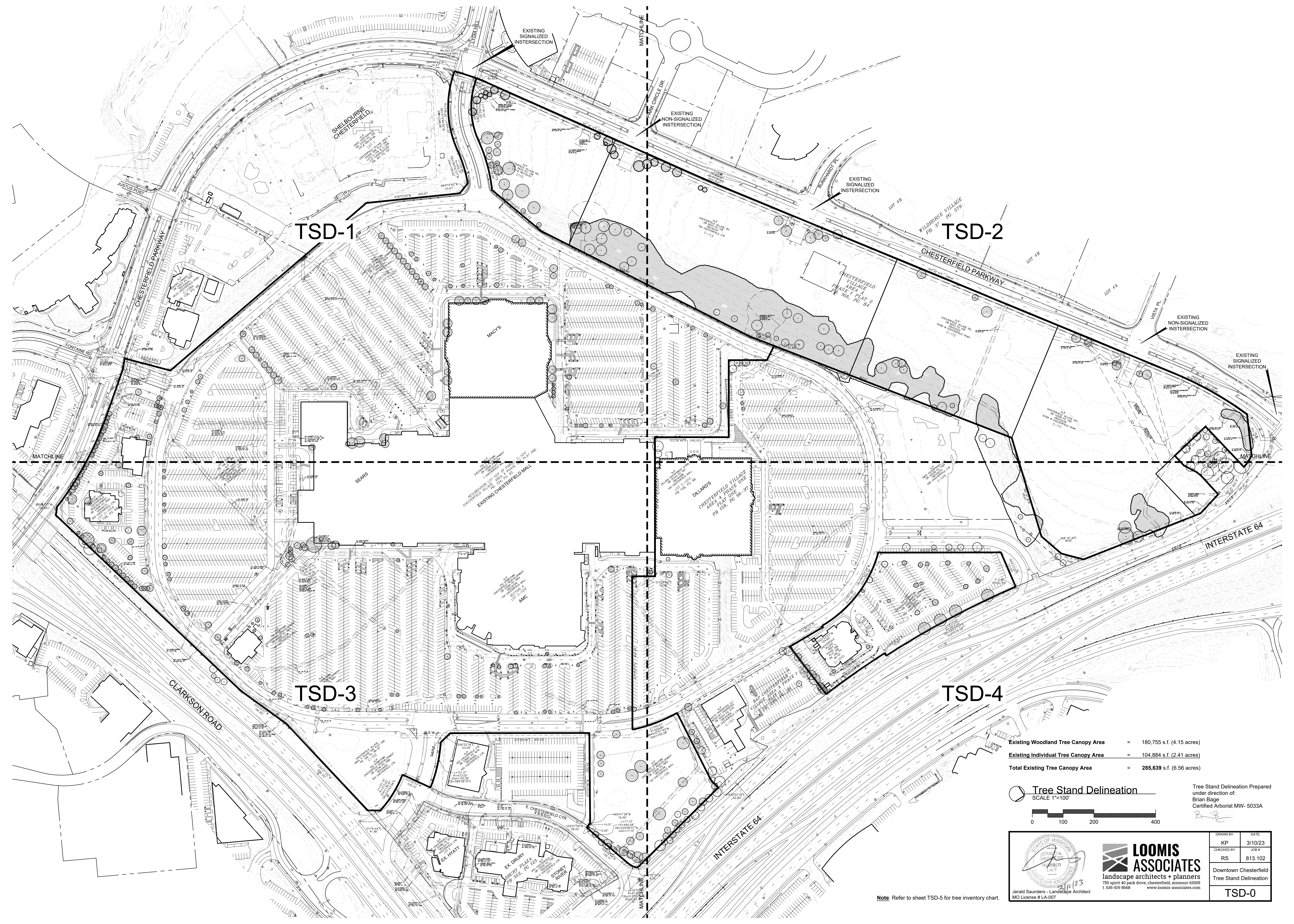


MODIFIED AERIAL APPARATUS ACCESS SECTION (PRIMARY STREETS OF THE DEVELOPMENT)

	PROJECT: <b>DOWNTOWN CHESTERFIELD</b> CHESTERFIELD, MISSOURI	M.S.D. P.# 185, 195	BASE MAP # -
	PREPARED BY: <b>STOCK &amp; ASSOCIATES</b> Consulting Engineers, Inc.	257 Chesterfield Business Parkway St. Louis, MO 63305 PH: (636) 530-9100 FAX: (636) 530-9330 e-mail: gstock@stockandass.com Web: www.stockandass.com	S.L.C. H&T # -
GEORGE M. STOCK, L.S. 25116 CIVIL ENGINEER CERTIFICATE OF AUTHORITY NO. 00096	DRAWN BY: T.S.	CHECKED BY: G.M.S.	DATE: 03/17/2023
SCALE: 1"=100'		JOB NO. 6255.4	SHEET TITLE: <b>PRELIMINARY PLAN SITE AND ROAD SECTIONS</b>
		SHEET NO.: <b>C6.0</b>	

2-8/02/2023 REVISE PER COMMENTS  
 1-4/20/2023 REVISE PER COMMENTS





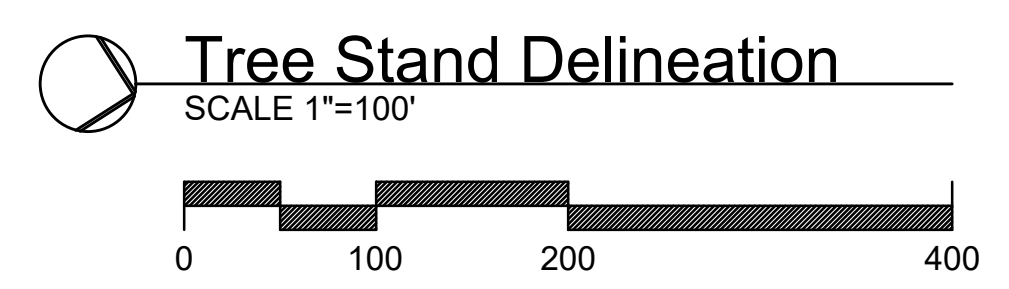
TSD-1

TSD-2

TSD-3

TSD-4

Existing Woodland Tree Canopy Area = 180,755 s.f. (4.15 acres)  
 Existing Individual Tree Canopy Area = 104,884 s.f. (2.41 acres)  
 Total Existing Tree Canopy Area = 285,639 s.f. (6.56 acres)

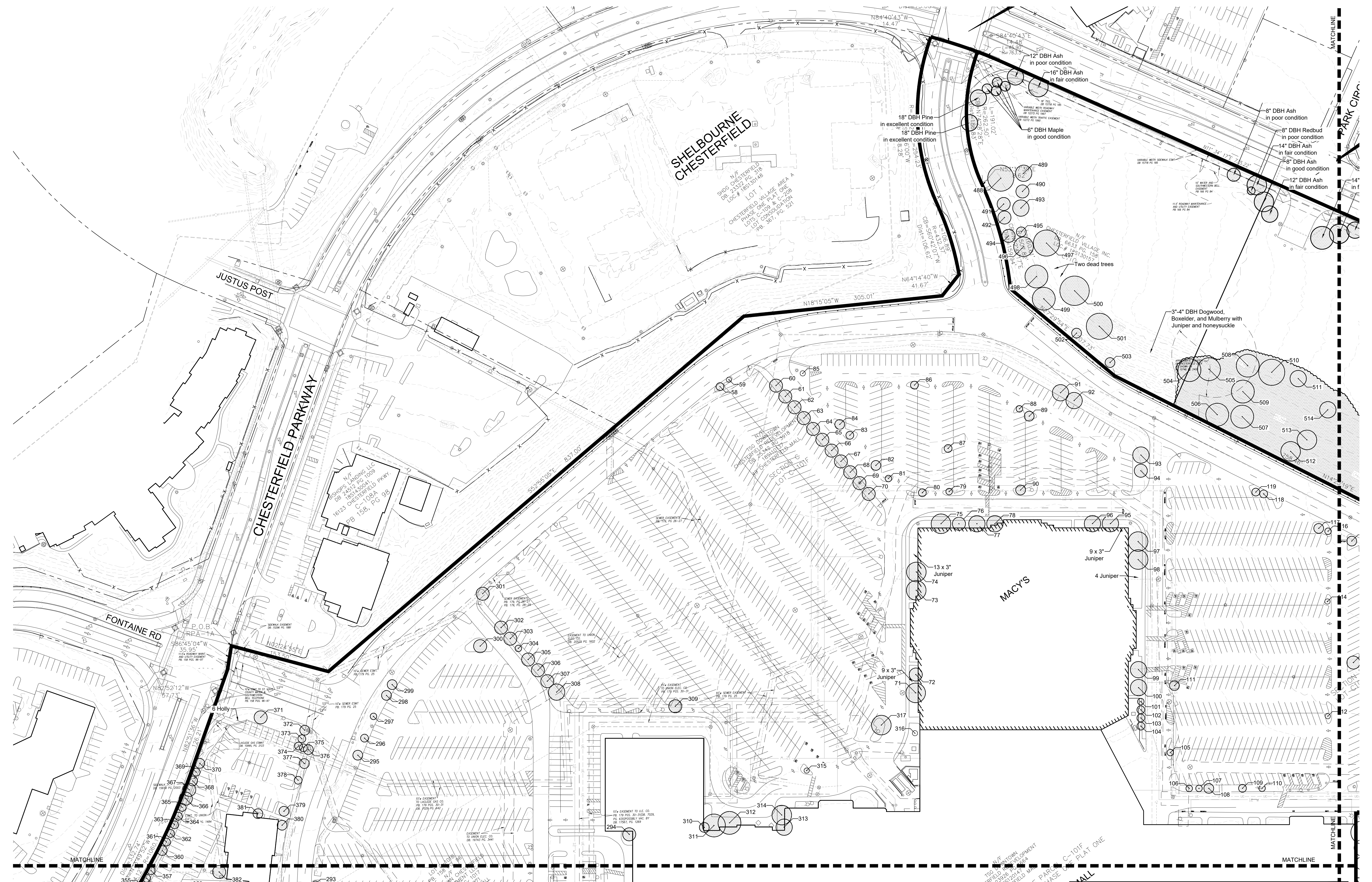


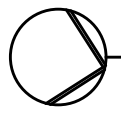
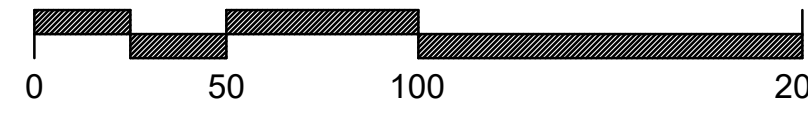
Tree Stand Delineation Prepared under direction of:  
 Brian Bage  
 Certified Arborist MW- 5033A

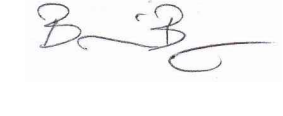
	<b>LOOMIS ASSOCIATES</b> landscape architects + planners 750 spirit 40 park drive, chesterfield, missouri 63005 t. 636-639-8668 www.loomis-associates.com	DRAWN BY:	DATE:
		KP	3/10/23
		CHECKED BY:	JOB #:
		RS	813.102
		Downtown Chesterfield Tree Stand Delineation	
		TSD-0	

Note: Refer to sheet TSD-5 for tree inventory chart.





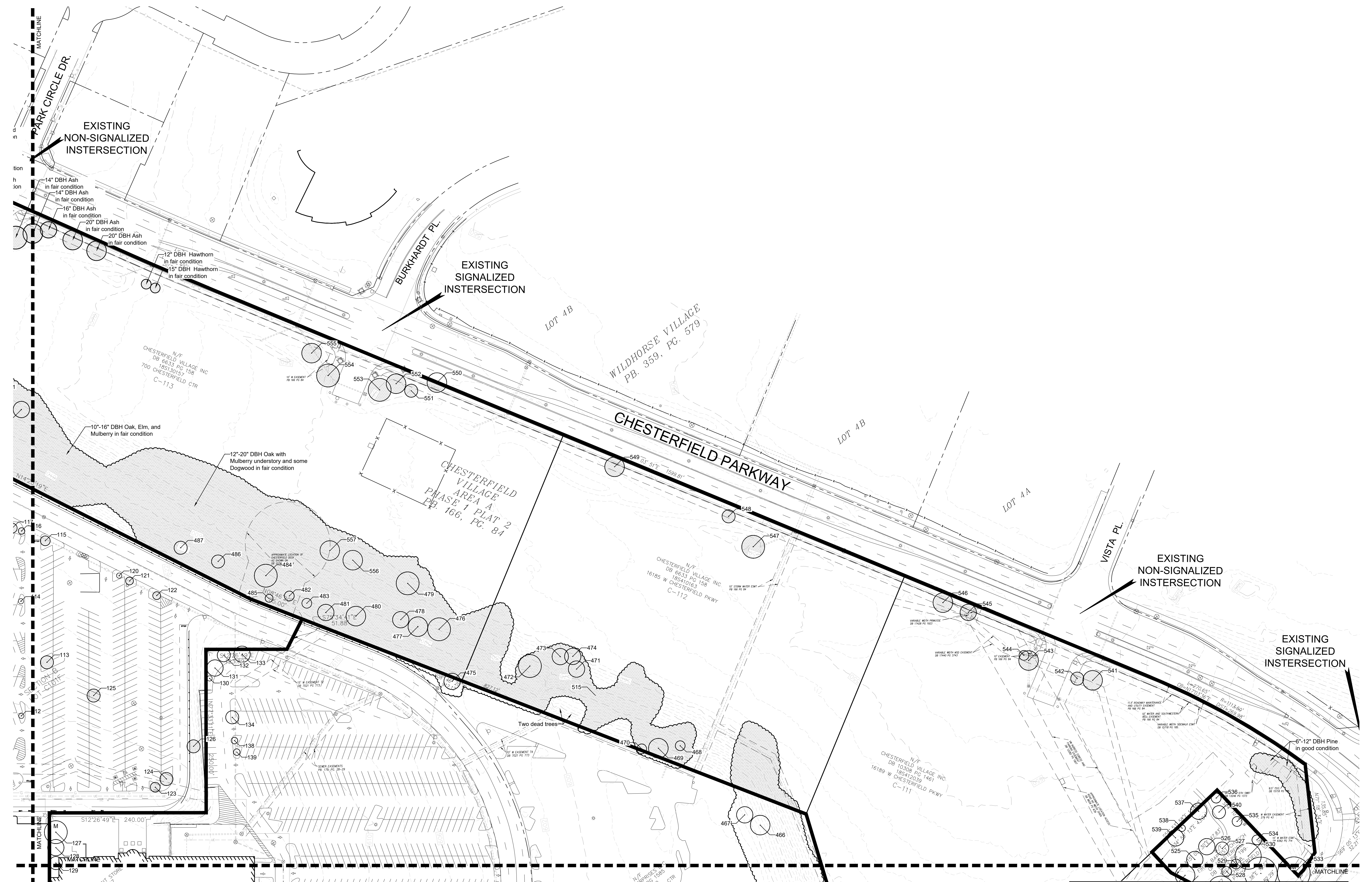

**Tree Stand Delineation - Southwest**  
 SCALE 1"=50'  


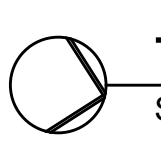
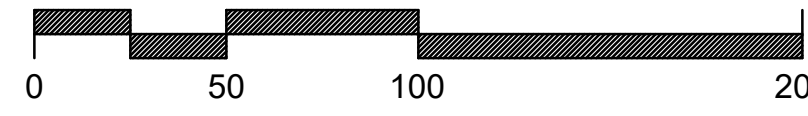
Tree Stand Delineation Prepared  
 under direction of:  
 Brian Bage  
 Certified Arborist MW- 5033A  



Note: Refer to sheet TSD-5 for tree inventory chart.

 Jerald Saunders - Landscape Architect MO License # LA-007	DRAWN BY: KP	DATE: 3/10/23
	CHECKED BY: RS	JOB #: 813.102
LOOMIS ASSOCIATES landscape architects + planners 790 spirit 40 park drive, chesterfield, missouri 63005 t. 636-619-8668 www.loomis-associates.com		Downtown Chesterfield Tree Stand Delineation <b>TSD-1</b>





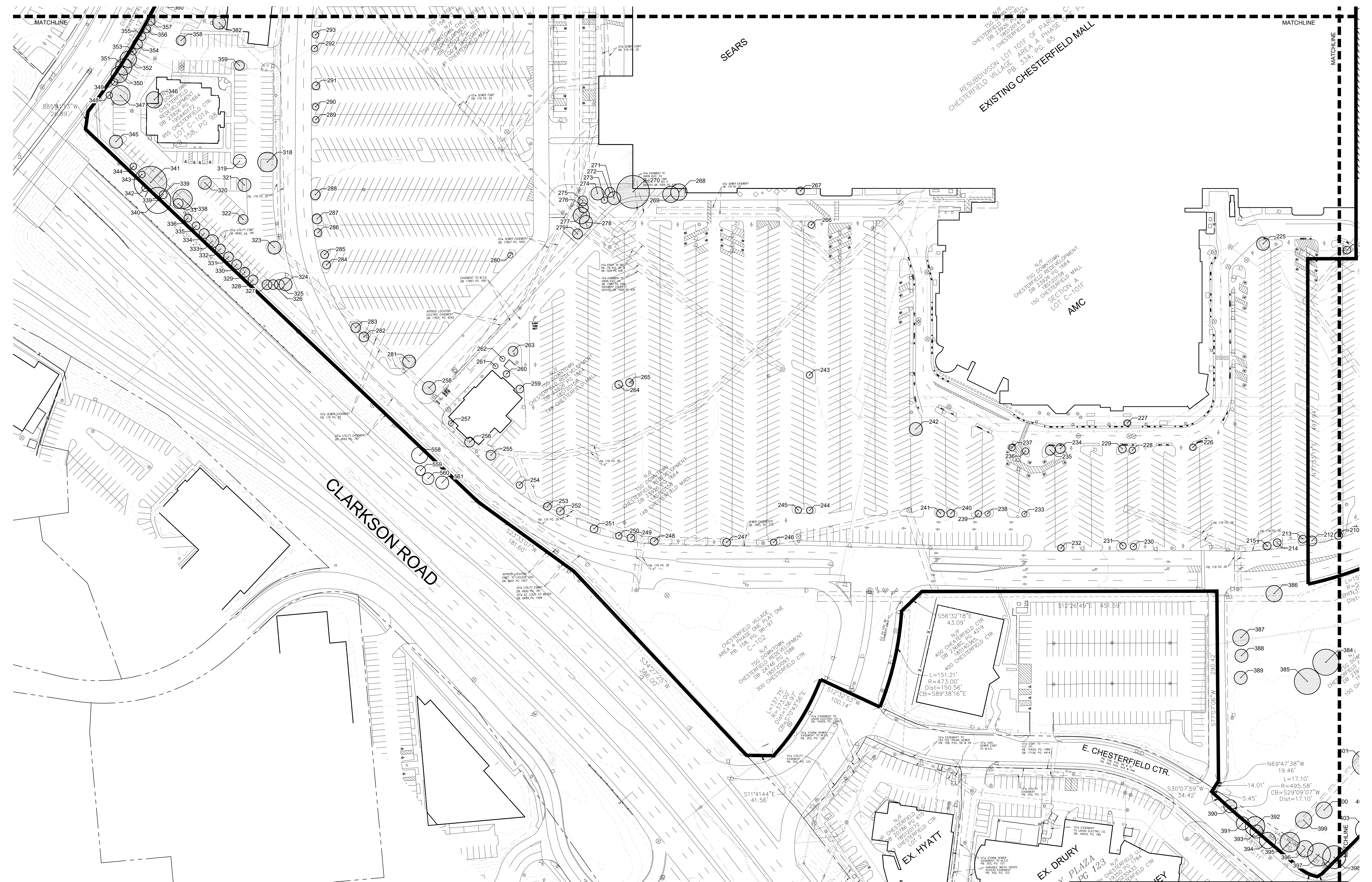

**Tree Stand Delineation - Northwest**  
 SCALE 1"=50'  


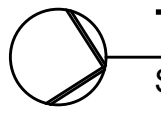
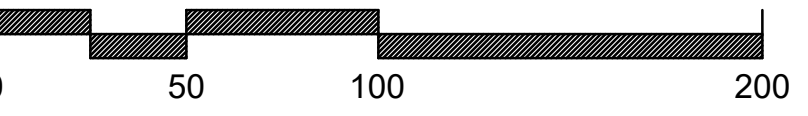
Tree Stand Delineation Prepared  
 under direction of:  
 Brian Bage  
 Certified Arborist MW- 5033A  


 Jerald Saunders - Landscape Architect MO License # LA-007	 <b>LOOMIS ASSOCIATES</b> landscape architects + planners 750 spirit 40 park drive, chesterfield, missouri 63005 t. 636-519-8669 www.loomis-associates.com	DRAWN BY: KP DATE: 3/10/23
		CHECKED BY: RS JOB #: 813.102
Downtown Chesterfield Tree Stand Delineation		<b>TSD-2</b>

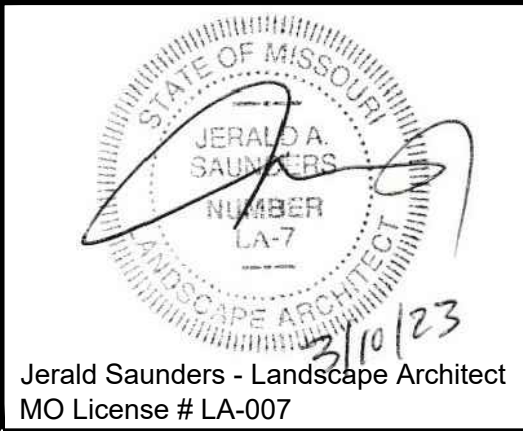
Note: Refer to sheet TSD-5 for tree inventory chart.






**Tree Stand Delineation - Southeast**  
 SCALE 1"=50'  


Tree Stand Delineation Prepared  
 under direction of:  
 Brian Bage  
 Certified Arborist MW- 5033A

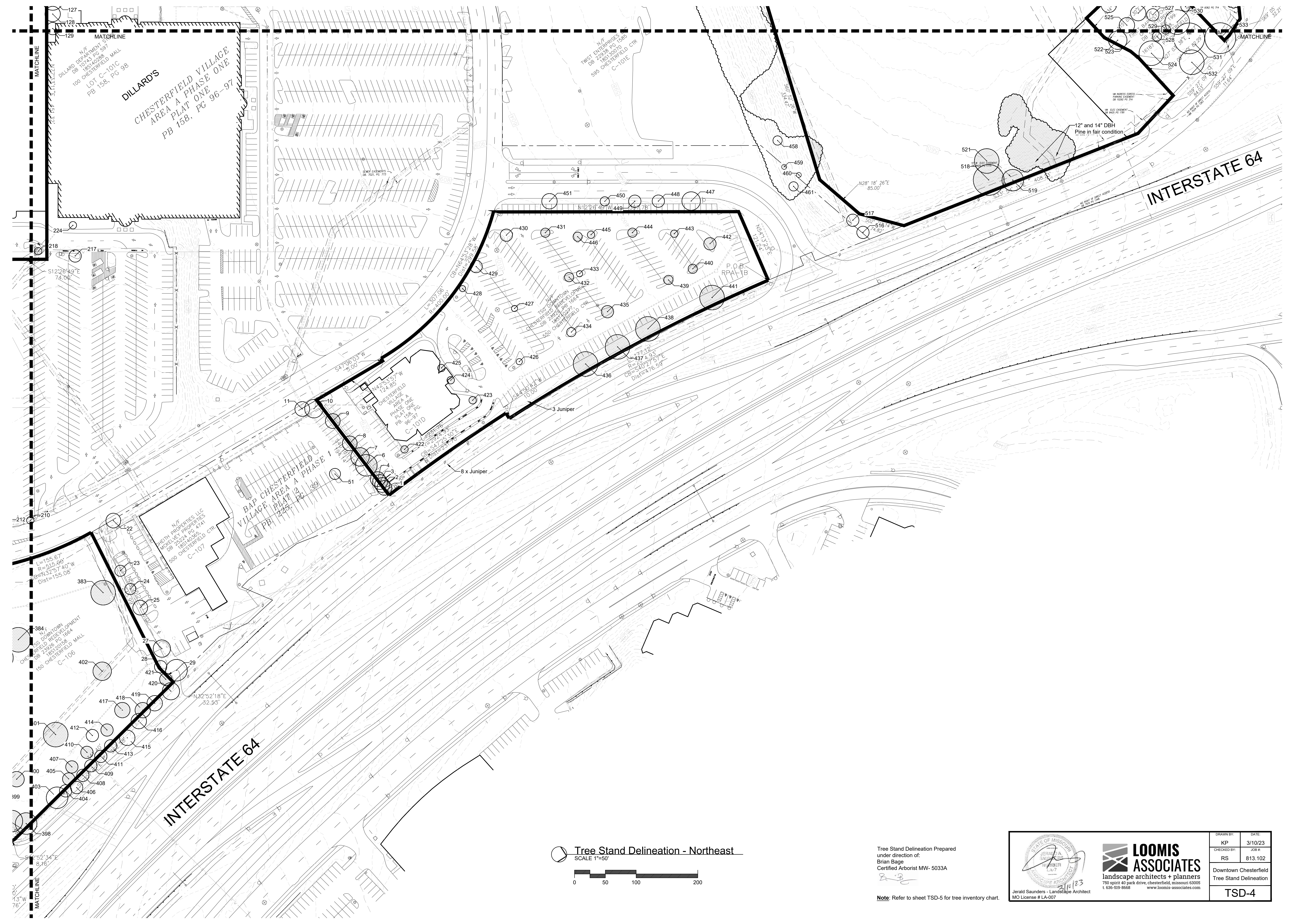


**LOOMIS ASSOCIATES**  
 landscape architects + planners  
 750 spirit 40 park drive, chesterfield, missouri 63005  
 t. 636-639-8668 www.loomis-associates.com

DRAWN BY:	DATE:
KP	3/10/23
CHECKED BY:	JOB #:
RS	813.102
Downtown Chesterfield	
Tree Stand Delineation	
<b>TSD-3</b>	

Note: Refer to sheet TSD-5 for tree inventory chart.





**Tree Stand Delineation - Northeast**  
 SCALE 1"=50'

Tree Stand Delineation Prepared  
 under direction of:  
 Brian Bage  
 Certified Arborist MW- 5033A

**Note:** Refer to sheet TSD-5 for tree inventory chart.

	<b>LOOMIS ASSOCIATES</b> landscape architects + planners 750 spirit 40 park drive, chesterfield, missouri 63005 t. 636-519-8668 www.loomis-associates.com	DRAWN BY: KP CHECKED BY: RS DATE: 3/10/23 JOB #: 813.102
	Downtown Chesterfield Tree Stand Delineation <b>TSD-4</b>	



Tree Inventory					
ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
1	Amur Maple	8	24	1	
2	Amur Maple	10	24	1	
3	Amur Maple	7	24	1	
4	Amur Maple	8	24	1	
6	Ash	15	35	2	
7	Ash	20	30	2	
8	Honeylocust	6	24	3	
9	Maple	12	24	2	
10	Maple	20	30	2	
11	Maple	9	24	2	
22	Redbud	10	24	3	
23	Honeylocust	6	18	3	
24	Honeylocust	7	18	3	
25	Honeylocust	8	24	3	
27	Maple	20	28	3	
28	Maple	7	20	3	
29	Maple	20	35	3	
51	Honeylocust	4	18	1	
58	Linden	6	12	1	Trunk damage
59	Cherry	4	8	2	Steel cable embedded
60	Pear	12	20	2	Crown loss
61	Pear	8	20	2	
62	Pear	8	20	2	
63	Pear	8	20	2	Dieback
64	Pear	8	20	2	Dieback
65	Pear	10	20	2	
66	Pear	10	20	2	
67	Pear	8	15	2	
68	Pear	10	20	2	
69	Pear	12	20	2	
70	Pear	12	20	2	
71	Ash	14	30	1	
72	Ash	12	20	1	
73	Ash	12	30	1	
74	Ash	16	30	2	
75	Ash	12	30	1	Dieback
76	Ash	14	25	1	
77	Ash	14	25	1	
78	Ash	14	25	1	
79	Crabapple	5	10	2	
80	Crabapple	6	12	1	
81	Crabapple	5	10	2	
82	Crabapple	5	15	2	
83	Crabapple	5	12	2	
84	Crabapple	5	15	2	
85	Dead	10		0	Dead
86	Crabapple	5	12	2	
87	Crabapple	4	12	2	
88	Crabapple	5	10	2	
89	Crabapple	4	15	2	
90	Crabapple	6	15	2	
91	Hawthorn	20	25	1	2x trunks
92	Hawthorn	12	25	1	Lean
93	Red Maple	12	25	2	Chlorotic
94	Red Maple	10	20	1	Dieback
95	Ash	10	25	1	
96	Ash	10	25	1	
97	Ash	14	30	2	
98	Ash	16	30	2	
99	Ash	10	25	1	
100	Ash	10	25	1	
101	Ash	5	10	1	
102	Ash	7	12	1	
103	Ash	7	12	1	
104	Ash	7	12	1	
105	Ash	5	10	1	
106	Crabapple	3	10	2	
107	Crabapple	3	10	2	
108	Crabapple	5	15	3	
109	Crabapple	4	12	2	
110	Crabapple	3	10	2	
111	Crabapple	5	15	3	
112	Pear	4	8	1	
113	Honeylocust	12	20	1	Dieback
114	Pear	3	5	1	
115	Maple	8	15	2	
116	Crabapple	4	10	1	
117	Crabapple	6	15	2	
118	Crabapple	4	12	2	
119	Crabapple	4	12	1	
120	Elm	2	4	3	
121	Maple	5	12	2	
122	Maple	5	12	2	
123	Honeylocust	6	15	2	
124	Honeylocust	8	20	2	
125	White Pine	8	20	2	Offsite
126	Pear	8	20	3	
127	Red Maple	24	35	3	Offsite, Monarch
128	White Pine	10	25	3	Offsite
129	White Pine	8	20	2	Offsite
130	Oak	4	6	1	Offsite
131	Bald Cypress	12	25	3	Offsite
132	Bald Cypress	10	20	3	Offsite
133	Bald Cypress	12	25	3	Offsite
134	Ash	12	20	1	Offsite
138	Cherry	5	10	1	Offsite
139	Maple	5	10	2	Offsite
210	Pear	8	12	2	Offsite
212	Ash	8	15	1	Offsite
213	Ash	6	12	1	

Tree Inventory					
ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
214	Pear	6	12	3	
215	Pear	6	12	2	
217	Honeylocust	10	20	3	Offsite
218	Crabapple	6	12	1	
224	Pine	6	12	3	Offsite
225	Pear	14	20	2	
226	Pear	6	10	1	
227	Maple	6	10	3	
228	Pear	4	10	2	
229	Pear	6	12	2	
230	Pear	6	10	1	
231	Pear	6	10	1	
232	Pear	5	10	3	
233	Pear	5	8	1	
234	Pear	6	15	2	
235	Hawthorn	8	15	2	
236	Pear	6	10	2	
237	Pear	5	10	2	
238	Pear	5	6	1	
239	Pear	6	10	1	
240	Pear	6	12	2	
241	Pear	6	12	2	
242	Maple	8	20	2	
243	Pear	5	10	3	
244	Pear	4	10	2	
245	Pear	5	10	2	
246	Pear	5	10	2	
247	Ash	6	12	1	
248	Ash	6	12	3	
249	Pear	6	12	3	
250	Pear	4	10	2	
251	Ash	5	12	2	
252	Pear	5	12	2	
253	Pear	6	12	2	
254	Maple	5	10	1	
255	Maple	6	15	3	
256	Redbud	6	15	3	
257	Redbud	3	6	3	
258	Pear	10	20	3	
259	Redbud	5	12	2	Mower damage
260	Spruce	6	10	3	
261	Spruce	5	8	3	
262	Spruce	5	8	3	
263	Redbud	8	15	2	
264	Pear	5	12	3	
265	Pear	5	12	2	
266	Honeylocust	4	10	2	
267	Crabapple	4	12	2	
268	Hawthorn	20	25	3	Multi-stem
269	Hawthorn	20	25	3	Multi-stem
270	Honeylocust	40	50	3	Multi-stem
271	Honeylocust	16	20	2	
272	Pine	12	15	1	
273	Pine	8	10	2	
274	Pine	16	20	2	
275	Pine	10	15	2	
276	Pine	12	15	2	
277	Maple	12	25	3	
278	Pine	14	20	2	
279	Pine	12	15	1	
280	Dead	10		0	Dead
281	Ash	8	20	1	
282	Pear	6	15	3	
283	Pear	6	15	2	
284	Pear	6	12	2	
285	Pear	6	12	2	
286	Ash	6	12	1	
287	Ash	6	15	1	
288	Pear	6	15	2	
289	Pear	6	10	3	
290	Pear	6	10	2	
291	Ash	6	12	2	
292	Pear	6	10	2	
293	Pear	6	10	2	
294	Pear	10	20	2	
295	Linden	8	15	1	
296	Crabapple	4	12	2	
297	Cherry	5	10	3	
298	Crabapple	4	15	2	
299	Linden	8	15	3	
300	Maple	12	20	2	
301	Maple	10	20	2	
302	Pear	1	20	3	
303	Pear	10	20	3	
304	Pear	8	10	1	
305	Pear	10	20	2	
306	Pear	8	20	2	
307	Pear	10	20	2	
308	Pear	12	25	2	
309	Ash	8	20	1	
310	Pear	6	15	2	
311	Honeylocust	14	35	2	
312	Honeylocust	12	35	2	
313	Pear	8	25	2	
314	Honeylocust	12	30	3	
315	Crabapple	15	8	1	
316	Dead	10		0	Dead
317	Ash	8	30	1	
318	Honeylocust	10	30	3	
319	Ash	8	20	0	Dead

Tree Inventory					
ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
320	Ash	10	20	1	
321	Honeylocust	8	20	2	
322	Honeylocust	4	15	2	
323	Red Maple	8	20	2	
324	Red Maple	8	20	3	
325	Hawthorn	15	15	2	Multi-stem
326	Hawthorn	15	15	2	Multi-stem
327	Hawthorn	15	15	2	Multi-stem
328	Hawthorn	15	15	2	Multi-stem
329	Hawthorn	15	15	2	Multi-stem
330	Hawthorn	12	15	2	Multi-stem
331	Red Maple	6	15	3	
332	Red Maple	7	15	3	
333	Red Maple	8	20	3	
334	Hawthorn	10	15	2	
335	Hawthorn	10	12	1	Mixed with 2" Dogwood
336	Hawthorn	8	12	1	
337	Dogwood	12	15	2	Multi-stem
338	Honeylocust	14	30	3	
339	Red Maple	6	12	1	Trunk cavity
340	Pear	16	40	2	Twin
341	Pear	36	50	3	Multi-stem
342	Ash	14	10	1	
343	Ash	14	10	1	
344	Ash	10	20	1	
345	Ash	10	20	1	
346	Riverbirch	12	25	3	
347	Honeylocust	12	30	3	
348	Crabapple	6	10	0	Dead
349	Crabapple	8	10	0	Dead
350	Honeylocust	10	25	2	
351	Honeylocust	8	25	3	
352	Honeylocust	8	25	3	
353	Crabapple	6	10	0	Dead
354	Crabapple	8	15	1	
355	Hawthorn	12	12	2	Multi-stem
356	Hawthorn	10	12	2	Multi-stem
357	Hawthorn	12	12	2	Multi-stem
358	Red Maple	5	15	1	
359	Honeylocust	6	15	2	
360	Hawthorn	12	15	2	
361	Hawthorn	12	12	2	
362	Hawthorn	10	12	2	
363	Hawthorn	12	12	2	
364	Hawthorn	10	12	1	
365	Hawthorn	12	12	2	
366	Honeylocust	7	20	3	
367	Honeylocust	7	20	2	
368	Crabapple	8	15	2	
369	Crabapple	8	12	1	
370	Crabapple	8	15	2	
371	Red Maple	8	20	2	
372	Hawthorn	15	15	2	Multi-stem
373	Hawthorn	12	12	2	Multi-stem
374	Hawthorn	15	12	2	Multi-stem
375	Hawthorn	12	12	1	Multi-stem
376	Hawthorn	12	15	2	Multi-stem
377	Red Maple	5	15	2	Lost leader
378	Red Maple	5	12	1	
379	Red Maple	7	15	3	
380	Pear	7	15	3	
381	Japanese Maple	12	15	3	
382	Spruce	12	20	3	Vines
383	Honeylocust	20	40	3	
384	Honeylocust	18	40	3	
385	Honeylocust	20	40	2	
386	Ash	12	25	1	
387	Honeylocust	10	25	2	
388	Honeylocust	8	20	2	
389	Honeylocust	7	20	3	
390	Sweetgum	12	20	2	
391	Sweetgum	12	20	2	
392	Sweetgum	12	30	2	
393	Sweetgum	8	20	2	
394	Sweetgum	12	25		



# ATTACHMENT C

March 17, 2023

REVISED April 5, 2023

REVISED May 15, 2023

REVISED JUNE 13, 2023

**REVISED JUNE 15, 2023**

**PROJECT NARRATIVE**

## **A Rezoning Request for Downtown Chesterfield**

(Stock Project No. 218-6255.4)

*TSG Downtown Chesterfield Redevelopment, LLC* respectfully requests the City of Chesterfield’s consideration in rezoning +/- 96.017 Acre tract of land located at and around the former Chesterfield Mall to a “PC&R” Planned Commercial & Residence District.

Downtown Chesterfield is a unique 21<sup>st</sup> Century NEW Central Business District for the City of Chesterfield, Missouri. Unlike other mixed use / retail developments being developed throughout the US, Downtown Chesterfield is a true downtown urban core with high rise office, hotel and density residential uses organized through a landscaped public realm including a 3.5-acre central park at the heart of the development and will be home to hundreds of shops and restaurants, corporate headquarters, office workers and thousands of residents living in a unique urban environment.

The planning concept includes a one-mile loop - pedestrian only path that is integrated into the development and places all residents, retail and office tenants, and visitors within a 5 – 10-minute walk of any destination within Downtown Chesterfield. A central park, pocket parks, jogging trails and bicycle paths are carefully allocated throughout to provide access to all areas of Downtown Chesterfield and connectivity to the surrounding community.

With a grid of treelined urban streets designed for corporate headquarters, office buildings, luxury condominiums, apartments, hotels, retail, restaurants and entertainment, Downtown Chesterfield offers a walkable, safe, and ecologically sustainable urban core that gives priority to the pedestrian over the automobile. Nine acres of park space, with over 25% of the site dedicated to public plazas and sidewalks, parks, bicycle trails, pedestrian street and rain gardens thereby reducing the heat island effect of the development and ensuring its legacy as a new vision for a downtown in Chesterfield, Missouri.

For many years the Chesterfield community desired a true “Downtown” where people could live, work and play. A true “Downtown” is defined by mixed use, but in the early 2000s when the then largest property owner in Chesterfield Village and Chesterfield officials and staff began to look at what needed to be accomplished to facilitate such a development, they discovered that there was no appropriate zoning district available under the City’s Code. After much research and discussion, the City adopted PC&R (Section 405.03.040 (J)). It is a unique zoning district in that it is only to be used for a downtown development “in the area bounded on the east by State Route 340 (Clarkson Road), on the west by Baxter

Road, on the north by State Route 40/I-64, and on the south by Lydia Hill Drive/August Hill Drive.”

Any proposed development requesting PC & R must also contain “a minimum of seventy (70) acres”. While it was originally envisioned that “Downtown” would be located where Wildhorse Village is being developed, the failure of the Chesterfield Mall changed the community’s perspective. The Envision Chesterfield Comprehensive Plan 2020 (the “Comprehensive Plan”) envisions “Downtown” now being located in the area bounded by State Route 340 on the east and Chesterfield Parkway West on the west. Because the City had the foresight, the prescribed area for PC & R includes the new location for “Downtown”.

The Primary Land Uses identified in the Comprehensive Plan include “High density residential, Office, Lodging, Institutional (and) Retail and Personal Service” uses. PC & R permits any of the “commercial uses permitted in the Planned Commercial (PC) District or any of the residential uses in any of the residential districts listed in Table A-1 in section 405.03.020.” The permitted uses must be listed in the site-specific PC & R zoning ordinance, and they may be integrated vertically or horizontally and located as shown on a Site Development Plan, Site Development Concept Plan, OR Site Development Section Plan. The permitted uses requested are the following:

The uses allowed in this Planned Commercial and Residence (“PC&R”) District shall be:

1. Administrative offices for educational or religious institutions
2. Church and other places of worship
3. Community center
4. Library
5. Parks
6. Dwelling, multi-family
7. Single Family Attached
8. Single Family Detached
9. Home Occupation
10. Art Gallery
11. Art Studio
12. Auditorium
13. Banquet Facility
14. Club
15. Farmer’s market
16. Gymnasium
17. Museum
18. Reading Room
19. Recreation Facility
20. Office-dental
21. Office-general

22. Office-medical
23. Automobile Dealership (Storefront Only)
24. Bakery
25. Bar
26. Bowling Center
27. Brewery
28. Brewpub
29. Coffee shop
30. Grocery-community
31. Grocery-neighborhood
32. Grocery-supercenter
33. Newspaper stands.
34. Restaurant-sit down
35. Restaurant-fast food – No Drive Thru
36. Restaurant-takeout
37. Restaurant-takeout - Neighborhood
38. Retail sales establishment – community
39. Retail sales establishment – regional
40. Animal grooming service
41. Barber or beauty shop
42. Broadcasting studio
43. Commercial service facility
44. Day care center
45. Drug store and pharmacy
46. Dry cleaning establishment
47. Financial institution, no drive-thru
48. Hospital
49. Hotel and motel
50. Hotel and motel-extended stay
51. Kennel, boarding
52. Kennel, private
53. Laboratory-professional, scientific
54. Laboratory
55. Laundromat
56. Nursing home
57. Parking area (stand-alone), including garages for automobiles. Not including sales or storage of damaged vehicles for more than 72 hours.
58. Professional and technical service facility
59. Research laboratory and facility
60. Theatre, indoor
61. Theatre, outdoor
62. Veterinary clinic

63. College/university
64. Kindergarten or nursery school
65. Specialized private school.

Because of the size, complexity, mix of uses and length of time to build out a downtown development in a PC & R district, more flexibility is provided in anticipation of future changes that naturally occur due to passage of time and changes in market conditions. That flexibility is reflected in the fact that PC & R permits performance standards to be established in the site-specific zoning ordinance OR in the Site Development Plan, Site Development Concept Plan, OR Site Development Section Plan. The following performance standards are requested to be included in the site-specific zoning ordinance:

#### DENSITY LIMITATIONS

1. The cumulative gross floor area for Commercial Uses in this District shall be limited to not more than a Floor Area Ratio (F.A.R.) = 1.0. Floor Area Ratio (F.A.R.) shall be Calculated by Total Gross Floor Area of all buildings divided by the Gross Area of land within the “PC&R” District. F.A.R. shall not be calculated on a lot-by-lot basis.
2. The maximum number of residential units allowable within this District shall be 30-Units / Acre. Acreage shall be Calculated by the Gross Area of land within the “PC&R” District and shall not be calculated on a lot-by-lot basis.
3. The maximum number of rooms for hotels and lodging shall be 300 rooms; the maximum number of square feet for hotels and lodging shall be 350,000 square feet.

#### BUILDING AND STRUCTURE LOCATION

1. Location of Buildings and Structures shall be approved on the Site Development Concept Plan or Site Development Section Plan.
2. Build-to Line location shall be approved on the Site Development Concept Plan or Site Development Section Plan.
3. Additional space between buildings for walkways and pedestrian paths connecting to parking or open space, shall be approved on the Site Development Concept Plan or Site Development Section Plan.

#### BUILDING HEIGHT

1. Total building height for any permitted use shall not exceed 300-feet as measured from average street elevation.

#### BUILDING AND STRUCTURE FUNCTION

1. Ground floor of all buildings shall include pedestrian access to retail, restaurant, office, multi-family residential, or hotel uses. Access shall not require such uses to be located



within a building, but such uses may be located within a building. Parking garage access shall be allowed from the primary streets.

2. Trash pickup, receiving, loading, and service functions shall be located off the outer loop road and service alleys when feasible.

#### PARKING

- Surface parking shall be allowed as shown on the Site Development Concept Plan.

#### PARKING REQUIREMENTS

1. Required parking shall be determined cumulatively by use category for the entire “PC&R” District and shall not be calculated on an individual lot-by-lot basis; parking shall be calculated for each use category as follows:

##### Minimum Parking Required

Retail/Restaurant:	4.0 Parking Ratio / 1,000 G.F.A.
Grocery:	5.0 Parking Ratio / 1,000 G.F.A.
Office:	3.0 Parking Ratio / 1,000 G.F.A.
Residential:	1.5 Parking Ratio / Unit
Hotel:	0.8 Parking Ratio / Room

2. Required parking shall be provided at not less than 80% of the above-described calculations.

All other performance standards would be established in the Site Development Plan, Site Development Concept Plan, OR Site Development Section Plan.

The proposed downtown development will comply with the Development Policy applicable to “Downtown” in the Comprehensive Plan.

# 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:** August 4, 2023

**RE:** Chesterfield Pkwy Temporary Slope Construction License

---

As you know, St. Louis County is planning roadway improvements to the southwest quadrant of Chesterfield Parkway. These improvements include concrete base repairs, an asphalt mill and overlay, and replacement of sidewalk curb ramp improvements to meet ADA standards.

In order to proceed with this project, St. Louis County needs two temporary slope construction licenses (TSCLs) to provide adequate working room in order to replace the two curb ramps at Chesterfield Parkway and Park Circle Drive. This is land owned by the City of Chesterfield. The specific donation request is delineated in the attached memorandum from Assistant City Engineer Zachary Wolff. As you can see, the requested TSCLs are very small (9 SF and 45 SF) and the TSCLs expire at the end of the project at which time the property reverts back to the City of Chesterfield.

### Action Recommended

This matter should be forwarded to the Planning and Public Works Committee of City Council for consideration. Should PPW concur with Staff's recommendation it should recommend approval of the attached ordinance authorizing approval of the donation of TSCLs to St. Louis County in order to allow construction of ADA ramps at the intersection of Chesterfield Parkway and Park Circle Drive.

Please forward to PPW for review and recommendation of approval.

*Michael O. Geisel* 2023-8-4

# Memorandum

## Department of Public Works



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

**FROM: Zachary S Wolff, PE** *ZSW*  
**Assistant City Engineer**

**DATE: August 4, 2023**

**RE: Temporary Slope Construction Licenses for St. Louis**  
**County Project AR-1768, Chesterfield Parkway West**  
**(South) Resurfacing**

---

As you are aware, St. Louis County is planning roadway improvements to Chesterfield Parkway West between Wild Horse Creek Road and Fontaine Road. The improvements will include concrete base repairs, asphalt mill and overlay, and replacement of sidewalk curb ramp improvements to meet ADA standards.

As part of the plan development process, St. Louis County's project team determined that temporary slope construction licenses (TSCLs) are necessary to allow adequate working room for removal and replacement of two existing curb ramps at Chesterfield Parkway and Park Circle Drive on property owned by the City.

The City received correspondence from St. Louis County that detailed the proposed work and necessary TSCL areas. 9 square feet of TSCL are needed on 1 Park Circle Drive and 45 square feet of TSCL are needed on 2 Park Circle Drive. Right-of-way plans are attached that show the requested TSCL areas.

**Recommendation** - I have reviewed the request from St. Louis County and recommend the attached ordinance and exhibits be forwarded to the Planning and Public Works Committee then to City Council for consideration/approval of donating the requested TSCL to St. Louis County to accomplish the roadway improvements. The TSCLs will terminate upon completion of the project and there will be no permanent encumbrances on City property.



COUNTY PROJECT NO.  
**AR-1768**  
FEDERAL PROJECT NO.  
STP-5410(632)  
E-W GATEWAY TIP NO.  
6905D-22  
MSD:  
22MSD-00079  
MSD BASE MAP:  
18S, 19S

REV	DATE	BY	APP	DESCRIPTION

**PROFESSIONAL LIABILITY**  
I hereby certify that the documents intended to be issued by me or under my direct supervision and I hereby disclaim any responsibility for all other documents or instruments relating to or intended to be related to this project or survey.

STATE OF MISSOURI  
JASON S. DOHRMANN  
PE-2004017159  
PROFESSIONAL ENGINEER

DATE: 6/21/2022

**EDSI**  
ENGINEERING DESIGN SOURCE, INC.  
16445 Sundry Ridge Rd., Suite 300  
Chesterfield, Missouri 63007  
Phone: 636.537.0272  
Fax: 636.537.0271

**Saint Louis COUNTY TRANSPORTATION PUBLIC WORKS**

CHESTERFIELD PARKWAY WEST (SOUTH) RESURFACING  
ROW PLAN SHEET SHEET 5 OF 9

DESIGNED: KDF  
DRAWN: GDO  
CHECKED: CEQ  
SHEET SEQUENCE: 8 OF 13

Existing property and right of way information was provided by St Louis County Department of Transportation. The proposed easements and right of way shown hereon are based on said provided documentation. No review has been made relative to the accuracy of the provided information. These plans do not constitute a boundary survey that meets the Missouri standards for property boundary surveys.

STATE OF MISSOURI  
CHARLES EDWIN QUINBY JR.  
NUMBER  
PLS-200700085  
PROFESSIONAL LAND SURVEYOR  
6/21/2022

LOT C113  
**CHESTERFIELD VILLAGE AREA "A" PHASE ONE PLAT TWO PB 166 PG 84**

**SHEET NOTES**

- MILLING AND OVERLAY LIMITS SHALL EXTEND TO THE END OF RADIUS RETURN ON CONNECTING SIDE STREETS

**LEGEND**

- PROPOSED ASPHALTIC CONCRETE WEDGE & SURFACE COURSE
- PROPOSED FULL DEPTH PAVEMENT REPAIR
- PROPOSED CONCRETE SIDEWALK
- REMOVE CONCRETE SLAB

①  
N/F  
Chesterfield Village, Inc.  
DB 6633 Pg 158  
700 Chesterfield Center  
18S130157  
Title 19-239079-KEE

EXIST. PROPERTY:	540,034 S.F.
TEMPORARY SLOPE AND CONSTRUCTION LICENSE:	1,543 S.F.
PERMANENT SIDEWALK EASEMENT:	247 S.F.
PERMANENT ROADWAY IMPROVEMENT, MAINTENANCE AND UTILITY SIDEWALK AND SEWER EASEMENT:	2,946 S.F.
REMAINING:	540,034 S.F.

LINE	BEARING	DISTANCE
L1	S78°28'52"E	11.08'
L2	S78°25'54"E	0.44'
L3	S78°25'54"E	0.50'
L4	N11°34'06"E	18.44'
L5	S11°31'21"W	8.38'

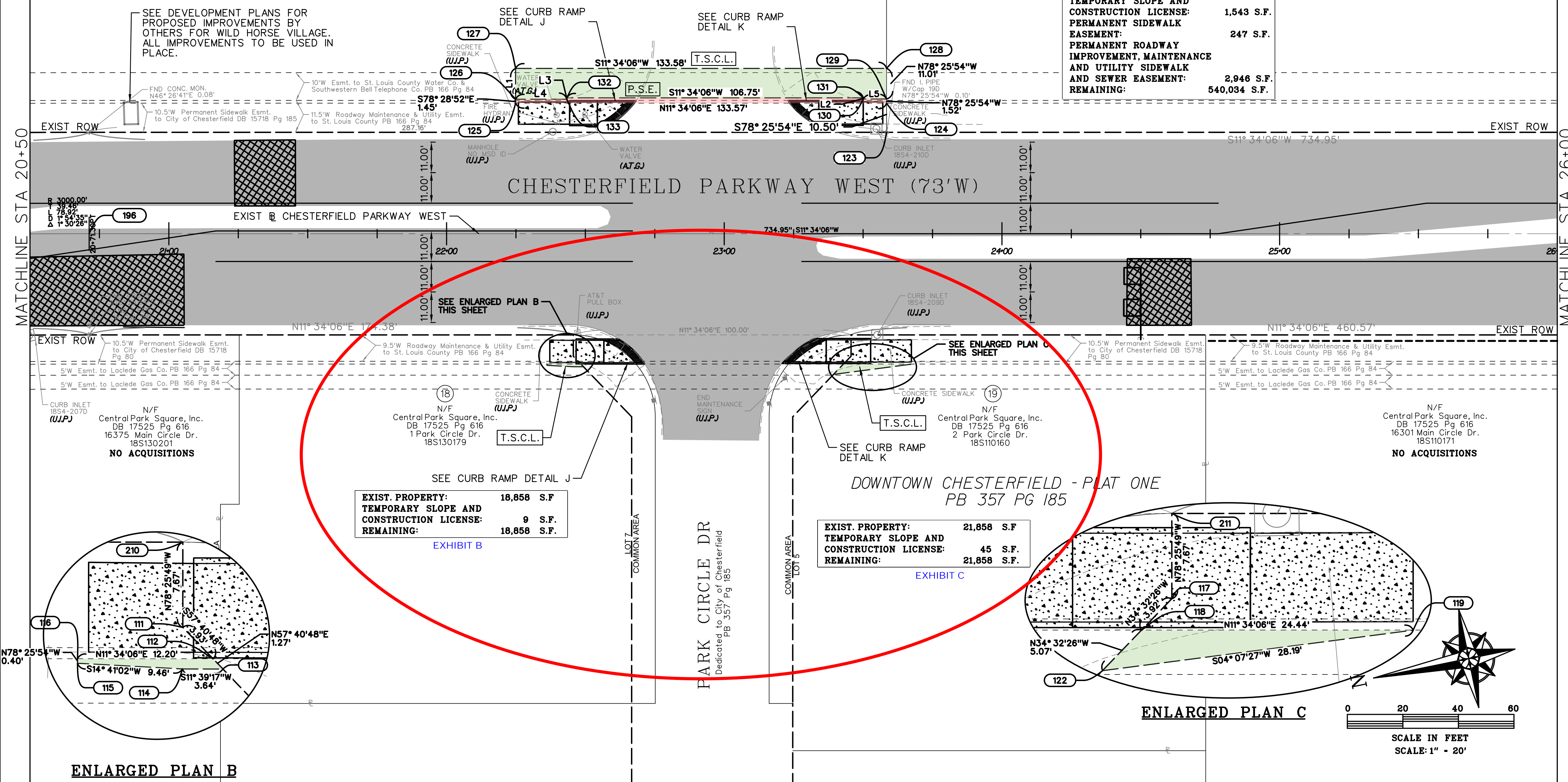
LOT C110  
**CHESTERFIELD VILLAGE AREA "A" PHASE ONE PLAT TWO PB 166 PG 84**

①  
N/F  
Chesterfield Village, Inc.  
DB 6633 Pg 158  
700 Chesterfield Center  
18S130157  
Title 19-239079-KEE

EXIST. PROPERTY:	540,034 S.F.
TEMPORARY SLOPE AND CONSTRUCTION LICENSE:	1,543 S.F.
PERMANENT SIDEWALK EASEMENT:	247 S.F.
PERMANENT ROADWAY IMPROVEMENT, MAINTENANCE AND UTILITY SIDEWALK AND SEWER EASEMENT:	2,946 S.F.
REMAINING:	540,034 S.F.

**ROW LEGEND**

- T.S.C.L.
- P.S.E.
- P.R.I.M.U.S.S.E.
- P.T.S.E.

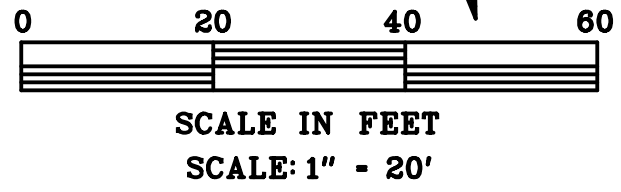


MATCHLINE STA 20+50

MATCHLINE STA 26+00

**ENLARGED PLAN B**

**ENLARGED PLAN C**



①  
N/F  
Central Park Square, Inc.  
DB 17525 Pg 616  
1 Park Circle Dr.  
18S130179

EXIST. PROPERTY:	18,858 S.F.
TEMPORARY SLOPE AND CONSTRUCTION LICENSE:	9 S.F.
REMAINING:	18,858 S.F.

EXHIBIT B

①  
N/F  
Central Park Square, Inc.  
DB 17525 Pg 616  
2 Park Circle Dr.  
18S110160

EXIST. PROPERTY:	21,858 S.F.
TEMPORARY SLOPE AND CONSTRUCTION LICENSE:	45 S.F.
REMAINING:	21,858 S.F.

EXHIBIT C

**BILL NO.** \_\_\_\_\_

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

**AN ORDINANCE AUTHORIZING WAIVER OF COMPENSATION AND DEDICATING TEMPORARY SLOPE CONSTRUCTION LICENSES IN CONNECTION WITH ST. LOUIS COUNTY PROJECT NUMBER AR-1768, CHESTERFIELD PARKWAY WEST (SOUTH) RESURFACING IN THE CITY OF CHESTERFIELD.**

**WHEREAS**, St. Louis County is planning roadway improvements to Chesterfield Parkway West from Wild Horse Creek Road to Fontaine Drive; and

**WHEREAS**, the improvements will include pavement base repairs, asphalt mill and overlay, and removal and replacement of existing curb ramps that do not meet current ADA standards; and

**WHEREAS**, St. Louis County has determined temporary slope construction licenses totaling approximately 54 square feet are required on property owned by the City to provide the contractor with necessary working room to replace two existing curb ramps; and

**WHEREAS**, St. Louis County has requested the City donate the temporary slope construction licenses to accomplish the roadway improvements; and

**WHEREAS**, the Department of Public Works has reviewed the request from St. Louis County and has determined that the requested temporary slope construction licenses are necessary for completion of the improvements.

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

Section 1. The City of Chesterfield hereby authorizes the City Administrator to sign the agreement and waiver of compensation letter as depicted in “Exhibit A” and execute temporary slope construction licenses for work on City owned property as depicted in “Exhibit B” and “Exhibit C” which are attached hereto and made part hereof.

Section 2. This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

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

\_\_\_\_\_  
Bob Nation, Mayor

ATTEST:

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

First Reading Held: \_\_\_\_\_

Sam Page  
County Executive

EXHIBIT A  
Saint Louis  
**COUNTY**  
**TRANSPORTATION**  
**PUBLIC WORKS**

Stephanie Leon Streeter, P.E.  
Director

July 25, 2023

Mr. Mike Geisel  
City Administrator  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017-0670

RE: Acquisition of Right-of-Way  
Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel Nos. 18 and 19  
Address of Properties Affected:  
1 Park Circle and 2 Park Circle

Dear Mr. Geisel:

St. Louis County Department of Transportation and Public Works is pleased to inform you of road improvement project planned for your area. This Department has prepared the enclosed engineering drawings, which indicate the extent to which your property will be affected.

We want to inform you that you do have the right to receive compensation for the land in question, as determined by an appraisal of the property rights needed from your property. We have enclosed a *Right of Way Acquisition* leaflet for your review. This will explain the process which must be followed to acquire the necessary property rights.

Due to the benefits to be derived from the project, we are hopeful we can reach an agreement with you to donate approximately 54 square feet Temporary Slope and Construction License (TSCL) to accomplish the roadway improvements. If you are agreeable to the exchange as proposed, we would appreciate you acknowledging this agreement and waiver of compensation by signing below.

We appreciate your support and look forward to the continuation of our road improvement project. Should you have any further questions or concerns, please feel free to contact Nancy Hendrix, Right-of-Way Appraiser, at (314) 615-4680.

Sincerely,



Stephanie Leon Streeter, P.E.  
Director

SLS:NAH:mtb

Enclosures: Engineering Drawings  
*Right of Way Acquisition Leaflet*

---

Mr. Mike Geisel  
City Administrator  
City of Chesterfield

Date



EXHIBIT B

Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel No. 18

TEMPORARY SLOPE AND CONSTRUCTION LICENSE

**THIS ACQUISITION IS AUTHORIZED BY ST. LOUIS COUNTY ORDINANCE NO. 28,552, 2022, DATED, September 2, 2022**

THIS INDENTURE made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between \_\_\_\_\_  
City of Chesterfield \_\_\_\_\_ of  
the County of St. Louis, State of Missouri, Grantor(s), and ST. LOUIS COUNTY, MISSOURI, 41 South  
Central, Clayton, Missouri 63105, Grantee.

WITNESSETH, that the said Grantor(s), for and in consideration of the sum of one dollar (\$1.00)  
and other valuable considerations, paid by the said Grantee(s), the receipt of which is hereby acknowledged,  
does by these presents **Grant, Bargain and Sell, Convey and Confirm** unto the said Grantee, the following  
described Real Estate, situated in the County of St. Louis and State of Missouri, to wit:

TEMPORARY SLOPE AND CONSTRUCTION LICENSE

A Temporary Slope and Construction License for the purpose of making cuts, fills, and sloping embankments,  
constructing drives, sidewalks, temporary roadways and overhead utilities, etc., if any, providing working room  
and implementing any and all other construction items over the following described property to wit:

**SEE ATTACHMENT “A”, Page 3**

**Together with the following grant by the Grantors to the Grantee**

The last described license is for temporary purposes only and shall therefore terminate upon completion of the  
contemplated improvement of Chesterfield Parkway West (South) Resurfacing, AR-1768 project by the  
Grantee.

TO HAVE AND TO HOLD THE SAME, together with all rights, immunities, privileges, and appurtenances  
thereto belonging unto the said Grantee, until such time as Chesterfield Parkway West (South) Resurfacing (AR-  
1768) may be completed and accepted by ST. LOUIS COUNTY, MISSOURI, or its assigns. Upon the granting  
or denial of acceptance by ST. LOUIS COUNTY or its assigns, this license shall terminate. Grantor(s)  
covenant(s) that no installation will be placed on the above described land as will interfere with the proper  
construction of the aforementioned project until this license is terminated.



Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel No. 18

IN WITNESS WHEREOF, the City of Chesterfield has caused these presents to be signed by its City Administrator this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mike Geisel, City Administrator

**State of Missouri,**

} ss.

**County of St. Louis**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a Notary Public in and for the above county and state, personally appeared Mike Geisel, to me personally known, who being by me duly sworn, did state that he is the City Administrator for the City of Chesterfield and by authority of its Board of Alderman, said City Administrator who signed and executed the instrument thereof and further acknowledged the said instrument and the execution thereof to a voluntary act and deed of said Municipality.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My term expires: \_\_\_\_\_

Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel No. 18

Exhibit "A"

PROJECT NAME: Chesterfield Parkway West (South) Resurfacing  
PROJECT NUMBER: AR-1768  
PARCEL NUMBER: Parcel 18 TSCL

### TEMPORARY SLOPE CONSTRUCTION LICENSE

A tract of land being part of Lot 7 of Downtown Chesterfield – Plat One, a subdivision according to the plat thereof recorded in Plat Book 357 Page 185 of the St. Louis County records, situated in United States Survey 2002, Township 45 North, Range 4 East, in the City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

**Commencing** at the intersection of the West Line of Chesterfield Parkway West (formerly Chesterfield Village Parkway), as established by the plat of Chesterfield Village Area “A” Phase One Plat Two, a subdivision according to the plat thereof recorded in Plat Book 166 Page 84, with the South Line of Lot 7 as aforementioned; thence along said South Line, North 78 degrees 25 minutes 49 seconds West, 7.67 feet to a point; thence South 57 degrees 40 minutes 48 seconds West, 3.93 feet to a point on the West Line of the 10.50 feet wide Permanent Sidewalk Easement described in instrument recorded Deed Book 15718 Page 80, said point being the true point of **Beginning**; thence continuing along the South Line of Lot 7 as aforementioned, South 57 degrees 40 minutes 48 seconds West, 1.27 feet to a point; thence departing said South Line, North 11 degrees 39 minutes 17 seconds East, 3.64 feet to a point; thence North 14 degrees 41 minutes 02 seconds East, 9.46 feet to a point; thence South 78 degrees 25 minutes 54 seconds East, 0.40 feet to a point on the West Line of the aforementioned Permanent Sidewalk Easement; thence along said West Line, South 11 degrees 34 minutes 06 seconds West, 12.20 feet to the point of beginning, according to calculations based on right of way plans prepared under St. Louis County Project AR-1768, and containing 9 square feet, more or less.

EXHIBIT C

Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel No. 19

TEMPORARY SLOPE AND CONSTRUCTION LICENSE

**THIS ACQUISITION IS AUTHORIZED BY ST. LOUIS COUNTY ORDINANCE NO. 28,552, 2022,  
DATED, September 2, 2022**

THIS INDENTURE made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between \_  
\_\_\_\_\_  
City of Chesterfield \_\_\_\_\_ of the County of St. Louis, State of  
Missouri, Grantor(s), and ST. LOUIS COUNTY, MISSOURI, 41 South Central, Clayton, Missouri 63105,  
Grantee.

WITNESSETH, that the said Grantor(s), for and in consideration of the sum of one dollar (\$1.00)  
and other valuable considerations, paid by the said Grantee(s), the receipt of which is hereby acknowledged,  
does by these presents **Grant, Bargain and Sell, Convey and Confirm** unto the said Grantee, the following  
described Real Estate, situated in the County of St. Louis and State of Missouri, to wit:

**TEMPORARY SLOPE AND CONSTRUCTION LICENSE**

A Temporary Slope and Construction License for the purpose of making cuts, fills, and sloping embankments,  
constructing drives, sidewalks, temporary roadways and overhead utilities, etc., if any, providing working room  
and implementing any and all other construction items over the following described property to wit:

**SEE ATTACHMENT "A", Page 3**

**Together with the following grant by the Grantors to the Grantee**

The last described license is for temporary purposes only and shall therefore terminate upon completion of the  
contemplated improvement of Chesterfield Parkway West (South) Resurfacing, AR-1768 project by the  
Grantee.

TO HAVE AND TO HOLD THE SAME, together with all rights, immunities, privileges, and appurtenances  
thereto belonging unto the said Grantee, until such time as Chesterfield Parkway West (South) Resurfacing (AR-  
1768) may be completed and accepted by ST. LOUIS COUNTY, MISSOURI, or its assigns. Upon the granting  
or denial of acceptance by ST. LOUIS COUNTY or its assigns, this license shall terminate. Grantor(s)  
covenant(s) that no installation will be placed on the above described land as will interfere with the proper  
construction of the aforementioned project until this license is terminated.

Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel No. 19

IN WITNESS WHEREOF, the City of Chesterfield has caused these presents to be signed by its City Administrator this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mike Geisel, City Administrator

**State of Missouri,**  
                                      } ss.  
**County of St. Louis**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a Notary Public in and for the above county and state, personally appeared \_\_\_\_\_, to me personally known, we being by me duly sworn, did state that they are the persons who signed and executed the instrument thereof and further acknowledged the said instrument and the execution thereof to a voluntary act and deed of said person.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

My term expires: \_\_\_\_\_

Chesterfield Parkway West (South) Resurfacing  
St. Louis County Project No. AR-1768  
Federal Project No. STP-5410 (632)  
Parcel No. 19

Exhibit "A"

PROJECT NAME: Chesterfield Parkway West (South) Resurfacing  
PROJECT NUMBER: AR-1768  
PARCEL NUMBER: Parcel 19 TSCL

### TEMPORARY SLOPE CONSTRUCTION LICENSE

A tract of land being part of Lot 5 of Downtown Chesterfield – Plat One, a subdivision according to the plat thereof recorded in Plat Book 357 Page 185 of the St. Louis County records, situated in United States Survey 2002, Township 45 North, Range 4 East, in the City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

**Commencing** at the intersection of the West Line of Chesterfield Parkway West (formerly Chesterfield Village Parkway), as established by the plat of Chesterfield Village Area "A" Phase One Plat Two, a subdivision according to the plat thereof recorded in Plat Book 166 Page 84, with the North Line of Lot 5 as aforementioned; thence along said North Line, North 78 degrees 25 minutes 49 seconds West, 7.67 feet to a point; thence North 34 degrees 32 minutes 26 seconds West, 3.92 feet to a point on the West Line of the 10.50 feet wide Permanent Sidewalk Easement described in instrument recorded Deed Book 15718 Page 80, said point being the true point of **Beginning**; thence along said West Line, South 11 degrees 34 minutes 06 seconds West, 24.44 feet to a point; thence departing said West Line, North 4 degrees 07 minutes 27 seconds East, 28.19 feet to a point on the North Line of Lot 5 as aforementioned; thence along said North Line, South 34 degrees 32 minutes 26 seconds East, 5.07 feet to the point of beginning, according to calculations based on right of way plans prepared under St. Louis County Project AR-1768, and containing 45 square feet, more or less.

# Memorandum

## Department of Planning

To: Michael O. Geisel, City Administrator  
From: Justin Wyse, Director of Planning *JW*  
Date: September 5<sup>th</sup>, 2023



RE: P.Z. 10-2023 Carshield F.C. (Stock & Associates): A request to rezone from "PI" Planned Industrial to a new "PI" Planned Industrial district for a 16.58-acre tract of land located east of Eatherton Rd. and north of Wings Corporate Dr. (17W130064).

### Summary

Stock & Associates, on behalf of Carshield F.C. has submitted a request to rezone a 16.58-acre tract of land to a new "PI"—Planned Industrial District to allow "Athletic Courts & Fields", "Gymnasium", and "Recreation Facility" as additional permitted uses and modify the existing development criteria. The site would be utilized as an indoor and outdoor sports facility.

A Public Hearing was held on July 10, 2023, and concerns regarding lighting and traffic were raised and discussed by the Planning Commission. The petition was subsequently reviewed by the Planning Commission on August 14<sup>th</sup>, 2023. At that time, the Commission made a motion to recommend approval. The motion passed by a vote of 6-0.

The petition was reviewed by the Planning & Public Works Committee on August 24<sup>th</sup>, 2023. The Committee made a motion to forward the petition to the City Council with a recommendation to approve. The motion passed by a vote of 4-0.



Figure 1: Subject Site Aerial

Attachments: 1) Legislation, 2) Attachment A, 3) Preliminary Development Plan

BILL NO. \_\_\_\_\_

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

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 3197 FOR A "PI" PLANNED INDUSTRIAL DISTRICT AND CREATING A NEW "PI" PLANNED INDUSTRIAL DISTRICT LOCATED EAST OF EATHERTON RD AND NORTH OF WINGS CORPORATE DR (17W130064).

WHEREAS, the petitioner, Stock & Associates, on behalf of Carshield F.C., has requested a change in zoning for an existing "PI" Planned Industrial District to a new "PI" Planned Industrial District for a 16.58-acre tract of land located east of Eatherton Rd. and north of Wings Corporate Dr.; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 10<sup>th</sup>, 2023; and,

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

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning; 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 a "PI" Planned Industrial District designation for 16.58 acres located east of Eatherton Rd., and north of Wings Corporate Dr. and as described as follows:

A tract of land being part of Lot 2 of the Subdivision of E. Kroennung Estate. a subdivision according to the plat thereof as recorded in Plat Book 11 Page 11 of the St. Louis County Records located in U.S. Survey 362, Township 45 North, Range 3 East. City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at a stone located at the northeastern corner of Lot 3 of Precision Plaza, a subdivision according to the plat thereof as recorded in Plat Book 357,

Page 286 of above said records; thence along the northern line of said Lot 3 and its direct southwestern prolongation thereof, South 79 degrees 01 minute 04 seconds West, 594.01 feet to a stone found on the eastern right-of-way of Eatherton Road, variable width; thence along said right-of-way line the following courses and distances, North 11 degrees 42 minutes 12 seconds West, 455.20 feet to a found Iron Rod; North 78 degrees 37 minutes 41 seconds East, 14.77 feet to a found Iron Rod; North 11 degrees 22 minutes 19 seconds West, 580.16 feet to a found Iron Rod, said point also being the beginning of a curve to the right, having a radius of 925.00 feet; thence along said curve with an arc length of 154.90 feet and a chord which bears North 06 degrees 34 minutes 29 seconds West, 154.72 feet to the beginning of a non-tangential curve to the right having a radius of 105.00 feet; along said curve with an arc length of 88.92 feet and a chord which bears North 24 degrees 21 minutes 08 seconds East, 88.28 feet to a found Iron Rod and North 11 degrees 23 minutes 25 seconds West, 5.00 feet to the southern line of that part of Old Eatherton Road, 40 feet wide, as vacated by City of Chesterfield Ordinance Number 2649, recorded in Book 19501, Page 473 of above said records; thence along said southern line of Old Eatherton Road, North 78 degrees 36 minutes 35 seconds East, 493.10 feet to a found Iron Rod on the western line of a tract of land as conveyed to the Burkhardt Family Investments LLC by instrument recorded in Book 17645, Page 485 of said records; thence along said western line and the western line of a tract of land as conveyed to St. Louis County, Missouri by instrument recorded in Book 12257, Page 1819, South 11 degrees 14 minutes 25 seconds East, 1,234.20 feet to the POINT OF BEGINNING.

Containing 722,357 square feet or 16.583 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc during May 2023.

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 Stock & Associates, on behalf of Carshield F.C. in P.Z. 10-2023, requesting the rezoning 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 10<sup>th</sup> day of July 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:

FIRST READING HELD: 9/5/2023

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

## ATTACHMENT A

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

### **I. SPECIFIC CRITERIA**

#### **A. PERMITTED USES**

1. The uses allowed in this "PI" Planned Industrial District shall be:
  - a. Athletic courts and fields
  - b. Gymnasium
  - c. Industrial sales, service, and storage
  - d. Mail order sales warehouse
  - e. Office, general
  - f. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
  - g. Professional and technical service facility
  - h. Recreation facility
  - i. Warehouse, general
2. Hours of Operation.
  - a. Hours of operation for this "PI" District shall not be restricted.
  - b. Hours of operation for any lighting source for a recreation facility shall adhere to the Lighting Standards of the City of Chesterfield Code.
3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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

1. Height
  - a. The maximum height of the building, exclusive of roof screening, shall not exceed 40 feet.

## 2. Building Requirements

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

## **C. SETBACKS**

### 1. Structure Setbacks

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

- a. Thirty-five (35) feet from the right-of-way of Eatherton Road.
- b. Thirty (30) feet from the rear yard.
- c. Twelve (12) feet from the side yard.

### 2. Parking Setbacks

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

- a. Twenty-five (25) feet from the right-of-way of Eatherton Road.
- b. Twenty-five (25) feet from the rear yard.
- c. Ten (10) feet from the side yard.

## **D. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.
3. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

## **E. LANDSCAPE AND TREE REQUIREMENTS**

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

## **F. SIGN REQUIREMENTS**

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

## **G. LIGHT REQUIREMENTS**

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.
2. The mounting height of all light standards shall not exceed seventy (70) feet and is subject to Spirit of St. Louis Airport approval.

## **H. ARCHITECTURAL**

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

## **I. ACCESS/ACCESS MANAGEMENT**

1. Access to the development shall be as shown on the Preliminary Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and St. Louis County Department of Transportation, as applicable.
  - a. The preliminary development plan depicts the conceptual access to the development. The access location and design shall substantially conform to the Preliminary Development Plan but will require additional review and approval during the Site Development Plan process.
2. The existing 40-foot-wide cross-access easement along the southern property line shall be partially vacated and a new easement granted. The new easement shall allow those parties with rights to the easement access to N. Eatherton Road by way of the access locations depicted on the Preliminary Plan. The owner of the property to which this ordinance applies shall be responsible for coordinating the vacation and reestablishment of the access easement with those parties which have rights to the easement.
3. If adequate sight distance cannot be provided at the access location(s), 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 St. Louis County Department of Transportation.

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

1. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and 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.
2. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Transportation. No gate installation will be permitted on public right-of-way.
3. Provide a 5-foot-wide sidewalk, conforming to ADA standards, along the Eatherton Road frontage of the site. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within the Eatherton Road right-of-way, if permitted by St. Louis County or on private property within a 6-foot-wide sidewalk, public access and utility easement dedicated to the City. The sidewalk shall be maintained by the property owner.
4. Provide sidewalk connections from the required 5-foot-wide sidewalk along Eatherton Road to internal sidewalks and/or pedestrian paths.

#### **K. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield and St. Louis County Department of Transportation. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

#### **L. POWER OF REVIEW**

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

## **M. 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. 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.
3. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
4. Provide stormwater management facilities as required by the City of Chesterfield, the Metropolitan St. Louis Sewer District, and the Monarch-Chesterfield Levee District. The location and types of storm water management facilities shall be identified on all Site Development Plans.

## **N. SANITARY SEWER**

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

## **O. GEOTECHNICAL REPORT**

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

## **P. MISCELLANEOUS**

1. All utilities will be installed underground.
2. The developer is advised that utility companies will require compensation for relocation of their facilities within public road right-of-way. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

## **II. GENERAL CRITERIA**

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

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

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

20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and St. Louis County Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan St. Louis Sewer District Site Guidance as adopted by the City of Chesterfield.

### **III. TRUST FUND CONTRIBUTION**

1. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the City of Chesterfield. Allowable credits for required improvements will be awarded as directed by the City of Chesterfield. This contribution shall be established by the City of Chesterfield Trust Fund Rate Schedule.
2. The Traffic Generation Assessment (TGA) contribution shall be made prior to the issuance of a Municipal Zoning Approval (MZA) by the City of Chesterfield.
3. Prior to Special Use Permit issuance by the St. Louis County Department of Transportation, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with St. Louis County Department of Transportation to guarantee completion of the required roadway improvements.
4. The amount of all required contributions for storm water and primary water line improvements, if not submitted by January 1, 2024, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Transportation.

#### **5. WATER MAIN**

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$1,060.35 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made before St. Louis County approval of the Site Development Plan or Concept Plan unless otherwise directed by the St. Louis County Department of Transportation. Funds shall be payable to Treasurer, St. Louis County/City of Chesterfield.



## **6. STORM WATER**

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by St. Louis County and the Metropolitan St. Louis Sewer District. The amount of the storm water contribution will be computed based on \$3,364.25 per acre for the total area as approved on the Site Development Plan.

The storm water contributions to the Trust Fund shall be deposited with the St. Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. Funds shall be payable to Treasurer, St. Louis County/City of Chesterfield.

## **7. SANITARY SEWER**

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

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

## **IV. 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.

## **V. 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.

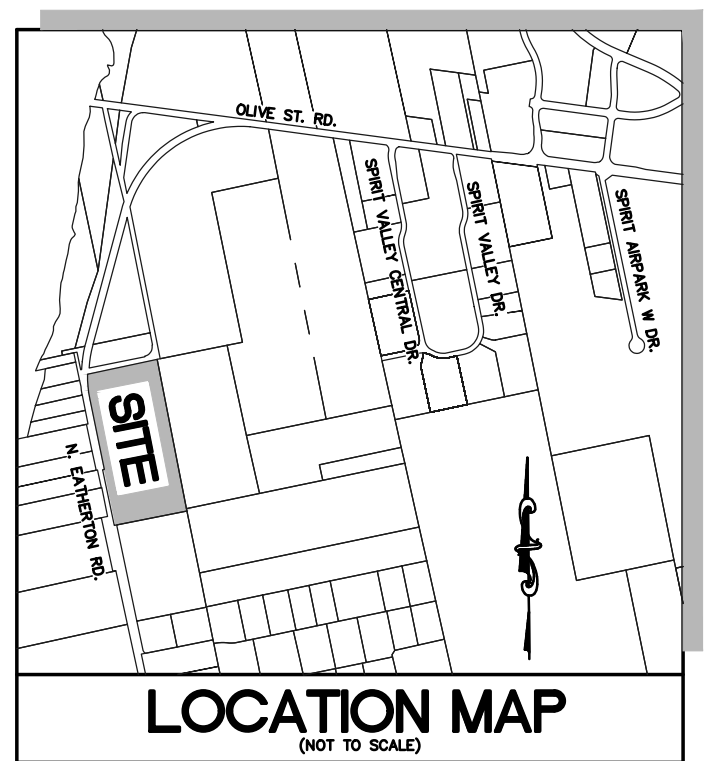
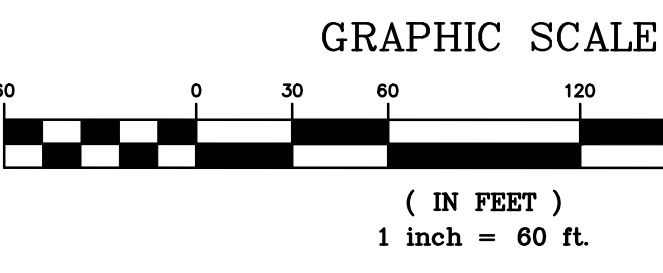
4. Waiver of Notice of Violation per the City of Chesterfield Code.
5. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.



# PRELIMINARY DEVELOPMENT PLAN

## TEXT AMENDMENT TO P.I. ORDINANCE 3197

A TRACT OF LAND BEING PART OF LOT 2 OF E. KROENUNG ESTATE AS RECORDED IN PLAT BOOK 11, PAGE 11  
LOCATED IN U.S. SURVEY 362, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN  
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



**ST. LOUIS COUNTY BENCHMARK**  
BENCHMARK # 11109 NAV088(C2011a) Elev = 461.10  
"Standard Aluminum Disk" stamped SL-41 1990 Disk is set along the east side of Hatherton Road just north of the Shell Pipeline Marker, 15' east of the centerline of Hatherton and 80' north of the east pipeline marker. Approximately 1.1 mile south of the intersection of Olive Street and Hatherton Road.

**PERTINENT DATA**  
OWNER: BARBARA J MALONEY TRUSTEE ETAL  
OWNER UNDER CONTRACT: CARSHIELD F.C.  
LOT AREA: 722,359 S.F. OR 16.58 AC.  
EXISTING ZONING: PLANNED INDUSTRIAL DISTRICT (ORD. 3197)  
PROPOSED ZONING: UN-DEVELOPED  
PROPOSED USE: ATHLETIC FIELDS  
SITE ADDRESS: 630 NORTH EATHERTON DRIVE, CHESTERFIELD, MISSOURI 63005  
LOCATOR NO: 17W130064  
WUNNENBERG'S: PG. 19, GRID 18-LL  
FIRE DISTRICT: MONARCH FIRE PROTECTION DISTRICT  
SCHOOL DISTRICT: ROCKWOOD  
SEWER DISTRICT: METROPOLITAN ST. LOUIS SEWER DIST.  
WATER SHED: MISSOURI RIVER  
FEMA MAP: 2018R0204K, FEB 4, 2015  
ELECTRIC COMPANY: AMEREN UE  
GAS COMPANY: SPIRE ENERGY  
PHONE COMPANY: AT&T  
WATER COMPANY: MISSOURI AMERICAN WATER COMPANY

### BUILDING AND PARKING SETBACKS

- STRUCTURE SETBACKS:**  
• THIRTY-FIVE (35) FEET FRONT  
• THIRTY (30) FEET REAR  
• TWELVE (12) FEET SIDE
- PARKING SETBACKS:**  
• TWENTY-FIVE (25) FEET FRONT  
• TWENTY-FIVE (25) FEET REAR  
• TEN (10) FEET SIDE

### F.A.R. CALCULATION

MAXIMUM FLOOR AREA RATIO (F.A.R.) OF 0.55  
PROVIDED F.A.R. = 0.17

### OPEN SPACE

MINIMUM 35.0% OPEN SPACE  
PROVIDED OPENSPACE = 64.5%

### BUILDING HEIGHT

A MAXIMUM HEIGHT OF 40.0'

### ST. LOUIS COUNTY STANDARD NOTES

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

### GENERAL NOTES

1. BOUNDARY SURVEY PER ALTA/NSPS LAND TITLE SURVEY BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC. DATED 4/12/2023.
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.
5. ALL UTILITIES WILL BE INSTALLED UNDERGROUND.
6. SITE DEVELOPMENT SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS AS OUTLINED IN THE GEOTECHNICAL REPORT AND ALL ITS SUPPLEMENTAL PROVISIONS AND ADDENDUMS.
7. SIGNAGE APPROVAL IS A SEPARATE PROCESS.
8. ALL OUTDOOR STORAGE SHALL BE SCREENED IN ACCORDANCE WITH THE CITY OF CHESTERFIELD UNIFIED DEVELOPMENT CODE.
9. STREET LIGHTS ARE REQUIRED ALONG N. EATHERTON ROAD FRONTAGE.

### PARKING CALCULATIONS

- SECTION 450.04.030 OFF-STREET PARKING, STACKING AND LOADING SPACE REQUIREMENTS
- ATHLETIC FIELDS:**  
• 20 SPACES FOR EVERY DIAMOND OR ATHLETIC FIELD, OR 1 SPACE FOR EVERY 4 SEATS, WHICHEVER IS GREATER (ONE SEAT IS EQUAL TO 2 FEET OF BENCH LENGTH)  
• REQUIRED SPACES: 3 ATHLETIC FIELDS X 20 SPACES = 60 SPACES
- GYMNASIUM:**  
• MINIMUM 1 SPACE PER EVERY 4 SEATS  
• MAXIMUM 1 SPACE PER EVERY 3 SEATS  
• PROVIDED SEATS = 900 SEATS  
• REQUIRED SPACES: 900 SEATS X 1/4 = 225 SPACES
- TOTAL REQUIRED = 285 SPACES  
TOTAL PROVIDED = 285 SPACES

### FLOOD INFORMATION

1. CHESTERFIELD VALLEY STORMWATER MASTER PLAN 100-YEAR ELEVATION = 456.75
2. FEMA BASE FLOOD 100-YEAR ELEVATION = 463.00

### PROPERTY DESCRIPTION

#### AS SURVEYED DESCRIPTION

A tract of land being part of Lot 2 of the Subdivision of E. Kroenung Estate, a subdivision according to the plat thereof as recorded in Plat Book 11 Page 11 of the St. Louis County Records located in U.S. Survey 362, Township 45 North, Range 3 East, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:  
Beginning at a stone located at the northeastern corner of Lot 3 of Precision Plaza, a subdivision according to the plat thereof as recorded in Plat Book 357, Page 286 of above said records; thence along the northern line of said Lot 3 and its direct southwestern prolongation thereof, South 79 degrees 01' minutes 04' seconds West, 594.01 feet to a stone found on the eastern right-of-way of Hatherton Road, variable width; thence along said right-of-way line the following courses and distances, North 11 degrees 42' minutes 12' seconds West, 455.20 feet to a found Iron Rod; North 78 degrees 37' minutes 41' seconds East, 14.77 feet to a found Iron Rod; North 11 degrees 22' minutes 19' seconds West, 580.16 feet to a found Iron Rod, said point also being the beginning of a curve to the right, having a radius of 925.00 feet; thence along said curve with an arc length of 154.00 feet and a chord which bears North 06 degrees 34' minutes 29' seconds West, 154.72 feet to the beginning of a non-tangential curve to the right having a radius of 105.00 feet; along said curve with an arc length of 88.92 feet and a chord which bears North 24 degrees 21' minutes 06' seconds East, 88.28 feet to a found Iron Rod and North 11 degrees 23' minutes 25' seconds West, 5.00 feet to the southern line of that part of Old Hatherton Road, 40 feet wide, as vacated by City of Chesterfield Ordinance Number 2649, recorded in Book 19051, Page 473 of above said records; thence along said southern line of Old Hatherton Road, North 78 degrees 36' minutes 35' seconds East, 493.10 feet to a found Iron Rod on the western line of a tract of land as conveyed to the Burkhardt Family Investments LLC by instrument recorded in Book 17645, Page 485 of said records; thence along said western line and the western line of a tract of land as conveyed to St. Louis County, Missouri by instrument recorded in Book 12257, Page 1819, South 11 degrees 14' minutes 25' seconds East, 1,234.20 feet to the POINT OF BEGINNING.

Containing 722,357 square feet or 16.583 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. during May 2023.

### ABBREVIATIONS

- ATC - ADJUST TO GRADE
- B.C. - BACK OF CURB
- C.O. - CLEANOUT
- DB. - DEED BOOK
- E. - ELECTRIC
- ELEV. - ELEVATION
- EX. - EXISTING
- F.C. - FACE OF CURB
- FL. - FLOWLINE
- FT. - FEET
- FND. - FOUND
- G. - GAS
- H.W. - HIGH WATER
- LFB. - LOW FLOW BLOCKED
- M.H. - MANHOLE
- N./F. - NOW OR FORMERLY
- P.B. - PLAT BOOK
- P.C. - PAGE
- PR. - PROPOSED
- P.V.C. - POLYVINYL CHLORIDE PIPE
- R.C.P. - REINFORCED CONCRETE PIPE
- R/W. - RIGHT-OF-WAY
- SQ. - SQUARE
- T. - TELEPHONE CABLE
- T.B.A. - TO BE ABANDONED
- T.B.R. - TO BE REMOVED
- T.B.R.&. - TO BE REMOVED AND REPLACED
- TYP. - TYPICALLY
- U.O.N. - UNLESS OTHERWISE NOTED
- V.C.P. - VITRIFIED CLAY PIPE
- W. - WATER (98%)
- W. - RIGHT-OF-WAY WIDTH

### LEGEND

- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING TREE
- EXISTING BUILDING
- EXISTING CONTOUR
- SPOT ELEVATION
- EXISTING UTILITIES
- FOUND 1/2" IRON PIPE
- SET IRON PIPE
- FOUND CROSS
- FOUND STONE
- FIRE HYDRANT
- LIGHT STANDARD
- BUSH
- SIGN
- NOTES PARKING SPACES
- GUY WIRE
- POWER POLE
- WATER VALVE
- DENOTES RECORD INFORMATION
- ACCESSIBLE PARKING
- PROPOSED CONTOUR
- PROPOSED SPOT
- PROPOSED STORM
- PROPOSED SANITARY

### LEGEND

- EATHERTON ROAD WIDENING
- 5'w CONCRETE SIDEWALK

### UTILITY NOTE

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS, RECORDS AND INFORMATION, AND, THEREFORE, DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NON-EXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE FACILITIES, STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES, EITHER SHOWN OR NOT SHOWN ON THESE PLANS, OF 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 COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSM.

### CONTRACTOR'S INSURANCE REQUIREMENTS

PRIOR TO OBTAINING A CONSTRUCTION PERMIT FROM THE METROPOLITAN ST. LOUIS SEWER DISTRICT, THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE THE DISTRICT WITH A COPY OF AN EXECUTED CERTIFICATE OF INSURANCE INDICATING THAT THE PERMITTEE HAS OBTAINED AND WILL CONTINUE TO CARRY COMMERCIAL GENERAL LIABILITY AND COMPREHENSIVE AUTO LIABILITY INSURANCE. THE REQUIREMENTS AND LIMITS SHALL BE AS STATED IN THE "RULES AND REGULATIONS AND ENGINEERING DESIGN REQUIREMENTS FOR SANITARY AND STORMWATER DRAINAGE FACILITY", SECTION 10.090 (ADDENDUM).

### PREPARED FOR

CARSHIELD FC  
503 PEARL DR  
ST. PETER MO 63376  
ATTN: Nick Hamilton

PREPARED BY:



PRELIMINARY DEVELOPMENT PLAN FOR:

CARSHIELD FC SOCCER TRAINING & PLAYING FACILITY  
530 N. EATHERTON ROAD  
CHESTERFIELD, MISSOURI 63005



8/4/2023

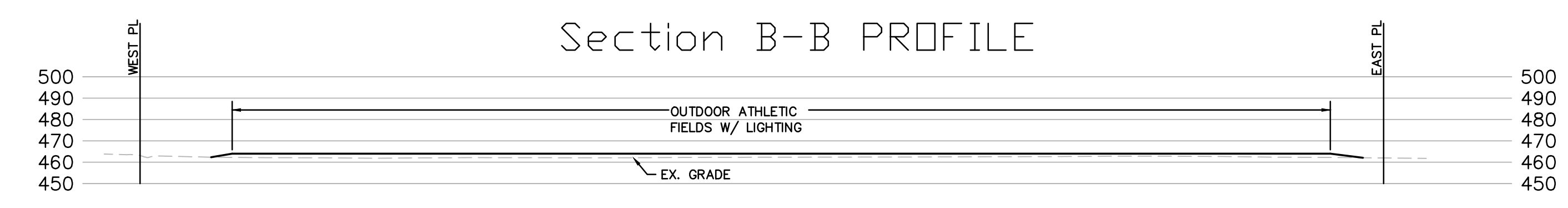
GEORGE M. STOCK E-25116  
CIVIL ENGINEER  
CERTIFICATE OF AUTHORITY  
NUMBER: 500996

### REVISIONS:

- 1 2023-06-05 - REV SANITARY
- 2 2023-06-29 - REV PER CITY AND AGENCY COMMENTS
- 3 2023-07-28 - REV PER CITY
- 4 2023-08-04 - CITY SUBMITTAL

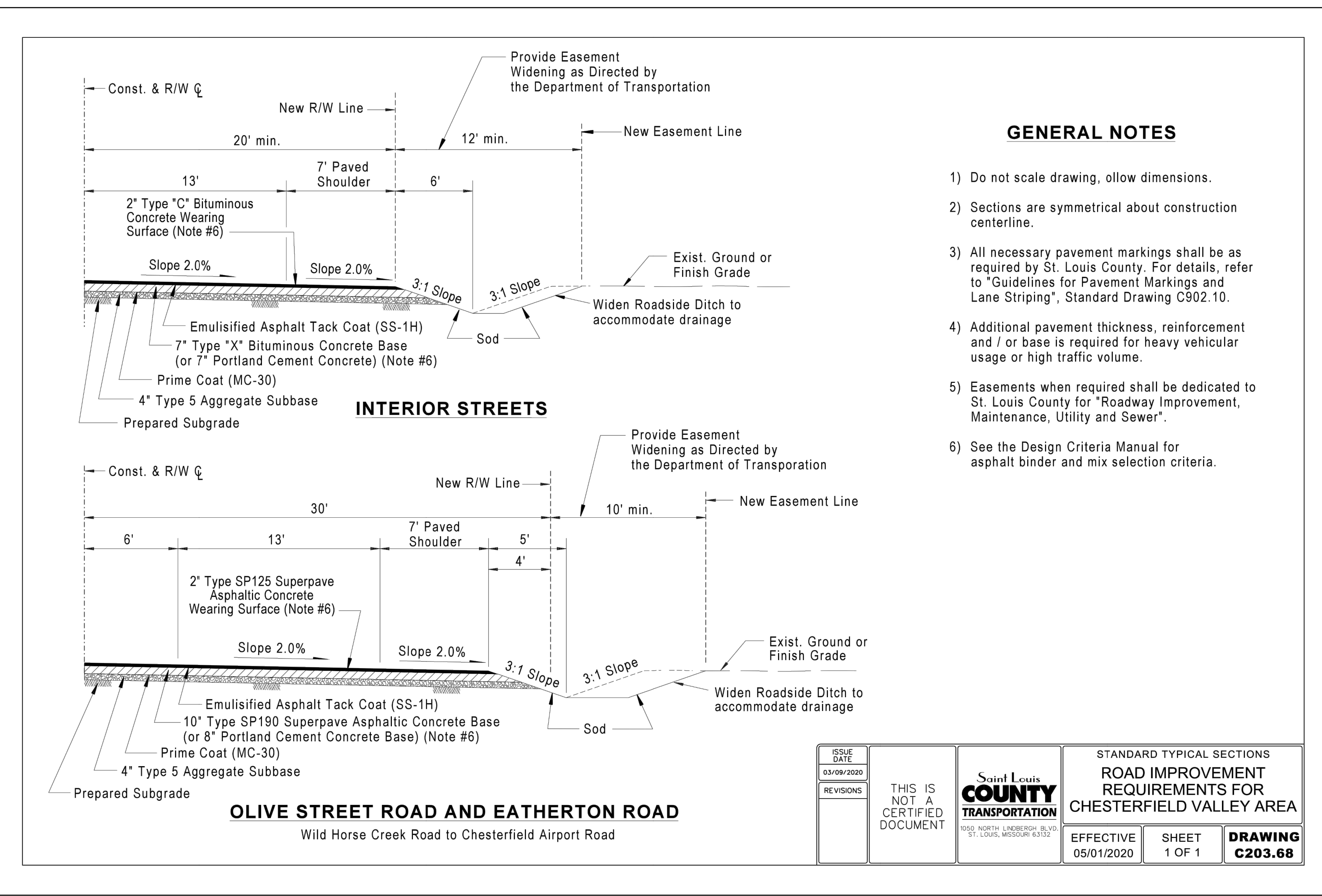
DATE	BY	CHECKED BY	DATE	BY
4/21/2023	J.M.B.	G.M.S.	2/22/2023	J.M.B.
3/23/2023	J.M.B.	G.M.S.	2/22/2023	J.M.B.
3/23/2023	J.M.B.	G.M.S.	2/22/2023	J.M.B.
3/23/2023	J.M.B.	G.M.S.	2/22/2023	J.M.B.



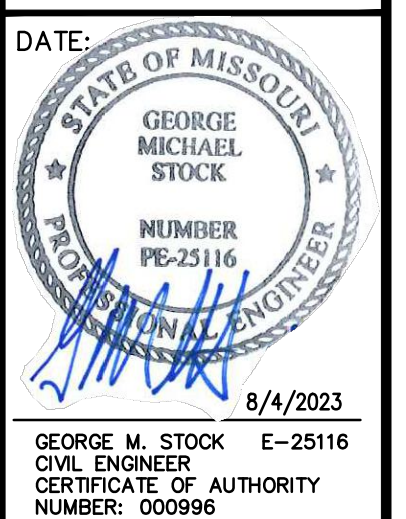


**SECTIONS**  
SCALE: HORIZ: 1"=50'  
VERT: 1"=50'

**NOTE:**  
SEE SHEET 1 OF 2 FOR SITE SECTION LOCATIONS



**EATHERTON ROAD WIDENING - TYPICAL SECTION**



REVISIONS:

1	2023-06-05	- REV SANITARY
2	2023-06-29	- REV PER CITY AND AGENCY COMMENTS
3	2023-07-26	- REV PER CITY
4	2023-08-04	- CITY SUBMITTAL

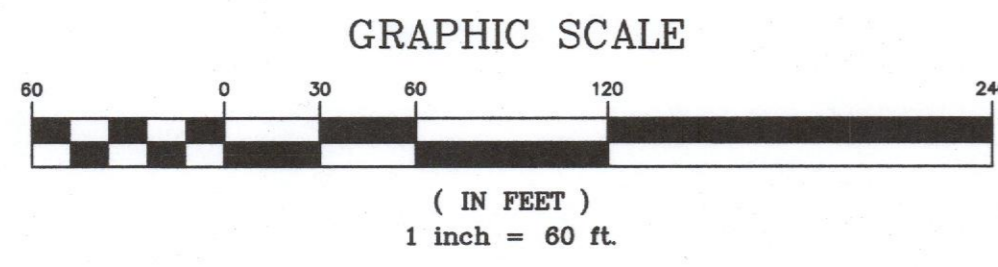
DRAWN BY: J.M.B.	CHECKED BY: G.M.S.
DATE: 4/21/2023	JOB NO: 222-7501.1
KEY: P # 23MSD-XXXXX	BASE MAP # 17-W
S.L.C. MAT # R057	MAT SUP. # XX-XXX-XX
M.D.N.R. # MO-RA-	



# ALTA/NSPS LAND TITLE SURVEY

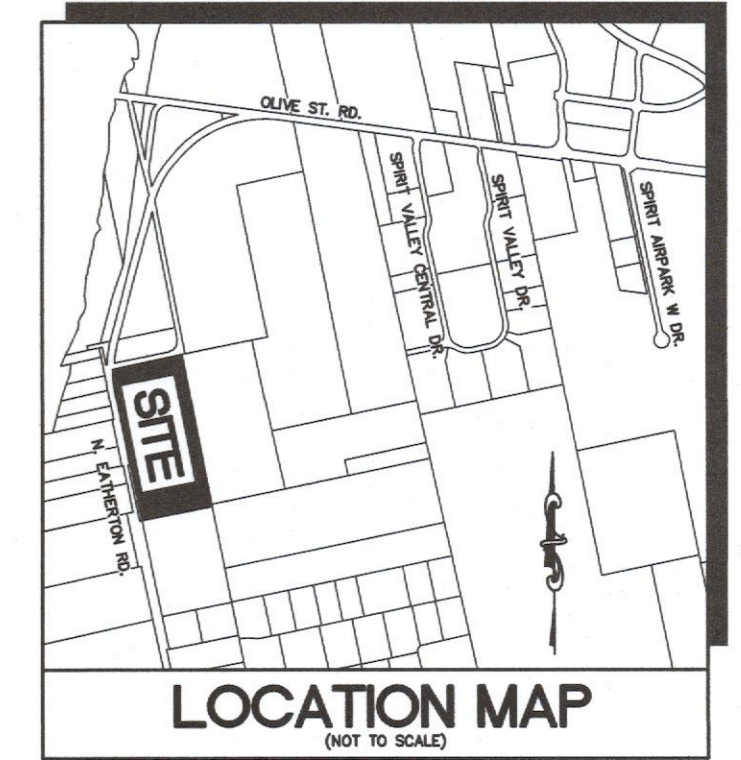
A TRACT OF LAND BEING PART OF LOT 2 OF OF E. KROENUNG ESTATE AS RECORDED IN PLAT BOOK 11, PAGE 11 LOCATED IN U.S. SURVEY 362, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

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



MISSOURI STATE PLANE  
GRID NORTH EAST ZONE

ABBREVIATIONS	
C.O.	CLEANOUT
DB.	DEED BOOK
E.	ELECTRIC
FL.	FLOWLINE
FT.	FEET
FND.	FOUND
G.	GAS
M.H.	MANHOLE
N/F.	NOW OR FORMERLY
PL.	PLAT BOOK
PC.	PAVE
P.V.C.	POLYVINYL CHLORIDE PIPE
R.B.	RADIAL BEARING
R.C.P.	REINFORCED CONCRETE PIPE
SQ.	SQUARE
T.	TELEPHONE CABLE
V.C.P.	VETROFED CLAY PIPE
W.	WATER
(86'W)	RIGHT-OF-WAY WIDTH



## EXHIBIT A

LOT TWO (2) OF THE SUBDIVISION OF E. KROENUNG ESTATE, IN U.S. SURVEYS 133, 382 AND 1937, TOWNSHIP 45 NORTH, RANGE 3 EAST, IN ST. LOUIS COUNTY, MISSOURI, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11 PAGE 11 OF THE ST. LOUIS COUNTY RECORDS, CONTAINING 20.737 ACRES;

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

THAT PART CONVEYED TO ST. LOUIS COUNTY, MISSOURI, FOR ROADWAY PURPOSES BY DEED RECORDED IN BOOK 6522 PAGE 629 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS;

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

AND

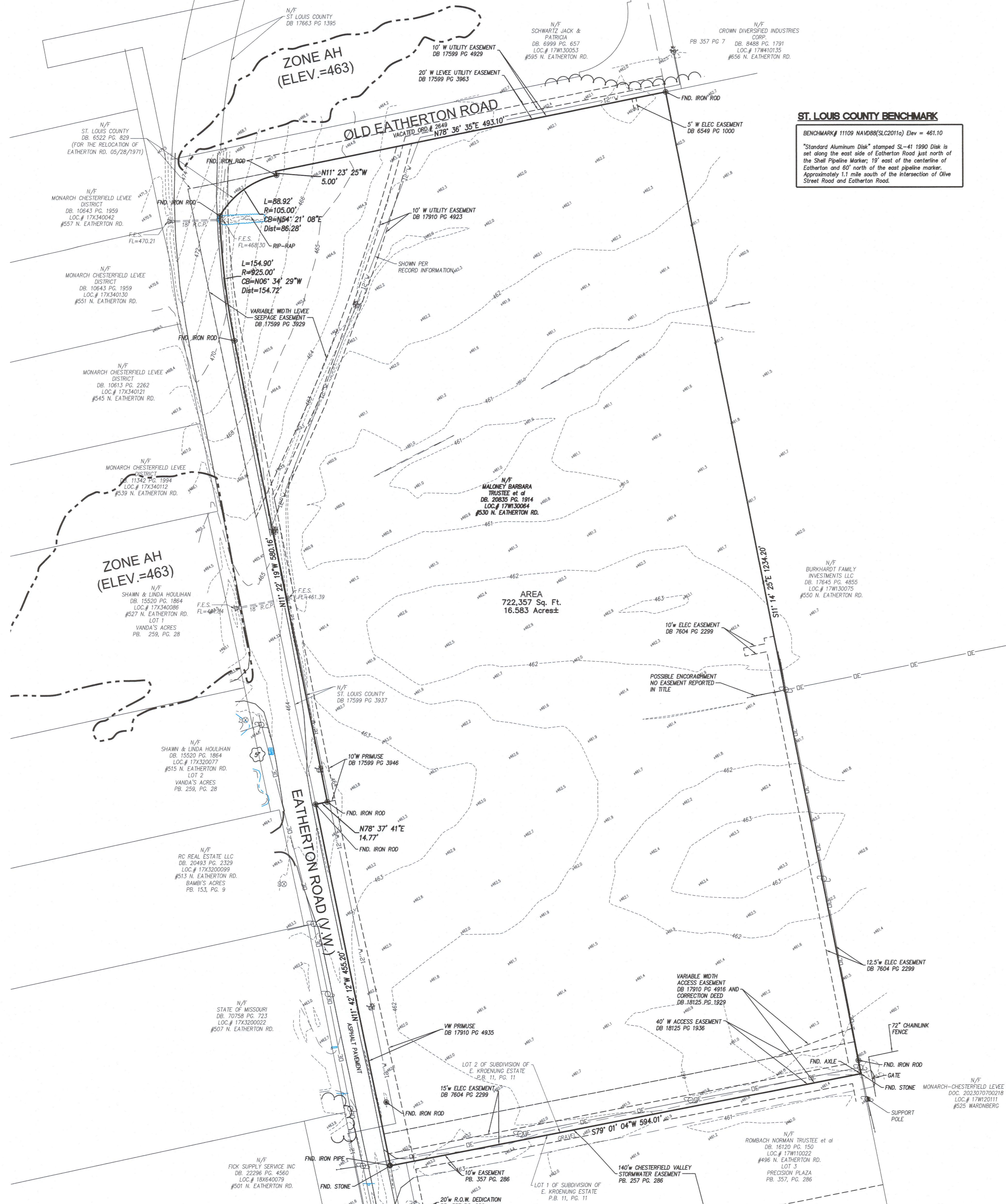
THAT PART CONVEYED TO ST. LOUIS COUNTY, MISSOURI, BY DEED RECORDED IN BOOK 17599 PAGE 3937 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS

## AS SURVEYED DESCRIPTION

A tract of land being part of Lot 2 of the Subdivision of E. Kroenung Estate, a subdivision according to the plat thereof as recorded in Plat Book 11 Page 11 of the St. Louis County Records located in U.S. Survey 362, Township 45 North, Range 3 East, City of Chesterfield, St. Louis County, Missouri being more particularly described as follows:

Beginning at a stone located at the northeastern corner of Lot 3 of Precision Plaza, a subdivision according to the plat thereof as recorded in Plat Book 357, Page 286 of above said records; thence along the northern line of said Lot 3 and its direct southwestern prolongation thereof, South 79 degrees 01 minutes 04 seconds West, 504.01 feet to a stone found on the eastern right-of-way of Eatherton Road, variable width; thence along said right-of-way line the following courses and distances, North 11 degrees 42 minutes 12 seconds West, 455.20 feet to a found iron rod; North 78 degrees 37 minutes 41 seconds East, 14.77 feet to a found iron rod; North 11 degrees 22 minutes 19 seconds West, 580.16 feet to a found iron rod; said point also being the beginning of a curve to the right, having a radius of 925.00 feet; thence along said curve with an arc length of 154.90 feet and a chord which bears North 06 degrees 34 minutes 29 seconds West, 154.72 feet to the beginning of a non-tangential curve to the right having a radius of 105.00 feet; along said curve with an arc length of 88.92 feet and a chord which bears North 24 degrees 21 minutes 08 seconds East, 493.10 feet to a found iron rod and North 11 degrees 23 minutes 25 seconds West, 5.00 feet to the southern line of that part of Old Eatherton Road, 40 feet wide, as vacated by City of Chesterfield Ordinance Number 2649, recorded in Book 19601, Page 473 of above said records; thence along said southern line of Old Eatherton Road, North 78 degrees 36 minutes 35 seconds East, 1,234.20 feet to the POINT OF BEGINNING.

Containing 722,357 square feet or 16.583 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc during May 2023.



## ST. LOUIS COUNTY BENCHMARK

BENCHMARK# 11109 MAND8(SLC2016) Elev = 461.10  
 "Standard Aluminum Disk" stamped SL-41 1990 Disk is set along the east side of Eatherton Road just north of the Shell Pipeline Marker; 19' east of the centerline of Eatherton and 60' north of the east pipeline marker. Approximately 1.1 mile south of the intersection of Olive Street and Eatherton Road.

Notes:  
 (1) Stock and Associates Consulting Engineers, Inc. used exclusively Chicago Title Insurance Company, Issuing Office Clear Title Group, CTG-2023 04 0543 CML, revision 1, with an effective date of March 28, 2023 at 8:01 AM for research of easements and encumbrances. No further research was performed by Stock and Associates Consulting Engineers, Inc.

(2) Title to the estate or interest in the land described or referred to in the above commitment and covered therein is fee simple, and title thereto is at the effective date thereof vested in:

Barbara J. Maloney, Anna C. Molina, Lisa M. Brasher and Georgia N. Brasher

(3) Title Commitment No. CTG-2023 04 0543 CML, revision 1, with Schedule B-Section 2 exceptions:

Item No. 10 Easement Deed granted to St. Charles Sand Company, as set forth in instrument recorded in Book 6033 at Page 292, in the land records of St. Louis County, Missouri. "NOT SHOWN" Does not affect subject property

Item No. 11 Easement granted to Union Electric Company, as set forth in instrument recorded in Book 6375 at Page 1395, in the land records of St. Louis County, Missouri. "NOT SHOWN" Does not affect subject property

Item No. 12 Subject to Easement granted to Union Electric Company, as set forth in instrument recorded in Book 6549 at Page 1000, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 13 Subject to Easement granted to Union Electric Company, as set forth in instrument recorded in Book 7604 at Page 2299, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 14 Subject to Easement granted to Monarch Chesterfield Levee District for Permanent Seepage Berm Easement and Maintenance Conditions as set forth in instrument recorded in Book 17599 at Page 3929, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 15 Subject to Easement granted to Monarch Chesterfield Levee District, et al. for the purpose of permanent roadway improvement maintenance utility and sewer easement deed, as set forth in instrument recorded in Book 17599 at Page 3946, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 16 Easement granted to Monarch Chesterfield Levee District for the purpose of temporary construction and access easement, as set forth in instrument recorded in Book 17910 at Page 4916, in the land records of St. Louis County, Missouri. "NOT SHOWN" Expired

Item No. 17 Subject to Easement granted to Burkhardt Family Investments, LLC for the purpose of permanent access easement, as set forth in instrument recorded in Book 17910 at Page 4916, in the land records of St. Louis County, Missouri.

Correction of permanent access easement deed, as set forth in instrument recorded in Book 18125 at Page 1929, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 18 Subject to General Utility Easement as set forth in instrument recorded in Book 17910 at Page 4923, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 19 Subject to General Utility Easement as set forth in instrument recorded in Book 17910 at Page 4929, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 20 Subject to Permanent Roadway Improvements Maintenance Utility and Sewer Easement as set forth in instrument recorded in Book 17910 at Page 4935, in the land records of St. Louis County, Missouri. "SHOWN"

Item No. 21 Subject to Easement granted to Burkhardt Family Investments, LLC for the purpose of permanent access easement deed, as set forth in instrument recorded in Book 18125 at Page 1936, in the land records of St. Louis County, Missouri. "SHOWN" (Calls in the description do not match the exhibit, duplicate of Book 17910, Page 4916 prior to Correction Deed Book 18125, Page 1929)

Item No. 22 Subject to Restrictions, easements, dedications, building lines and set back lines which are shown on the plat of SUBDIVISION OF E. KROENUNG ESTATE recorded in Plat Book 11 at Page 11, in the land records of St. Louis County, Missouri. "SHOWN"

- Except as shown hereon there are no known encroachments on subject property.
- There was no evidence of recent earth moving work, building construction observed at the time of this survey.
- There are no known changes in street right of way lines.
- There was no evidence of recent sidewalk/street construction at the time of this survey.
- There were no wetlands designated onsite at the time of the survey.
- Professional Liability Insurance policy obtained by the surveyor, certificate of insurance to be furnished upon request.

## GENERAL NOTES:

1) Subject property is Zoned P1 Planned Industrial District Ord# 3197  
 Note: The above zoning provided by the City of Chesterfield and to verify the client should obtain a zoning endorsement from their title company.

2) Subject property lies within Flood Zone X shaded (Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood) according to the National Flood Insurance Rate Map Number 29188C0125K with an effective date of 2-4-2015. By graphically plotting.

3) There are no marked parking stalls onsite.

4) Utilities shown hereon are shown from record and/or survey information. Any location, size and type information should be considered as approximate only. It is the Contractors responsibility to call Dig-Rite to verify utility locations.

## Surveyors Certification

This is to certify to:  
 Carshfield F.C.  
 Clear Title Group LLC  
 Chicago Title Insurance Company

That this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-5, 6(b), 7(b), 7(b)(1), 7(c), 8, 9, 11 and 13 of Table A thereof. The field work was completed during April 2023.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.  
 LC 222-D

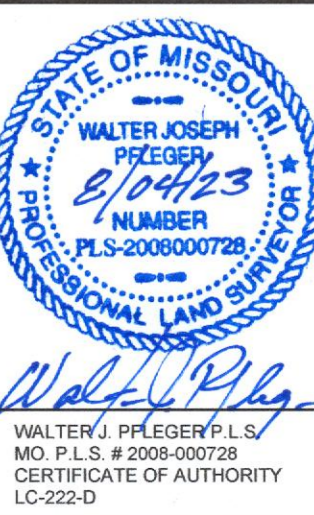
By: *Walter J. Pfeiffer*  
 Walter J. Pfeiffer, Missouri P.L.S. No. 2008-000728

PREPARED FOR:  
 CARSHIELD FC  
 503 PEARL DR  
 ST. PETER MO 63376  
 ATTN: Nick Hamilton

257 Chesterfield Business Parkway  
 St. Louis, MO 63103  
 Phone: (314) 991-5100  
 Email: info@stockandassociates.com  
 Web: www.stockandassociates.com

STOCK & ASSOCIATES  
 Consulting Engineers, Inc.

ALTA/NSPS LAND TITLE SURVEY  
**PART OF LOT 2**  
 530 N EATHERTON ROAD  
 CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



REVISIONS:  
 1) 6/13/2023 - Revised per city comments

DATE	BY	CHECKED BY
5/16/23	J.K.	W.J.P.
M.S.D. #		
S.L.C. H&T #		
M.D.N.R. #		

ALTA/NSPS LAND  
 TITLE SURVEY  
 SHEET #1



# Memorandum

## Department of Planning



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

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

**Date:** September 05, 2023

**RE:** **P.Z. 11-2023 Burkhardt Place, Lot 11:** A request for an ordinance amendment to the existing “PC” Planned Commercial District to new “PC” Planned Commercial District with Landmark Preservation area for 0.32 acres of the Historical District, located on the south side of Old Chesterfield Road (17T220036).

### **Summary**

MJ Hennessy, LLC has submitted a request for an ordinance amendment to the existing “PC” Planned Commercial District to a new “PC” Planned Commercial District to modify the development standards in the existing ordinance of the site. This amendment would modify the building setbacks, parking setbacks, and building footprint restrictions existing in the current “PC” Planned Commercial District with a “LPA” Landmark and Preservation Area Overlay on 0.32 acres of land located south of Old Chesterfield Road. The submittal includes a Preliminary Development Plan, narrative statement, and outboundary survey.

A Public Hearing was held on July 24, 2023 for this petition, there were no issues raised.

On August 14, 2023 Planning Commission voted to approve this petition with an amendment to revise the language in the Trust Fund Contribution within the Attachment A. The amended motion passed by a vote of 6-0.

After the Planning Commission meeting, the applicant requested a correction on the language in the Section III Trust Fund Contribution of the Attachment A shown in red below.

*“The amount of the developer’s contribution to this fund shall be computed based on the following **and shall only be assessed on projects increasing the amount of parking on the site based on the requirements in the Unified Development Code.**”*

On August 24, 2023, the petition was brought before the Planning & Public Works Committee. A motion was made to approve with requested amendment. The motion to approve the petition, as amended, passed by a vote 4-0. Modifications are attached as a Green Sheet Amendment.

Attachments: Green Sheet Amendment  
Legislation  
Attachment A

Attachment B – Preliminary Development Plan



Figure 1: Subject Site Aerial

**GREEN SHEET AMENDMENTS**

**The Planning and Public Works Committee recommended that the following changes be made to the Attachment A by a vote of 4-0:**

**AMENDMENT 1: (Page 8 of 9)**

To add the following shown in red:

“The amount of the developer’s contribution to this fund shall be computed based on the following **and shall only be assessed on projects increasing the amount of parking on the site based on the requirements in the Unified Development Code.**”



**BILL NO.** \_\_\_\_\_

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

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE ORDINANCE OF THE EXISTING “PC” PLANNED COMMERCIAL DISTRICT TO A NEW “PC” PLANNED COMMERCIAL DISTRICT WITH LANDMARK PRESERVATION AREA FOR 0.32 ACRES OF THE HISTORICAL DISTRICT, LOCATED ON THE SOUTH SIDE OF OLD CHESTERFIELD ROAD [P.Z. 11-2023 BURKHARDT PLACE, LOT 11, 17T220036].**

**WHEREAS**, the petitioner, MJ Hennessy, LLC, has requested a change in ordinance 1618 of the existing “PC” Planned Commercial District to a new “PC” Planned Commercial District with Landmark Preservation area for 0.32 acres of the Historical District located on the south side of Old Chesterfield Road; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on July 24, 2023; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the change of ordinance, with amendment, by a vote of 6-0; and,

**WHEREAS**, the Planning and Public Works Committee, having considered said request, recommended approval of the change of ordinance, with amendment, by a vote of 4-0; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the ordinance amendment 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 new “PC” Planned Commercial District with Landmark Preservation area designation for a 0.32 acres tract of land located on the south side of Chesterfield Road as described as follows:

A TRACT OF LAND BEING LOT 11 AND PART OF LOT 12 OF BURKHARDT PLACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF

RECORDED IN PLAT BOOK 12 PAGE 94 OF THE ST. LOUIS COUNTY RECORDS, IN US SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE SOUTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 11 OF BURKHARDT PLACE; THENCE SOUTH 19 DEGREES 13 MINUTES WEST 178.29 FEET ALONG THE EAST LINE OF SAID LOT 11 TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 75 DEGREES 28 MINUTES WEST 75.25 FEET ALONG THE SOUTH LINE OF SAID LOT 11 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 18 DEGREES 17 MINUTES EAST 185.15 FEET TO THE SAID SOUTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE; THENCE SOUTH 63 DEGREES 57 MINUTES EAST, 5.68 FEET AND SOUTH 70 DEGREES 47 MINUTES EAST 72.33 FEET ALONG SAID SOUTH LINE OF OLIVE STREET ROAD TO THE POINT OF THE BEGINNING.

**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 MJ Hennessy, LLC, in P.Z. 11-2023, requesting the ordinance 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 24<sup>th</sup> day of July, 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: 09/05/2023

## 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. PERMITTED USES**

1. The uses allowed in this “PC” Planned Commercial District, with a Landmark and Preservation Area (LPA) procedure, shall be office use.

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

1. Floor Area
  - a. The uses permitted within this “PC” Planned Commercial District, with a Landmark and Preservation Area (LPA) procedure, shall be contained in existing house.

#### **C. SETBACKS**

1. Structure Setbacks

No building or structure, other than lights, fence, retaining walls, front porch steps, existing rear deck, existing stone bar-b-que, and flagpoles, shall be located within the following setbacks:

  - a. Fifty-Five (55) feet from the right-of-way of Old Chesterfield Road.
  - b. Seven (7) feet from the western boundary of the PC District.
  - c. Thirty-five (35) feet from the eastern boundary of the PC District.
  - d. Sixty-Five (65) feet from the southern boundary of the PC District.
2. Parking Setbacks

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

  - a. Twelve (12) feet from the right-of-way of Old Chesterfield Road.
  - b. Zero (0) feet from the western boundary of the PC District.



- c. Zero (0) feet from the eastern boundary of the PC District.
- d. Twenty (20) feet from the southern boundary of the PC District.

All parking, loading and internal drive areas shall be of a surface as approved by the Planning Commission on the Site Development Plan. Consideration should be given to utilizing a paver block system, or other alternative that is conducive to a more pleasing visual appearance from Old Chesterfield Road. These areas will not be permitted to be gravel.

#### **D. PARKING AND LOADING REQUIREMENTS**

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. No construction related parking shall be permitted within right-of-way or on any existing roadways. All construction related parking shall be confined to the development.
3. Parking lots shall not be used as streets.

#### **E. LANDSCAPE AND TREE REQUIREMENTS**

The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

#### **F. SIGN REQUIREMENTS**

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
2. This development shall be permitted one (1) freestanding business or project identification sign, which shall be in accord with the City of Chesterfield Sign Code.
3. The location of all signs shall be as approved by the Planning Commission on the Site Development Plan.
4. No advertising, temporary, portable signs or attention getting devices of any kind shall be permitted in this development.

#### **G. LIGHT REQUIREMENTS**

1. Provide a Lighting Plan and cut sheet in accordance with the City of Chesterfield Code.

2. No on-site light standard shall exceed twenty-four (24) feet in height. The location of all light standards shall be as approved on the Site Development Plan.

#### **H. ARCHITECTURAL**

1. Exterior façade and design features shall be reviewed by the City of Chesterfield Architectural Review Board and the Chesterfield Historical Commission and shall be subject to approval by the City of Chesterfield Planning Commission in conjunction with the Site Development Plan.
2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

#### **I. ACCESS/ACCESS MANAGEMENT**

1. Access to the development shall be as shown on the Preliminary Site Plan and adequate driveway spacing and sight distance shall be provided, as directed by the City of Chesterfield.
2. Provide a sidewalk conforming to ADA standards adjacent to Old Chesterfield Road as directed by the City of Chesterfield.
3. Provide cross access easement to adjacent properties as directed by the City of Chesterfield.
4. No construction parking will be permitted on Old Chesterfield Road right-of-way.

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

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right-of-way.
2. Provide a special cash escrow for future sidewalk construction along Old Chesterfield Road. Specifically provide for construction of a five (5) foot wide sidewalk along the property frontage.
3. Obtain approvals from the City of Chesterfield and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.

4. Additional right-of-way and road improvements shall be provided, as required by the City of Chesterfield.

#### **K. TRAFFIC STUDY**

1. Provide a traffic study as directed by the City of Chesterfield. 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 Old Chesterfield 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.

#### **L. POWER OF REVIEW**

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

#### **M. STORM WATER**

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

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

#### **N. SANITARY SEWER**

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

#### **O. GEOTECHNICAL REPORT**

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

#### **R. MISCELLANEOUS**

1. All utilities will be installed underground.
2. 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 Code shall be required where applicable.
3. 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. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
4. 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 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 for specific requirements.

## **II. GENERAL CRITERIA**

### **A. 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 openspace 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 a 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 Department of Highways and Traffic, 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. TRUST FUND CONTRIBUTION**

The developer shall be required to contribute to the Traffic Generation Assessment (TGA) to the Trust Fund Area D.

### **ROADS**

The roadway improvement contribution is based on land and building use. The roadway contributions are necessary to help defray the cost of engineering, right-

of-way acquisition, and major roadway construction. The amount of the developer's contribution to this fund shall be computed based on the following:

<u>Type of Development</u>	<u>Required Contribution</u>
General Office	\$878.76/parking space

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

If types of development differ from those listed, rates shall be provided by the City of Chesterfield.

If a portion of the improvements required herein are needed to provide for the safety of the traveling public, their completion as a part of this development is mandatory.

Allowable credits for required roadway improvements will be awarded as directed by the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

As this development is located within a trust fund area established by the City of Chesterfield, any portion of the traffic generation assessment contribution which remains, following completion of road improvements required by the development, shall be retained in the appropriate trust fund.

The amount of all required contributions, if not submitted by January 1, 2024, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the City of Chesterfield.

Trust Fund contributions shall be deposited with the City of Chesterfield prior to the issuance of Municipal Zoning Approval.

#### **IV. RECORDING**

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

#### **V. ENFORCEMENT**

**A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.



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

## **16658 Old Chesterfield Road project narrative:**

The goal of this project to rehabilitate the building to meet current building and occupancy codes, and to upgrade the buildings aesthetics to be more in keeping with the surrounding historic area. The building will be used for office space , and an expansion of the owner, Jim Hennessy's current marketing business, Yellow Dog Productions. Jim Hennessy is also the owner of the property to the south and west of 16658 Old Chesterfield Road. This building and property were zoned "PC" and "LPA" in April of 2000, and no change of this zoning designation is requested.

The purpose of this submittal to Chesterfield is to change the zoning and parking setbacks, to enable the current footprint of the building to be expanded to the rear by 5 feet. In addition, a new rear porch to be added to the rear of the building to shelter the handicapped entry door, and a new covered porch roof will be added to the front of the building, where an existing open deck is currently located, with no roof. An additional existing section of the rear portion of this building (which was an addition), will also be rebuilt, in it's same footprint.

The revisions requested from the current setback requirements of the Zoning Ordinance for this property are:

### **Building setbacks**

Side yard setback will not be changed on the west, and will remain at 7'

Side yard setback is requested to be changed on the east side, the existing building is over the 36' setback, a change is requested to 35'.

Front yard setback was at 60' feet the existing building is at 59' , a change is requested to 55'.

Rear yard setback was at 80', the building with the proposed rear additions is at 68', a change is requested to 65'.

### **Parking setbacks**

Rear yard parking setback was at 25' , the existing parking lot is at 21' , a change is requested to 20'.

Front yard parking setback is at 40', a change is requested to 12'.

Side yard parking setback is currently 20' from the west it is now proposed to be a 0' setback on both sides of the property.

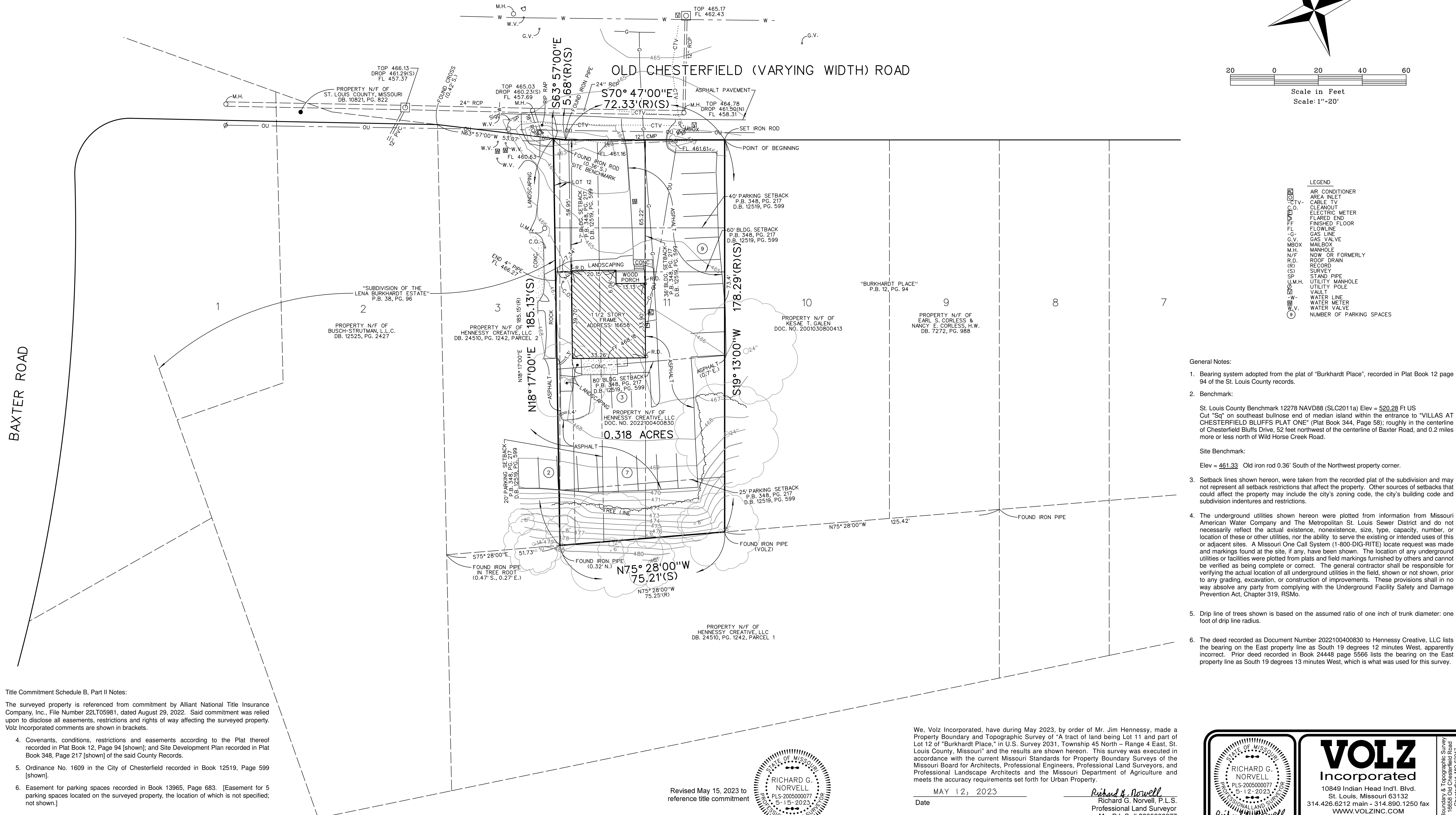
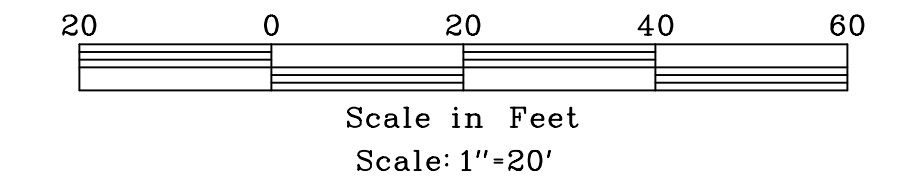
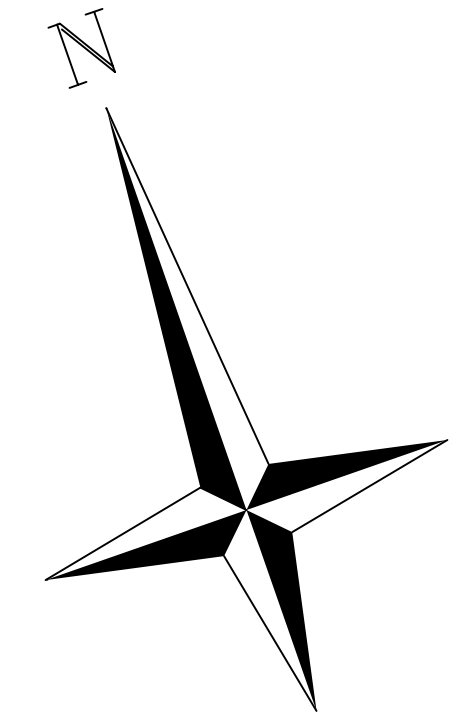
**Note:** This is an existing parking lot that has been in place for many years. 8 existing parking spaces are proposed to be removed from the property to create more green space, and accommodate the addition and porch in the rear.

No trees will be removed as a part of this project, and the project is in keeping with the Comprehensive Plan- City Center, Old Chesterfield.

**A TRACT OF LAND BEING  
LOT 11 AND PART OF LOT 12 OF  
"BURKHARDT PLACE"  
IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH - RANGE 4 EAST  
ST. LOUIS COUNTY, MISSOURI**

Property Description from Deed Book 24448 page 5566:

A tract of land being Lot 11 and part of Lot 12 of Burkhardt Place, a subdivision according to the plat thereof recorded in Plat Book 12 page 94 of the St. Louis County Records, in US Survey 2031, Township 45 North, Range 4 East, St. Louis County, Missouri and being more particularly described as: Beginning at a point on the South line of Olive Street Road, 60 feet wide, said point being the Northeast corner of said Lot 11 of Burkhardt Place; thence South 19 degrees 13 minutes West 178.29 feet along the East line of said Lot 11 to the Southeast corner thereof; thence North 75 degrees 28 minutes West 75.25 feet along the South line of said Lot 11 to the Southwest corner thereof; thence North 18 degrees 17 minutes East 185.15 feet to the said South line of Olive Street Road, 60 feet wide; thence South 63 degrees 57 minutes East, 5.68 feet and South 70 degrees 47 minutes East 72.33 feet along said South line of Olive Street Road to the point of the beginning.



**LEGEND**

- AIR CONDITIONER
- AREA INLET
- CABLE TV
- CLEANOUT
- ELECTRIC METER
- FLARED END
- FINISHED FLOOR
- FLOWLINE
- GAS LINE
- GAS VALVE
- MBOX
- M.H.
- N/F
- R.D.
- (R)
- (S)
- S.P.
- U.M.H.
- UTILITY POLE
- VAULT
- W.
- WATER METER
- WATER VALVE
- NUMBER OF PARKING SPACES

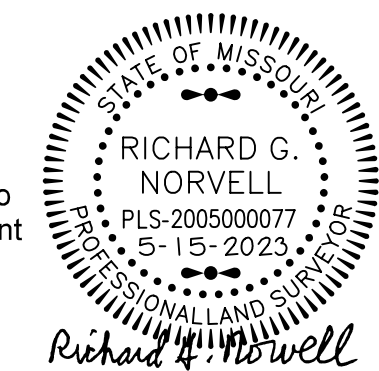
- General Notes:**
- Bearing system adopted from the plat of "Burkhardt Place", recorded in Plat Book 12 page 94 of the St. Louis County records.
  - Benchmark:  
St. Louis County Benchmark 12278 NAVD88 (SLC2011a) Elev = 520.28 Ft US  
Cut "Sc" on southeast bullnose end of median island within the entrance to "VILLAS AT CHESTERFIELD BLUFFS PLAT ONE" (Plat Book 344, Page 58); roughly in the centerline of Chesterfield Bluffs Drive, 52 feet northwest of the centerline of Baxter Road, and 0.2 miles more or less north of Wild Horse Creek Road.
  - Site Benchmark:  
Elev = 461.33 Old iron rod 0.36' South of the Northwest property corner.
  - Setback lines shown hereon, were taken from the recorded plat of the subdivision and may not represent all setback restrictions that affect the property. Other sources of setbacks that could affect the property may include the city's zoning code, the city's building code and subdivision indentures and restrictions.
  - The underground utilities shown hereon were plotted from information from Missouri American Water Company and The Metropolitan St. Louis Sewer District and do not necessarily reflect the actual existence, nonexistence, size, type, capacity, number, or location of these or other utilities, nor the ability to serve the existing or intended uses of this or adjacent sites. A Missouri One Call System (1-800-DIG-RITE) locate request was made and markings found at the site, if any, have been shown. The location of any underground utilities or facilities were plotted from plats and field markings furnished by others and cannot be verified as being complete or correct. The general contractor shall be responsible for verifying the actual location of all underground utilities in the field, shown or not shown, prior to any grading, excavation, or construction of improvements. These provisions shall in no way absolve any party from complying with the Underground Facility Safety and Damage Prevention Act, Chapter 319, RSMo.
  - The deed recorded as Document Number 2022100400830 to Hennessy Creative, LLC lists the bearing on the East property line as South 19 degrees 12 minutes West, apparently incorrect. Prior deed recorded in Book 24448 page 5566 lists the bearing on the East property line as South 19 degrees 13 minutes West, which is what was used for this survey.

- Title Commitment Schedule B, Part II Notes:**
- The surveyed property is referenced from commitment by Alliant National Title Insurance Company, Inc., File Number 22LT05981, dated August 29, 2022. Said commitment was relied upon to disclose all easements, restrictions and rights of way affecting the surveyed property. Volz Incorporated comments are shown in brackets.
- Covenants, conditions, restrictions and easements according to the Plat thereof recorded in Plat Book 12, Page 94 [shown]; and Site Development Plan recorded in Plat Book 348, Page 217 [shown] of the said County Records.
  - Ordinance No. 1609 in the City of Chesterfield recorded in Book 12519, Page 599 [shown].
  - Easement for parking spaces recorded in Book 13965, Page 683. [Easement for 5 parking spaces located on the surveyed property, the location of which is not specified; not shown.]

We, Volz Incorporated, have during May 2023, by order of Mr. Jim Hennessy, made a Property Boundary and Topographic Survey of "A tract of land being Lot 11 and part of Lot 12 of "Burkhardt Place," in U.S. Survey 2031, Township 45 North - Range 4 East, St. Louis County, Missouri and the results are shown hereon. This survey was executed in accordance with the current Missouri Standards for Property Boundary Surveys of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects and the Missouri Department of Agriculture and meets the accuracy requirements set forth for Urban Property.

MAY 12, 2023  
Date

*Richard G. Norvell*  
Richard G. Norvell, P.L.S.  
Professional Land Surveyor  
Mo. P.L.S. # 2005000077



**RICHARD G. NORVELL**  
P.L.S. # 2005000077  
5-15-2023

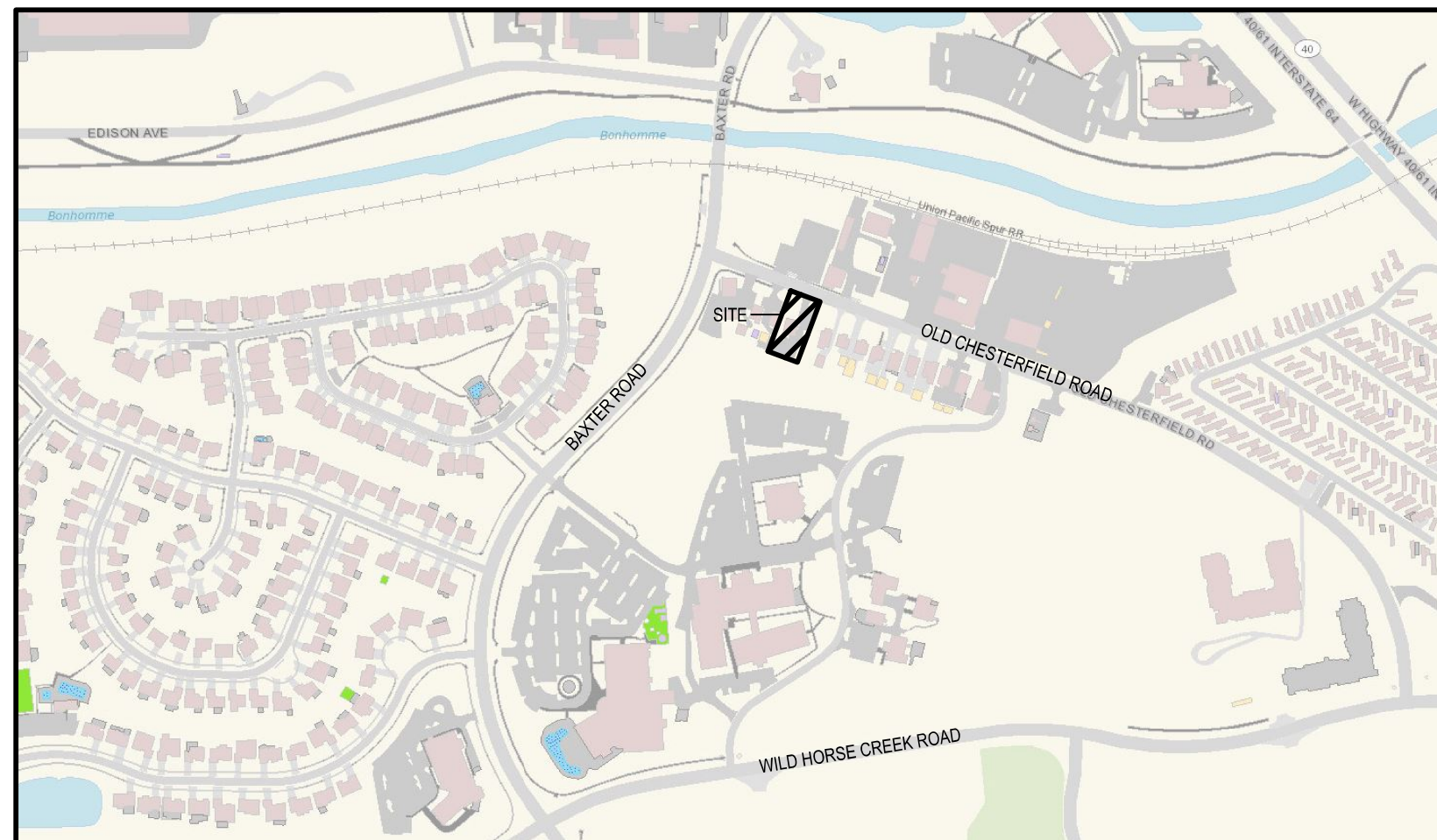
**VOLZ**  
Incorporated

10849 Indian Head Ind'l. Blvd.  
St. Louis, Missouri 63132  
314.426.6212 main - 314.890.1250 fax  
WWW.VOLZINC.COM

Boundary & Topographic Survey  
16658 Old Chesterfield Road  
Chesterfield, MO 63017  
Sheet 1 of 1  
23001-01

MISSOURI CORPORATE CERTIFICATES OF AUTHORITY:  
NO. 000019 EXPIRES: DECEMBER 31, 2023 - LAND SURVEYING  
NO. 000203 EXPIRES: DECEMBER 31, 2023 - ENGINEERING





LOCATION MAP

PROJECT NOTES:	
AREA OF SITE:	0.318 ACRES
LOCATOR NUMBER:	177220036
SITE ADDRESS:	16658 OLD CHESTERFIELD RD
OWNER OF RECORD:	MJ HENNESSY LLC.
PREPARED FOR:	MJ HENNESSY LLC. 16658 OLD CHESTERFIELD RD, CHESTERFIELD MO, 63017
PREPARED BY:	<b>VOLZ Incorporated</b> 10849 INDIAN HEAD INDL. BLVD. ST. LOUIS, MO 63132 314.426.6212 MAIN 314.890.1250 FAX
EXISTING ZONING:	"PC" PLANNED COMMERCIAL "LPA" LANDMARKS PRESERVATION AREA
AREA OF PAVEMENT TO BE REMOVED:	843 SF
AREA OF BUILDING ADDITION:	172 SF
AREA OF PORCH TO REBUILT:	100 SF
AREA ADDITIONAL PAVEMENT & WALK:	124 SF
AREA OF NEW COVERED REAR PORCH:	269 SF
TOTAL AREA OF NEW ADDITION, REBUILT, AND PAVEMENT TO BE REMOVED:	1,478 SF
TOTAL AREA OF BUILDING:	2261 SF
REQUIRED & PROPOSED PARKING:	2261 SF BUILDING @ 3.3 SPACES PER 1000 SF 2261 SF / 1000 SF = 2.26 2.26 X 3.3 SPACES = 7.46 8 SPACES REQUIRED 11 SPACES PROPOSED
OPEN SPACE:	5442 39% 13852±.392
GAS:	SPIRE GAS
WATER:	MISSOURI AMERICAN WATER CO
SEWER:	METROPOLITAN ST. LOUIS SEWER DISTRICT
ELECTRIC:	AMEREN
TELEPHONE:	AT&T
CABLE:	CHARTER
SCHOOL DISTRICT:	ROCKWOOD 8
FIRE DISTRICT:	MONARCH FIRE PROTECTION DISTRICT

**GENERAL NOTES:**

SANITARY SEWER CONNECTION IS EXISTING NO IMPROVEMENTS

GRADING SHALL BE PER CITY OF CHESTERFIELD STANDARDS

THERE IS 94 SF OF PAVEMENT PROPOSED. AREAS OF PAVEMENT REMOVAL TO CREATE ADDITIONAL GREEN SPACE THOSE AREAS TO BE GRASS OR LANDSCAPED.

ACCESSIBLE SPACE IS EXISTING.

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN AND SHALL BE LOCATED IN EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

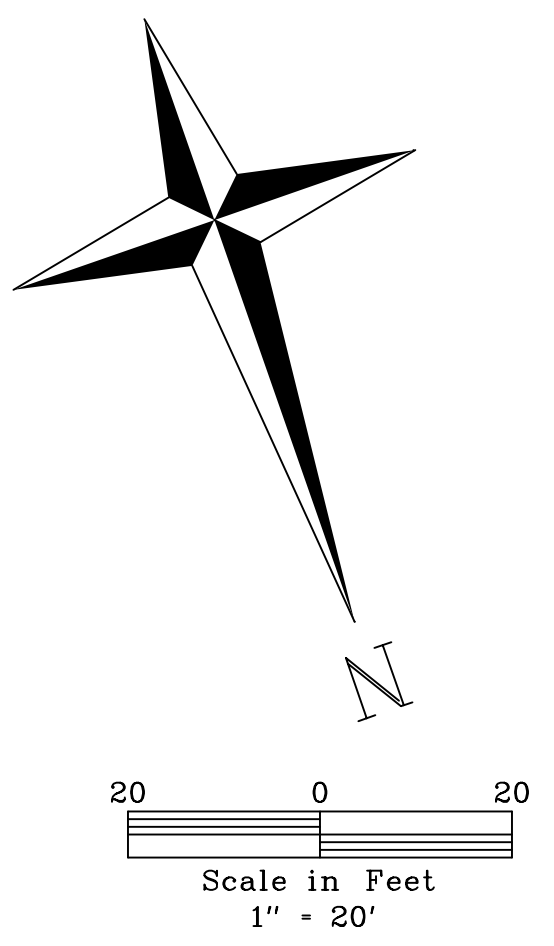
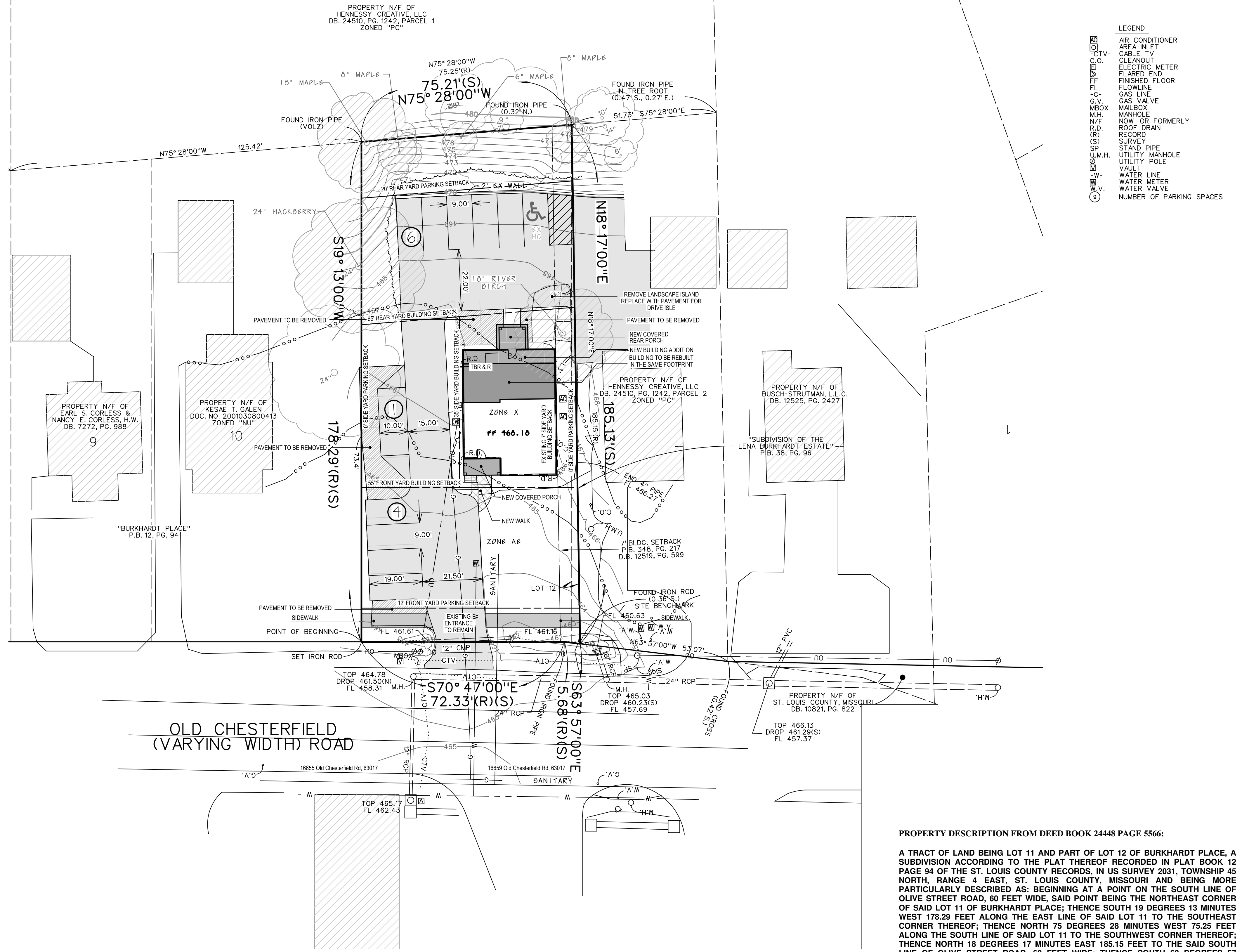
NO TREES TO BE REMOVED

CALL MISSOURI ONE CALL SYSTEMS INC. TWO FULL WORKING DAYS IN ADVANCE OF STARTING WORK.

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND FIELD MARKINGS PROVIDED BY THE MEMBER UTILITIES OF THE MISSOURI ONE CALL SYSTEM (1-800-DIG-RITE), AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, CAPACITY, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES, NOR THE ABILITY TO SERVE THE EXISTING OR INTENDED USES OF THIS OR ADJACENT SITES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES IN THE FIELD, SHOWN OR NOT SHOWN, PRIOR TO ANY GRADING, EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

MISSOURI ONE-CALL 1-800-344-7483

**A TRACT OF LAND BEING LOT 11 AND PART OF LOT 12 OF "BURKHARDT PLACE" IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH - RANGE 4 EAST ST. LOUIS COUNTY, MISSOURI**



MR. JIM HENNESSY  
16660 OLD CHESTERFIELD RD  
CHESTERFIELD, MO 63017  
(314) 375-2903  
JIM@YELLOWDOGLLC.COM

**VOLZ Incorporated**  
ENGINEERS  
LAND PLANNING  
LAND SURVEYING  
TRANSPORTATION  
CONST. MANAGEMENT  
10849 Indian Head Incl., Blvd.  
St. Louis, MO 63132  
314.426.6212 Main  
314.890.1250 Fax  
Missouri Professional Engineer  
Authority #203



16658 OLD CHESTERFIELD ROAD  
A TRACT OF LAND BEING  
LOT 11 AND PART OF LOT 12 OF  
"BURKHARDT PLACE"  
IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH - RANGE 4 EAST  
ST. LOUIS COUNTY, MISSOURI

**PRELIMINARY PLAN**

BASE MAP NO. 177  
LOCATOR NO. 177220036  
PROJECT # 23001

8/1/2023

7

PROPERTY DESCRIPTION FROM DEED BOOK 24448 PAGE 5566:

A TRACT OF LAND BEING LOT 11 AND PART OF LOT 12 OF BURKHARDT PLACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12 PAGE 94 OF THE ST. LOUIS COUNTY RECORDS, IN US SURVEY 2031, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT ON THE SOUTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 11 OF BURKHARDT PLACE; THENCE SOUTH 19 DEGREES 13 MINUTES WEST 178.29 FEET ALONG THE EAST LINE OF SAID LOT 11 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 75 DEGREES 28 MINUTES WEST 75.25 FEET ALONG THE SOUTH LINE OF SAID LOT 11 TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 18 DEGREES 17 MINUTES EAST 185.15 FEET TO THE SAID SOUTH LINE OF OLIVE STREET ROAD, 60 FEET WIDE; THENCE SOUTH 63 DEGREES 57 MINUTES EAST, 5.68 FEET AND SOUTH 70 DEGREES 47 MINUTES EAST 72.33 FEET ALONG SAID SOUTH LINE OF OLIVE STREET ROAD TO THE POINT OF THE BEGINNING.



# Memorandum

## Department of Planning



**To:** Michael O. Geisel, City Administrator  
**From:** Justin Wyse, Director of Planning *JW*  
**Date:** September 5<sup>th</sup>, 2023  
**RE:** **International Property Maintenance Code**

### Summary

Staff from the Department of Police (Code Enforcement), Department of Planning, and legal counsel have been working to increase code enforcement activity to resolve property maintenance issues (e.g. problem properties). Several long-standing problem properties have been brought into compliance through this process. However, Staff has also uncovered inconsistencies in our adopted codes that need to be resolved.

### History

In 2003, the City of Chesterfield adopted Ordinance 1932 adopting minimum standards for exteriors of properties. There was a good deal of discussion during deliberation on this section of the code and the Council limited the City's property maintenance powers to these exterior standards. These standards were adopted in lieu of adoption of the International Property Maintenance Code and were much more limiting on the powers of the City to enforce standards on private property, specifically limiting the standards to the exterior of properties.

In the following years, the International Property Maintenance Code was adopted while adopting new building, mechanical and other technical codes. As you are aware, the City contracts with St. Louis County for building permitting services and we adopt the same building codes as the County.

The result is that the City effectively has two property maintenance codes adopted with different powers and procedures.

### International Property Maintenance Code

As stated in the International Property Maintenance Code (IPMC), the document is, "intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety." The IPMC is divided into eight chapters addressing:

- Scope and Application;
- Administration and Enforcement;
- General Requirements;
- Light, Ventilation and Occupancy Limitations;

- Plumbing Facilities and Fixture Requirements;
- Mechanical and Electrical Requirements;
- Fire Safety Requirements; and
- Referenced Standards.

These standards are far more expansive than the Exterior Property Maintenance standards adopted in other parts of the City Code. For example, Chapter 3 contains interior structure standards, and Chapters 4-7 contain additional standards for various elements that would often be located on the interior of a property.

The code includes a section on enforcement which does not match the procedures within the City Code. It should also be noted that many of the remedies of violations of this section of code would result in a structure being deemed unsuitable for occupancy. Traditionally, this would result in revocation or denial of occupancy permits for the premises; however, the City has not instituted a re-occupancy permit program.

### **Exterior Maintenance Standards**

Attached to this report is a copy of the adopted exterior maintenance standards originally adopted by the City in 2003. As can be seen, these standards are much more focused and limited to exterior of properties only. No additional procedures are stated as enforcement utilizes procedures elsewhere in the Code.

### **Recommendation**

This item was reviewed by the Planning and Public Works Committee in May of 2023 where the Committee directed Staff to review the two sections of code and bring an ordinance to the Committee to repeal the International Property Maintenance Code. This was reviewed by the Committee on August 24, 2023 and the Committee voted 4-0 to forward the proposed ordinance to the City Council with a recommendation of approval.

It should also be noted that the Committee directed Staff to coordinate with the St. Louis County Department of Health to determine County levels services and interaction necessary from the City in this instances. Staff will report back to PPW once this is completed.



**BILL NO.** \_\_\_\_\_

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

**AN ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI REPEALING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE AND LOCAL AMENDMENTS THERETO.**

**WHEREAS**, the City has adopted Minimum Exterior Standards to ensure the exterior of buildings are maintained in a structurally sound and sanitary condition; and,

**WHEREAS**, the City has also adopted the 2015 International Property Maintenance Code which includes both exterior and interior maintenance standards; and,

**WHEREAS**, the City desires to have clear regulations regarding standards for exterior property maintenance; and

**WHEREAS**, the Planning and Public Works Committee has reviewed the City's Minimum Exterior Standards and the 2015 International Property Maintenance Code, and recommends repeal of the 2015 International Property Maintenance Code; and,

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

**Section 1.** Section 500.007 Property Maintenance Code of the City Code is hereby repealed in its entirety, including Attachment 500g Amendment to Chapter 1 ICC International Property Maintenance Code.



**Section 2.** 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: 09/05/2023



## **FINANCE AND ADMINISTRATION COMMITTEE**

Chair: Councilmember Michael Moore

Vice-Chair: Barbara McGuinness

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

### **NEXT MEETING**

A meeting of the whole is scheduled for Monday, October 3<sup>rd</sup> at 5:30 pm in Chambers. Among other agenda items, the agenda will include "Finance 104" and presentation of the Five-year projections.

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



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

Chair: Councilmember Mary Monachella

Vice Chair: Councilmember Gary Budoor

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

### **NEXT MEETING**

The next meeting of the Parks, Recreation and Arts Committee had 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 Tuesday's meeting.



## **PUBLIC HEALTH AND SAFETY COMMITTEE**

Chair: Councilmember Mary Ann Mastorakos

Vice Chair: Councilmember Michael Moore

**Proposed Resolution No. 489** – A Resolution of the City of Chesterfield, Missouri to permit the City of Ballwin, Missouri to install a license plate recognition camera within the municipal boundaries of the City of Chesterfield. **(Roll Call Vote) Public Health and Safety Committee recommends approval.**

### **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 Tuesday's meeting.



## MINUTES

### PUBLIC HEALTH & SAFETY COMMITTEE MEETING

August 21, 2023

1. Call to Order

The meeting was called to order at 5:30 PM by Chairperson Councilmember Mary Ann Mastorakos.

2. Roll Call

Councilmember Mary Ann Mastorakos, Ward II, Chairperson, Councilmember Barb McGuinness, Ward I, Councilmember Michael Moore, Ward III, Councilmember Merrell Hansen, Ward IV, Councilmember Gary Budoor, and Mayor Bob Nation. Also, in attendance was Chief Ray Johnson, Captain Cheryl Funkhouser, Captain Dan Dunn, Captain Mark Bruegenhemke, and Mr. John Foster.

3. Approval of Minutes

Councilmember Moore motioned and Councilmember Hansen seconded to approve the minutes of the May 8, 2023 Public Health & Safety Committee meeting. The motion to carried 4-0.

4. Interview of Nominee to Police Personnel Board

The members of the Board welcomed Mr. John Foster who is a candidate for appointment to the Police Personnel Board due to a resignation on that Board effective September 3, 2023.

The Committee members noted Mr. Foster's background as a Police Officer and Police captain at the City of Florissant and as an Assessment Team Leader with the Commission On Accreditation for Law Enforcement Agencies. Mr. Foster has also served as a volunteer in many organizations.

After discussion, Councilmember Moore motioned and Councilmember McGuinness seconded to recommend Mr. Foster for appointment to the Police Personnel Board. The motion carried 4-0. This will be placed on the agenda for the next City Council meeting.

5. The Committee reviewed a suggested resolution to approve the installation by the City of Ballwin of a license plate recognition camera within the City of Chesterfield Municipal boundaries shared by the City of Ballwin at the intersection of Clayton/Henry/Schoettler Roads. The camera will be owned and maintained by the City of Ballwin but information from the camera will be shared with the City of Chesterfield. St. Louis County has requested a resolution from the City of Chesterfield before installation on a County roadway.

The Committee agreed that the installation of this camera will benefit the City of Chesterfield. Therefore, Councilmember Moore motioned and Councilmember Hansen seconded to recommend approval of the Resolution to City Council to install a license

plate recognition camera at the intersection of Clayton/Henry/Schoettler Roads. The motion carried 4-0. This item will be addressed at the next City Council meeting planned for September 5, 2023.

6. Thefts at/in the commercial/retail district in Chesterfield Valley were discussed. Mayor Nation noted that he had been contacted by a resident who was very concerned about thefts in the business district in Chesterfield Valley. Chief Johnson informed the Committee members that there are currently 8 officers assigned full time to the business district. To date for 2023, the officers have recovered \$129,000.00 in property. The department now tows shoplifters' vehicles when apprehended while holding the arrested shoplifters during warrant application. Chief Johnson did relate that delayed reporting makes it difficult to apprehend violators and that some businesses do not encourage calling police for each violation.

Chief Johnson also noted the success of the FLOCK cameras in the areas.

Committee members suggested that the Police Department schedule meetings with businesses in the area to encourage their participation in more aggressive action to prosecute the criminals involved.

The Committee directed that Chief Johnson report on this issue at the next meeting of the Public Health & Safety Committee.

7. Security glass at City Hall Front Desk

Chief Johnson reported that the City has not yet received a bid regarding security glass for the Front Desk at City Hall. He also noted that contractors seem reluctant to bid on this project.

There was discussion about the actual need for security glass at the front desk. Chief Johnson noted that when the building was being designed, this was discussed and it was not approved. The decision was that the front hall and desk area be a welcoming area to the citizens.

It was suggested that portable shields of some type be made available to staff at the front desk. Chief Johnson will check on the obtainability of shields.

Councilmember McGuinness motioned and Councilmember Hansen seconded to remove this item from the agenda for upcoming meetings until more information is available. This motion carried 4-0.

8. No new meeting date was set at this time.
9. Having no further business, Chairperson Mastorakos adjourned the meeting at 6:15 PM.



**A RESOLUTION OF THE CITY OF CHESTERFIELD, MISSOURI TO PERMIT THE CITY OF BALLWIN, MISSOURI TO INSTALL A LICENSE PLATE RECOGNITION CAMERA WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF CHESTERFIELD.**

**WHEREAS**, the City of Chesterfield, Missouri (the “City”) received a request from the City of Ballwin, Missouri (“Ballwin”) to place a license plate recognition camera within the City’s municipal boundaries at the intersection of Clayton, Henry, and Schoettler Roads; and,

**WHEREAS**, the City has no objection to Ballwin placing a license plate recognition camera within the City’s municipal boundaries; and,

**WHEREAS**, the City has previously installed its own license plate recognition cameras within the City’s municipal boundaries and finds that the installation of license plate recognition cameras has benefited the public health, safety, and welfare; and,

**WHEREAS**, the City Council believes that Ballwin’s installation of a license plate recognition camera in the municipal boundaries of the City would enhance the public health, safety, and welfare of citizens of both the City and Ballwin.

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

1. The City Council hereby states that the City has no objection to the City of Ballwin, Missouri installing a license plate recognition camera at the intersection of Clayton, Henry, and Schoettler Roads and the City agrees to waive any associated costs and/or permits that would be required by the City.
2. Nothing herein is intended to relieve Ballwin of any terms and conditions of St. Louis County including any permitting requirements within the St. Louis County right-of-way. The City is not a party to any agreement, including but not limited to, any agreement to maintain any right-of-way.
3. This Resolution shall be in full force and effect from and after its passage and approval.

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

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**The following is a step-by-step procedure that any municipality within St. Louis County can follow to obtain a permit allowing the installation of License Plate Recognition Cameras with County maintained right of ways.**

**Step 1**

The Municipality, their consultant or contractor shall submit plans along with a Special Use Permit Application to St. Louis County's Civil Plan Review Section. The following items will need to be provided or detailed in the plans and permit application.

1. Exact Location of each license plate recognition (LPR) camera proposed to be installed. The locations will be conceptually evaluated using the following criteria:
  - a. Are the cameras entirely within the city limits of the municipality requesting the cameras?
  - b. Are the cameras used solely for LPR purposes?
  - c. Is the requested camera location a duplication of existing LPR cameras previously installed within the County's right of way?
  - d. Does the LPR camera adversely affect any mode of transportation or mobility?
  - e. Has this request for an LRP camera originated from a subdivision? If yes, the Subdivision must submit their request through the municipality.
2. Detailing how the camera will be installed to ensure the installation meets County standards.

If these criteria are met, the County will provide conceptual approval of the submitted plans.

**Step 2**

After the County has given conceptual approval of the plans submitted, the County will draft an Agreement for the installation, operation, and maintenance of the LPR cameras requested. The Agreement will be submitted to the City for execution prior to execution by the appropriate County officials.

In an effort to streamline the process, the City should submit the following information and documentation along with the plans and permit application:

1. Contact information for three individuals to sign the Agreement on behalf of the City. The three individuals are typically the Mayor/City Manager, the City Clerk, and the City Attorney. The contact information shall include their full legal name, title, phone number and email address. The County will utilize the DocuSign program to facilitate the execution of this Agreement.



2. An ordinance, statute or other legal document that state the three individuals have the authority to execute this Agreement on behalf of the City.

### **Step 3**

To complete the permit, the Municipality, their consultant, or contractor shall submit all additional standard special use permit materials such as certificate of insurance.

### **Step 4**

Once Step one, two and three are completed in their entirety, the Municipality, their consultant, or contractor will be issued a permit after payment of all applicable fees associated with the permit process.

### **Step 5**

The Municipality, their consultant or contractor can then have the LPR camera(s) installed in compliance with the Special Use Permit.

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

There are no items from the City Administrator action items scheduled for Tuesday's meeting.

### **OTHER LEGISLATION**

**Proposed Bill No. 3469 - Spirit Valley Business Park II (Record Plat):** A Record Plat for a 27.35-acre tract of land zoned "PI" Planned Industrial located south of Olive Street Rd., east of Eatherton Rd., and west of Spirit Valley Central Dr. **(First and Second Reading) Planning Commission recommends approval.**

### **UNFINISHED BUSINESS**

There is no unfinished business scheduled for this meeting.

### **NEW BUSINESS**



# Memorandum

## Department of Planning



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

JW

Date: September 5<sup>th</sup>, 2023

RE: Spirit Valley Business Park II (Record Plat): A Record Plat and escrow agreements for a 27.35-acre tract of land zoned "PI" Planned Industrial located south of Olive Street Rd., east of Eatherton Rd., and west of Spirit Valley Central Dr.

### Summary

Stock & Associates Consulting Engineers, Inc., on behalf of Spirit Valley Development LLC, has submitted a record plat for review. The request depicts the creation of a new six (6) lot development that totals 27.35 acres. The subject site is zoned "PI" Planned Industrial and is governed under Site-Specific [Ordinance 2413](#)

A record plat is the instrument which dedicates lots, common ground, necessary easements and right-of-way for future roads within a development. Once a plat is recorded, the new lots may be sold to individual owners. The proposed record plat substantially conforms to the Site Development Concept Plan that was approved by the Planning Commission in 2010. The land is currently undeveloped but there are plans under review for proposed development. These include improvement plans for the Spirit Valley West roadway extension and a site development section plan for a proposed office/warehouse on Lot 3.

On August 14<sup>th</sup>, 2023 the City of Chesterfield Planning Commission made a motion to recommended approval of the Spirit Valley Business Park II Record Plat. The motion passed by a vote of 6-0.

The following page includes an image of the proposed record plat configuration in relation to the surrounding land.



Figure 1: Proposed record plat in relation to surrounding land



BILL NO. \_\_\_\_\_

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

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENTS FOR SPIRIT VALLEY BUSINESS PARK II, A 27.35-ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL LOCATED SOUTH OF OLIVE STREET RD., EAST OF EATHERTON RD., AND WEST OF SPIRIT VALLEY CENTRAL DR.

WHEREAS, Stock & Associates Consulting Engineers, on behalf of Spirit Valley Development, LLC, has submitted for review and approval a Record Plat for Spirit Valley Business Park II located south of Olive Street Rd., east of Eatherton Rd., and west of Spirit Valley Central Dr.; and,

WHEREAS, the purpose of said Record Plat is to subdivide a 27.35-acre tract of land into six (6) lots; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the Record Plat; and,

WHEREAS, the City Council, having considered said request, voted to approve the Record Plat.

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

Section 1. The Record Plat and escrow agreements for Spirit Valley Business Park II, which is made hereof and attached hereto as "Exhibit 1" is hereby approved; provided, however, that nothing in this ordinance shall be construed or interpreted as an acceptance of the public utilities or public easement which are dedicated on the Record Plat. The owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

Section 2. The Mayor and City Clerk are authorized and directed to evidence the approval of said Record Plat by affixing their signatures and the Official Seal of the City of Chesterfield as required on said documents.

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

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

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

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

ATTEST:

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

FIRST READING HELD: 9/5/2023



**SUBDIVISION IMPROVEMENT CONSTRUCTION DEPOSIT AGREEMENT**

THIS CONSTRUCTION DEPOSIT AGREEMENT made and entered into by Spirit Valley Development, LLC \_\_\_\_\_, herein called DEVELOPER, Midwest Bank Centre \_\_\_\_\_, herein called ESCROW HOLDER (*strike through this party if cash deposited with City*), and the City of Chesterfield, Missouri, herein called CITY.

WITNESSETH:

WHEREAS, the DEVELOPER has submitted plans, information and data to the CITY for the creation and development of a subdivision to be known as Spirit Valley Business Park II \_\_\_\_\_ in accordance with Ordinance No. \_\_\_\_\_, the governing ordinance for the subdivision, and the Subdivision Regulations of the City of Chesterfield, and has requested approval of same; and

WHEREAS, the subdivision plans have been approved and the CITY has reasonably estimated and determined that the cost of construction, installation and completion of said improvements, all in accordance with the provisions of said governing ordinance and Subdivision Regulations, as amended, will be in the sum of one million three hundred seventy eight thousand nine hundred seventy two and 06/100 \_\_\_\_\_ DOLLARS (\$ 1,378,972.06 \_\_\_\_\_), lawful money of the United States of America; and

WHEREAS, the DEVELOPER is seeking approval from the CITY of the record plat of the aforesaid subdivision as the same is provided in said governing ordinance and Subdivision Regulations; and

WHEREAS, the Subdivision Regulations provide inter alias that the commencement of said subdivision may be approved by the CITY upon the DEVELOPER submitting satisfactory construction and maintenance deposit agreements guaranteeing the construction and maintenance

of the subdivision improvements in accordance with the approved plans, said governing ordinance and Subdivision Regulations.

NOW, THEREFORE, in consideration of the covenants, promises and agreement herein provided;

IT IS HEREBY MUTUALLY AGREED:

1. That the DEVELOPER has established a CONSTRUCTION DEPOSIT in the amount of one million three hundred seventy eight thousand nine hundred seventy two and 06/100, DOLLARS (\$ 1,378,972.06) lawful money of the United States of America by: (check one)

- Depositing cash with the City.
- Submitting a Letter of Credit in the form required by the CITY and issued by the ESCROW HOLDER.
- Submitting a \_\_\_\_\_ (*type of readily negotiable instrument acceptable to the CITY*) endorsed to the City and issued by the ESCROW HOLDER.

Said deposit guarantees the construction, installation and completion of the required subdivision improvements in Spirit Valley Business Park II Subdivision, all in accordance with the approved plans, the governing ordinance for the subdivision and the Subdivision Regulations of the City of Chesterfield, which are by reference made a part hereof, and in accordance with all ordinances of the CITY regulating same. A cost estimate thereof is attached hereto as "Exhibit A".

2. That the CONSTRUCTION DEPOSIT will be held in escrow by the CITY or the ESCROW HOLDER, as applicable, until such time as releases are authorized by the Department of Planning. The CONSTRUCTION DEPOSIT may be subject to special audit of the CITY from time to time.



3. That the CONSTRUCTION DEPOSIT guarantees the construction, installation and completion of the improvements in the aforesaid subdivision in accordance with the plans and specifications for the said subdivision which have been filed with the CITY, which are made a part hereof by reference as if set forth herein word for word.

4. Pursuant to Revised Statutes of Missouri, 89.410, the amounts set out on Exhibit "A" are identified by separate line item and are subject to release of ninety five percent (95%) of said estimated costs within thirty (30) days of the completion of said specific component of work by DEVELOPER. The Developer shall notify CITY in writing when they consider the specific component ready for release of funds. Accordingly, the CITY may not allow for the reallocation of escrowed funds from one line item to another, without specific written agreement between the DEVELOPER and CITY indicating what specific component or components are being modified. ESCROW HOLDER shall not modify or expend funds from other than the identified line item component without written approval from CITY. Completion is when the particular item has had all documentation and certification filed in a complete and acceptable form and the specific items have been inspected and all identified deficiencies have been corrected and the work has been approved by the City.

5. That in the event the CITY should determine that the ESCROW SUM or any line item thereon as herein provided, is insufficient to complete the said Subdivision Improvements, or the specific line item, the CITY will so notify the DEVELOPER who shall deposit within thirty (30) days of said notice with the ESCROW HOLDER that additional sum of lawful money of the United States of America that will be required to complete the said specific component of the improvement and said additional sum will be subject to the terms of this Escrow Agreement. Failure to provide said sum shall cause for immediate cessation of all work on said subdivision until the additional amount is paid.

6. That the DEVELOPER guarantees that all required utilities and improvements will be installed, constructed and completed within two (2) years from the date of the approval of the said Subdivision Plat and the DEVELOPER shall certify the completion of all said improvements, along with the filing of all documentation and certification, all as provided in the governing ordinance for this subdivision and the Subdivision Regulations of the CITY.

7. That the ESCROW HOLDER, in accordance with paragraph 4 above, shall only release or disburse the ESCROW SUM, or portion thereof, upon receipt and in the amount set forth in a written authorization from the Department of Planning addressed to the ESCROW HOLDER, which authorization may be for the payment of labor and materials used in the construction, installation and completion of the said improvements, as the work progresses, as provided in the Subdivision Regulations or governing ordinance for this subdivision.

8. That in the event the DEVELOPER shall abandon the subdivision or fail to complete the subdivision improvements within two (2) years, from the date of the CITY'S approval of the said subdivision plat or subsequent extension period granted to this DEPOSIT AGREEMENT, whichever shall first occur, the CITY shall present to the ESCROW HOLDER a certified statement from the City Engineer estimating the cost for the completion of the subdivision improvements and require the ESCROW HOLDER to immediately perform on this agreement for completion of the specific components of the project or disburse said funds identified by the City Engineer's estimates directly to the CITY. The CITY may complete, or have completed by outside resources, the said improvements. The ESCROW HOLDER having disbursed the escrow sums therefore as ordered and directed by the CITY, and upon such disbursement shall be relieved of all liability under the terms of this agreement.



9. That in the event of any legal actions taken by the CITY against DEVELOPER or ESCROW HOLDER to enforce the provision of this agreement, the parties agree to pay a reasonable attorney's fee in addition to any other sums due under this agreement

10. That there shall be no assignment by DEVELOPER or ESCROW HOLDER under the terms of this agreement without written approval of the CITY.

11. That if DEVELOPER is unable to meet its obligation hereunder or to provide additional sums to complete the Subdivision improvements as may be determined by the CITY or if the DEVELOPER or ESCROW HOLDER shall go into receivership or file for bankruptcy protection, then in any such event the CITY may declare the DEVELOPER or ESCROW HOLDER (as the case may be) in default and may immediately order the payment of all remaining sums held by ESCROW HOLDER to be paid to the CITY without further legal process, to be used to complete the subdivision improvements as set out under the terms hereof.

12. That the ESCROW HOLDER will immediately inform the City of any changes of address for ESCROW HOLDER or DEVELOPER (known to ESCROW HOLDER) during the period of this Agreement. Failure to do so shall result in a breach of this Agreement and the CITY may declare the DEVELOPER or ESCROW HOLDER (as the case may be) in default and may immediately order the payment of all remaining sums held by ESCROW HOLDER to be paid to the CITY without further legal process, to be used to complete the subdivision improvements as set out under the terms hereof.

13. That no forbearance on the part of the CITY in enforcing any of its rights under this agreement, nor any extension thereof by CITY, shall constitute a waiver of any terms of this Agreement or a forfeiture of any such rights.

14. That the CITY hereby accepts this agreement as a satisfactory ESCROW AGREEMENT under the provisions and requirements of the governing ordinance for this

subdivision and any amendments or revisions thereto and the Subdivision Regulations of the CITY.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and

seals the 24 day of August, 2023.

ATTEST: ~~(SEAL)~~  
*N/A*

DEVELOPER: Spirit Valley Development LLC

\_\_\_\_\_  
Type Name:  
Title:

BY: *[Signature]*  
Type Name: *Daniel W Hayes*  
Title: *Managing Member*

Firm Address:  
8112 Maryland Ave, Suite 300  
Saint Louis, MO 63105

ATTEST: (SEAL)

ESCROW HOLDER: Midwest BankCentre

\_\_\_\_\_  
Type Name:  
Title:

BY: *[Signature]*  
Type Name: *Kurt J. Evans*  
Title: *Senior Vice President*

Firm Address:  
2191 Lemay Ferry Road  
St. Louis, MO 63125

**CITY OF CHESTERFIELD, MISSOURI**

BY \_\_\_\_\_  
Director of Planning

ATTEST: (SEAL)

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

NB: The signatures of the DEVELOPER and CREDIT HOLDER are to be acknowledged before a Notary Public. In the case of a partnership, all partners must sign. In the case of a corporation, the affidavits of the corporation act must be attached.









# EXHIBIT A

Attach: Subdivision Deposit Spreadsheet

**CONSTRUCTION DEPOSIT**

SUBDIVISION: Spirit Valley Business Park II  
PLAT: Spirit Valley Business Park II  
SUBDIVISION CODE: 784  
NO. LOTS: 6  
DATE OF PLAT APPROVAL: TBD

DEVELOPER: Spirit Valley Development, LLC

CATEGORY	DATE OF RELEASE	% RELEASE	ORIGINAL BALANCE	TOTAL RELEASED	TOTAL % RELEASED	CURRENT BALANCE	% REMAINING
STREETS			\$ 602,841.43	\$ -	0	\$ 602,841.43	100
				\$ -			
SIDEWALKS			\$ 4,104.93	\$ -	0	\$ 4,104.93	100
				\$ -			
STREET SIGNS			\$ 5,601.42	\$ -	0	\$ 5,601.42	100
				\$ -			
SANITARY SEWER			\$ 86,772.62	\$ -	0	\$ 86,772.62	100
				\$ -			
STORM CULVERTS (Non-MSD)			\$ 119,219.49	\$ -	0	\$ 119,219.49	100
				\$ -			
EROSION CONTROL			\$ 17,270.00	\$ -	0	\$ 17,270.00	100
				\$ -			
SILTATION CONTROL			\$ 22,638.00	\$ -	0	\$ 22,638.00	100
				\$ -			
COMMON GROUND SEED			\$ 11,388.04	\$ -	0	\$ 11,388.04	100
				\$ -			
MONUMENTATION			\$ 1,151.15	\$ -	0	\$ 1,151.15	100
				\$ -			
STREET LIGHTS			\$ 44,275.00	\$ -	0	\$ 44,275.00	100
				\$ -			
WATER MAINS			\$ 463,710.00	\$ -	0	\$ 463,710.00	100
				\$ -			
<b>TOTALS</b>			<b>\$ 1,378,972.06</b>	<b>\$ -</b>	<b>0</b>	<b>\$ 1,378,972.06</b>	<b>100</b>



**CONSTRUCTION DEPOSIT**

**SUBDIVISION: Spirit Valley Business Park II**  
**PLAT: Spirit Valley Business Park II**  
**SUBDIVISION CODE: 784**  
**NO. LOTS: 6**  
**DATE OF PLAT APPROVAL: TBD**

**DEVELOPER: Spirit Valley Development, LLC**

<b>CATEGORY</b>	<b>DATE OF RELEASE</b>	<b>% RELEASE</b>	<b>ORIGINAL BALANCE</b>	<b>TOTAL RELEASED</b>	<b>TOTAL % RELEASED</b>	<b>CURRENT BALANCE</b>	<b>% REMAINING</b>
STREETS			\$ 602,841.43	\$ - \$ -	0	\$ 602,841.43	100
SIDEWALKS			\$ 4,104.93	\$ - \$ -	0	\$ 4,104.93	100
STREET SIGNS			\$ 5,601.42	\$ - \$ -	0	\$ 5,601.42	100
SANITARY SEWER			\$ 86,772.62	\$ - \$ -	0	\$ 86,772.62	100
STORM CULVERTS (Non-MSD)			\$ 119,219.49	\$ - \$ -	0	\$ 119,219.49	100
EROSION CONTROL			\$ 17,270.00	\$ - \$ -	0	\$ 17,270.00	100
SILTATION CONTROL			\$ 22,638.00	\$ - \$ -	0	\$ 22,638.00	100
COMMON GROUND SEED			\$ 11,388.04	\$ - \$ -	0	\$ 11,388.04	100
MONUMENTATION			\$ 1,151.15	\$ - \$ -	0	\$ 1,151.15	100
STREET LIGHTS			\$ 44,275.00	\$ - \$ -	0	\$ 44,275.00	100
WATER MAINS			\$ 463,710.00	\$ - \$ -	0	\$ 463,710.00	100
<b>TOTALS</b>			<b>\$ 1,378,972.06</b>	<b>\$ -</b>	<b>0</b>	<b>\$ 1,378,972.06</b>	<b>100</b>





WHEREAS, the Subdivision Regulations provide inter alias that the commencement of said subdivision may be approved by the CITY upon the DEVELOPER submitting satisfactory construction and maintenance deposit agreements guaranteeing the construction and maintenance of the subdivision improvements in accordance with the approved plans, said governing ordinance and Subdivision Regulations.

NOW, THEREFORE, in consideration of the covenants, promises and agreement herein provided;

IT IS HEREBY MUTUALLY AGREED:

1. That the DEVELOPER has established a MAINTENANCE DEPOSIT in the amount of one hundred thirty seven thousand eight hundred ninety seven and 21/100

DOLLARS (\$ 137,897.21), lawful money of the United States of America by:

(check one)

Depositing cash with the City.

Submitting a Letter of Credit in the form required by the CITY and issued by the CREDIT HOLDER.

Submitting a \_\_\_\_\_ (*type of readily negotiable instrument acceptable to the CITY*) endorsed to the City.

Said deposit guarantees the DEVELOPER will perform his maintenance obligations regarding subdivision improvements, including, but not limited to; lots, streets, sidewalks, trees, common ground areas, erosion and siltation control, and storm drainage facilities, in Spirit Valley Business Park II

\_\_\_\_\_ Subdivision, all in accordance with the approved plans, the governing ordinance for the subdivision and the Subdivision Regulations of

the City of Chesterfield, which by reference are made a part hereof, and in accordance with all ordinances of the CITY regulating same.

2. That the MAINTENANCE DEPOSIT will be held in escrow by the CITY or the CREDIT HOLDER, as applicable, until such time as releases are authorized by the Department of Planning.

3. That the DEVELOPER shall be responsible for, and hereby guarantees, the maintenance of the subdivision improvements, including, but not limited to, lots, streets, sidewalks, trees, common ground areas, erosion and siltation control, and storm and drainage facilities, until (1) expiration of twelve (12) months after occupancy permits have been issued on eighty percent (80%) of all of the lots in the subdivision plat(s), or (2) twelve (12) months after completion of the subdivision and acceptance / approval of all required improvements by the CITY, whichever is longer. In the case of landscaping, the maintenance period shall be twenty-four (24) months after installation is approved by the CITY. Maintenance shall include repair or replacement of all defects, deficiencies and damage to the improvements that may exist or arise, abatement of nuisances caused by such improvements, removal of mud and debris from construction, erosion control, grass cutting, removal of construction materials (except materials to be used for construction on the lot or as permitted by site plan), and snow removal. All repairs and replacement shall comply with CITY specifications and standards. Any maintenance of improvements accepted by the CITY for public dedication shall be completed under the supervision of and with the prior written approval of the Director of Planning. The maintenance obligation for required improvements to existing public roads or other existing public infrastructure already maintained by a public governmental entity shall terminate on and after the date such improvements have been inspected and accepted by the



appropriate governmental entity and the deposit for same shall be released. Irrespective of other continuing obligations, the developer's snow removal obligations shall terminate on the date a street is accepted by the CITY for public maintenance.

4. That the maintenance deposit shall be retained by the CITY OR CREDIT HOLDER to guarantee maintenance of the required improvements and, in addition to being subject to the remedies of Section 02-12.G of the Unified Development Code and other remedies of the City Code, shall be subject to the immediate order of the Director of Planning to defray or reimburse any cost to the CITY of maintenance or repair of improvements related to the subdivision which the developer fails or refuses to perform. Except in emergency circumstances or where action is otherwise required before written notice can be provided, the Director of Planning shall provide the developer with a written demand and opportunity to perform the maintenance before having such maintenance performed by the CITY, or its agents. The Director of Planning shall have the authority to require the maintenance deposit to be replaced or replenished by the developer, in any form permitted for an original deposit, where the amount remaining is determined to be insufficient or where the maintenance deposit was drawn upon by the CITY for maintenance.

5. That in determining the amount of MAINTENANCE DEPOSIT that shall continue to be held, portions of the deposit amount that were attributable to improvements that have been accepted by any third-party governmental entity or utility legally responsible for the maintenance of the improvement may be released upon such acceptance of the improvement by the entity. The Director of Planning may approve such further releases if it is determined in his or her discretion, after inspection of the improvements, that the total maintenance amount

retained is clearly in excess of the amount necessary for completion of the maintenance obligation, after all reasonable contingencies are considered.

6. That in the event the CITY should determine that the MAINTENANCE DEPOSIT, or any line item thereon as herein provided, is insufficient, the CITY will so notify the DEVELOPER who shall, within thirty (30) days of said notice, deposit additional sums with the CITY or have the amount of the letter of credit or other banking instrument increased as will be required to maintain the said specific component of the improvement and said additional sum will be subject to the terms of this MAINTENANCE DEPOSIT AGREEMENT. Failure to provide said sum shall be cause for immediate cessation of all work on said subdivision until the additional amount is paid.

7. That the CREDIT HOLDER, in accordance with paragraphs 2, 4 and 5 above, shall only release or disburse the MAINTENANCE DEPOSIT, or portion thereof, upon receipt and in the amount set forth in a written authorization from the said Department of Planning addressed to the Credit Holder, which authorization may be for payment, as provided in the Subdivision Regulations or governing ordinance for this subdivision.

8. That upon expiration of the maintenance obligations established herein, the Director of Planning shall cause a final inspection to be made of the required improvements. Funds shall then be released if there are no defects or deficiencies found and all other obligations including payment of all sums due, are shown to be satisfied on inspection thereof, or at such time thereafter as any defects or deficiencies are cured with the permission of, and within the time allowed by, the Director of Planning. This release shall in no way be construed to indemnify or release any person from any civil liability that may exist for defects or damages



caused by any construction, improvement or development for which any deposit has been released.

9. That there shall be no assignment by DEVELOPER or CREDIT HOLDER under the terms of this agreement without written approval of the CITY.

10. That if DEVELOPER is unable to meet its obligation hereunder or to provide additional sums to guarantee maintenance of the Subdivision improvements as may be determined by the CITY or if the DEVELOPER shall abandon the subdivision or go into receivership or file for bankruptcy protection, then in any such event the CITY may declare the DEVELOPER in default and may immediately order the payment of all remaining sums held in the MAINTENANCE DEPOSIT to be paid to the CITY without further legal process, to be used to complete and maintain the subdivision improvements as set out under the terms hereof.

11. That the CREDIT HOLDER will immediately inform the City of any changes of address for CREDIT HOLDER or DEVELOPER (known to CREDIT HOLDER) during the period of this Agreement. Failure to do so shall result in a breach of this Agreement and the CITY may declare the DEVELOPER or CREDIT HOLDER (as the case may be) in default and may immediately order the payment of all remaining sums held by CREDIT HOLDER to be paid to the CITY without further legal process, to be used to maintain the subdivision improvements as set out under the terms hereof.

12. That no forbearance on the part of the CITY in enforcing any of its rights under this agreement, nor any extension thereof by CITY, shall constitute a waiver of any terms of this Agreement or a forfeiture of any such rights.

13. That the CITY hereby accepts this agreement as a satisfactory MAINTENANCE DEPOSIT AGREEMENT under the provisions and requirements of the governing ordinance

for this subdivision and any amendments or revisions thereto and the Subdivision Regulations of the CITY.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and

seals the 24 day of August, 2023 A.D.

Spirit Valley Development LLC

ATTEST: ~~(SEAL)~~  
*N/A*

DEVELOPER: \_\_\_\_\_

\_\_\_\_\_  
Type Name:  
Title:

BY: *[Signature]*  
Type Name: *Daniel W Hayer*  
Title: *Managing Member*

Firm Address:  
8112 Maryland Ave  
\_\_\_\_\_  
St. Louis, MO 63105  
\_\_\_\_\_  
Midwest BankCentre

ATTEST: (SEAL)

CREDIT HOLDER: \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

BY: *[Signature]*  
Name: Kurt J. Eyans  
Title: Senior Vice President

Firm Address:  
2191 Lemay Ferry Road  
\_\_\_\_\_  
St. Louis, MO 63125  
\_\_\_\_\_

**CITY OF CHESTERFIELD, MISSOURI**

BY \_\_\_\_\_  
Director of Planning

ATTEST: (SEAL)

APPROVED:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

NB: The signatures of the DEVELOPER and CREDIT HOLDER are to be acknowledged before a Notary Public. In the case of a partnership, all partners must sign. In the case of a corporation, the affidavits of the corporation act must be attached.



**BANK OFFICIAL'S ACKNOWLEDGMENT**

STATE OF MISSOURI    )  
                                          ) SS  
COUNTY OF ST. LOUIS    )

On this 24 day of August, 2023, before me appeared Kurt J. Evans, to me personally known, who, being by me duly sworn, did say that he/she is the Senior Vice President (title) of Midwest Bank Center (name of bank), a Missouri Corporation (corporation, etc.) organized and existing under the laws of the United States of America, and that the seal affixed to the foregoing instrument is the Corporate Seal of said bank, and that said instrument was signed and sealed on behalf of said bank by authority of its Board of Directors, and said Senior Vice President (title) acknowledged said instrument to be the free act and deed of said bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in County and State aforesaid, the day and year first above written.

Sherli M. Schaughnessey  
Notary Public

My Commission Expires: June 15, 2027







**MAINTENANCE DEPOSIT**

**SUBDIVISION: Spirit Valley Business Park II  
PLAT: Spirit Valley Business Park II  
SUB CODE: 784  
DEVELOPER: Spirit Valley Development, LLC**

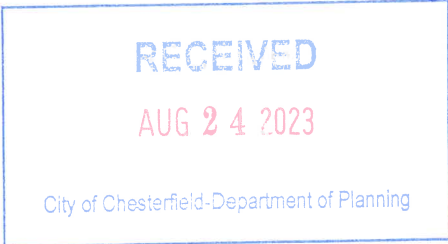
<b>CATEGORY</b>	<b>ORIGINAL BALANCE</b>	<b>DATE OF RELEASE</b>	<b>AMOUNT RELEASED</b>	<b>CURRENT BALANCE</b>
STREETS	\$ 60,284.14			\$ 60,284.14
SIDEWALKS	\$ 410.49			\$ 410.49
STREET SIGNS	\$ 560.14			\$ 560.14
SANITARY SEWER	\$ 8,677.26			\$ 8,677.26
STORM SEWER (Non-MSD)	\$ 11,921.95			\$ 11,921.95
EROSION CONTROL	\$ 1,727.00			\$ 1,727.00
SILTATION CONTROL	\$ 2,263.80			\$ 2,263.80
COMMON GROUND SEED	\$ 1,138.80			\$ 1,138.80
MONUMENTATION	\$ 115.12			\$ 115.12
STREET LIGHTS	\$ 4,427.50			\$ 4,427.50
WATER MAINS	\$ 46,371.00			\$ 46,371.00
<b>TOTALS</b>	<b>\$ 137,897.21</b>		<b>\$ -</b>	<b>\$ 137,897.21</b>

**MAINTENANCE DEPOSIT**

**SUBDIVISION: Spirit Valley Business Park II  
PLAT: Spirit Valley Business Park II  
SUB CODE: 784  
DEVELOPER: Spirit Valley Development, LLC**

<b>CATEGORY</b>	<b>ORIGINAL BALANCE</b>	<b>DATE OF RELEASE</b>	<b>AMOUNT RELEASED</b>	<b>CURRENT BALANCE</b>
STREETS	\$ 60,284.14			\$ 60,284.14
SIDEWALKS	\$ 410.49			\$ 410.49
STREET SIGNS	\$ 560.14			\$ 560.14
SANITARY SEWER	\$ 8,677.26			\$ 8,677.26
STORM SEWER (Non-MSD)	\$ 11,921.95			\$ 11,921.95
EROSION CONTROL	\$ 1,727.00			\$ 1,727.00
SILTATION CONTROL	\$ 2,263.80			\$ 2,263.80
COMMON GROUND SEED	\$ 1,138.80			\$ 1,138.80
MONUMENTATION	\$ 115.12			\$ 115.12
STREET LIGHTS	\$ 4,427.50			\$ 4,427.50
WATER MAINS	\$ 46,371.00			\$ 46,371.00
<b>TOTALS</b>	<b>\$ 137,897.21</b>		<b>\$ -</b>	<b>\$ 137,897.21</b>





STANDARD FORM OF LETTER OF CREDIT

Midwest BankCentre
2191 Lemay Ferry Rd.
St. Louis, MO 63125

August 21, 2023

IRREVOCABLE LETTER OF CREDIT NO. 2353

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Dear Sir:

We hereby establish in favor of the CITY OF CHESTERFIELD, upon the application of and for the account of Spirit Valley Development LLC (the "Account Party") our transferable irrevocable standby letter of credit (the "Letter of Credit") in the amount of \$1,378,972.06 (the "Maximum Available Credit"), subject to the reduction as hereinafter set forth.

For information only: This letter of credit is issued with respect to: (check all that apply)

X Subdivision Construction Deposit

as detailed on the accompanying agreements for Spirit Valley Business Park - Phase II, approval of same issued by you for the benefit of the Account Party (the "Approval").

Subject to all of the terms and conditions of this Letter of Credit, the Maximum Available Credit shall be made available by your draft(s) at sight drawn on us accompanied by this Letter of Credit and any amendments thereto for presentation and by the following documents:

- 1. Your signed certificate, in the form attached hereto as Exhibit A, dated not more than ten days prior to its presentation to us; or
2. Your signed certificate, in the form attached hereto as Exhibit B, dated not more than ten days prior to its presentation to us.

\*No draft will be paid if the amount thereof is in excess of the Maximum available Credit hereunder as of the date such draft is to be paid.

Multiple drawings may be presented under this Letter of Credit, which, in the aggregate and subject to the limitations set forth herein, shall not exceed the Maximum Available Credit then in effect and each such drawing honored by us hereunder shall reduce the Maximum Available Credit by the amount of such drawing. The draft(s) drawn under this Letter of Credit must be drawn and presented to our offices at 2191 Lemay Ferry Rd., St. Louis, MO 63125 Attention: Loan Operations at the address designated in writing by us to you at your address shown above or at such other address as you shall advise us of in writing) by hand delivery or by delivery by courier between 9:00 a.m. and 4:30 p.m. (St. Louis, Missouri time) on a Business day (as defined below). As used in this Letter of Credit, "Business Day" shall mean any day other than a Saturday, Sunday or a day on which banking institutions in the State of Missouri are authorized or required by law to close.

We hereby agree that all drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored by us upon delivery of any of the certificate(s) specified above and if presented at our aforesaid office on or before the Expiration date (as defined below).

If demand for payment is made hereunder in strict conformity with the terms and conditions of this Letter of Credit before 11:00 a.m. (St. Louis, Missouri time) on any Business Day, payment of the amount demanded shall be made in immediately available funds not later than 1:00 p.m. (St. Louis, Missouri time) on the next succeeding Business Day.

Payment under this Letter of Credit to you shall be made by wire transfer or as agreed by the Chesterfield Department of Finance of immediately available funds per your instructions.

Only you or a transferee may make drawings under this Letter of Credit. Upon payment as provided above of the amount specified in a sight draft drawn hereunder, the Maximum Available Credit of the Letter of Credit shall be reduced by the amount of the payment.

If demand for payment does not conform to the terms and conditions of this Letter of Credit, we will promptly notify you thereof and of the reasons thereof, such notice to be promptly confirmed in writing to you, and we shall hold all documents at your disposal or return the same to you, if directed by you.

This Letter of Credit is effective immediately and expires on the earliest of (i) 4:00 p.m. (St. Louis, Missouri time) on August 21 2025, except that unless such date may be extended as hereinafter provided, this letter of credit shall automatically and immediately be paid by wire transfer the balance of the Maximum Available Credit to the City of Chesterfield at the following account: to receiving bank Central Bank (ABA #081004601) for beneficiary City of Chesterfield, Account #129300337, or (ii) when you have drawn and we have paid to you the Maximum Available Credit of this Letter of Credit or (iii) the day on which this Letter of Credit is surrendered to us for cancellation (collectively, the "Expiration Date"); provided, however, notwithstanding the termination by expiration of this Letter of Credit, our payment obligation shall survive such expiration with respect to any sight drafts accompanied by a certificate in the form of Exhibits A, or B, as the case may be, presented to us for payment prior to the expiration of this Letter of Credit; **and/or further provided that upon such expiration, or if automatically extended upon expiration of the last extension, we shall automatically and immediately transfer the balance of the Maximum Available Credit to the City of Chesterfield at the account set forth above or such**



other account subsequently designated by you unless you authorize in writing a release of our obligations under this Letter of Credit or authorize a replacement of the Letter of Credit. It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year (or such other date as the City and Account Party may agree in writing) from the present or any future Expiration date hereof, unless at least 75 days prior to any such date, we shall send you, in the form attached hereto as Exhibit C, notice that we elect not to consider this Letter of Credit renewed for such additional one-year period. Notwithstanding any automatic extensions, this letter of credit shall expire fully and finally not later than August 21, 2028.

Upon our receipt, from time to time, from you of a written reduction certificate in the form attached as Exhibit D, we are authorized to reduce the Maximum Available Credit hereunder by the amount stated in such certificate, any such reduction to be effective only at our close of business on the date on which we receive such written reduction certificate. Final reduction/ release of the Letter of Credit shall be effective at our close of business on the date on which we receive a certificate in the form attached as Exhibit E.

This Letter of Credit shall be governed by the Uniform Customs and Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Commission Publication No. 600, but excluding the provisions of Article 32 thereof (the "UCPDC").

Any communications with respect to this Letter of Credit shall be in writing and shall be addressed to us at 2191 Lemay Ferry Rd., St. Louis, MO 63125, Attention: Loan Operations, specifically referring thereon to Irrevocable Letter of Credit No. 2353.

You may transfer your rights under this Letter of Credit in their entirety (but not in part) to any transferee. Transfer of your rights under this Letter of Credit to any such transferee shall be effected only upon the presentation to us of this Letter of Credit accompanied by a transfer letter in the form attached hereto as Exhibit F, and we consent to such transfer without charges or fees of any kind. Upon such transfer, the transferee shall have no further rights to transfer this Letter of Credit.

This Letter of Credit sets forth in full our undertaking, and such undertaking shall not in any way be modified, amended, amplified or limited by reference to any document, instrument or agreement referred to herein (including, without limitation, the Approval, but excluding the UCPDC), and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement. Exhibits A, B, C, D, E, F and G attached hereto are incorporated herein by reference as an integral part of this Letter of Credit.

Very truly yours,

**MIDWEST BANKCENTRE**

By: 

Kurt J. Evans, Senior Vice President

EXHIBIT A  
TO LETTER OF CREDIT  
FORM OF CERTIFICATE FOR "A" DRAWING

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

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: Your Letter of Credit No. 2353  
In Favor of City of Chesterfield, Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to Midwest BankCentre (the "Bank"), with reference to Irrevocable Letter of Credit No. 2353 (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. The Account Party has failed to complete all of the required work or **fulfill** all obligations required by the City Code, permits, approved plans or agreements.
2. The draft in the sum of \$ \_\_\_\_\_ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # \_\_\_\_\_], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning



EXHIBITB  
TO LETTER OF CREDIT  
FORM OF CERTIFICATE FOR "B" DRAWING

\_\_\_\_\_

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: Your Letter of Credit No. 2353 in Favor of City of Chesterfield, Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to Midwest BankCentre (the "Bank"), with reference to Irrevocable Letter of Credit No. 2353 (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. Funds in the amount of the accompanying draft are now due for deposit in a special transit account for the payment per Work completion.
2. The draft in the sum of \$ \_\_\_\_\_ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # \_\_\_\_\_ ], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this  
\_\_ day of \_\_\_\_\_, 20\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning

EXHIBITC  
TO LETTER OF CREDIT  
FORM OF NOTICE OF EXPIRATION

\_\_\_\_\_

City of Chesterfield  
690 Chesterfield Parkway W  
Chesterfield, Missouri 63017

Attention: Director of Planning

Re: Our Letter of Credit No. 2353 in Favor of City of Chesterfield, Missouri

Amount: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

To Whom It May Concern:

Please consider this letter as the Bank's notification that the Bank does not intend to renew the above-reference letter of credit and, therefore, it will expire in full and finally on the above-mentioned date. All remaining amounts under the Letter of Credit shall be transferred to the City of Chesterfield per the terms of the Letter.

Very truly yours,

Midwest BankCentre

By: \_\_\_\_\_  
Authorized Officer

cc: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



EXHIBITD  
TO LETTER OF CREDIT  
FORM OF REDUCTION CERTIFICATE

City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017

\_\_\_\_\_

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: LETTER OF CREDIT NUMBER: 2353  
IN ORIGINAL AMOUNT OF: \$ 1,378,972.06

To Whom It May Concern:

This certificate authorizes reduction in the amount of \$ \_\_\_\_\_ of the above letter of credit.  
The remaining maximum available credit for this letter of credit is \$ \_\_\_\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning

cc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBITE

TO LETTER OF CREDIT

FORM FOR FULL REDUCTION / RELEASE OF LETTER OF CREDIT

\_\_\_\_\_  
Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: LETTER OF CREDIT NUMBER: 2353  
IN ORIGINAL AMOUNT OF: \$ 1,378,972.06  
FINAL REDUCTION

To Whom It May Concern:

The City of Chesterfield hereby authorizes the final reduction of the letter of credit established for Spirit Valley Development LLC. The letter of credit referenced above is hereby being surrendered.

Should you desire additional information, please contact \* \_\_\_\_\_ \*

By: \_\_\_\_\_  
Director of Planning

Enclosures: Letter of Credit

cc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



EXHIBIT F  
TO LETTER OF CREDIT  
FORM FOR FULL TRANSFER OF LETTER OF CREDIT

\_\_\_\_\_  
Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: Your Letter of Credit ("Letter of Credit") No. 2353 in favor of City of  
Chesterfield, Missouri

To Whom It May Concern:

The undersigned, City of Chesterfield, Missouri ("Transferor") has transferred and assigned (and hereby confirms said transfer and assignment) all of its rights in and under the Letter of Credit to [\_\_\_\_\_] ("Transferee"). Transferor confirms that it no longer has any rights under or interest in the Letter of Credit and that you shall have no further responsibility to make payment under the Letter of Credit to Transferor.

Transferor hereby surrenders the Letter of Credit subject to the transfer to you and requests that you note the transfer of the Letter of Credit and deliver the Letter of Credit, amended or endorsed to reflect said transfer, to Transferee.

CITY OF CHESTERFIELD, MISSOURI \_\_\_\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning

Enclosures: Letter of Credit, if applicable

cc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBITG  
TO LETTER OF CREDIT  
SIGHT DRAFT

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Attention:**

Re: Your Letter of Credit ("Letter of Credit") No. \_\_\_\_\_ in favor of City of  
Chesterfield, Missouri

**To Whom It May Concern:**

Pay on demand to \_\_\_\_\_ the sum of U.S.\$ \_\_\_\_\_. This  
draft is drawn under your Irrevocable Letter of Credit No. \_\_\_\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

-or-

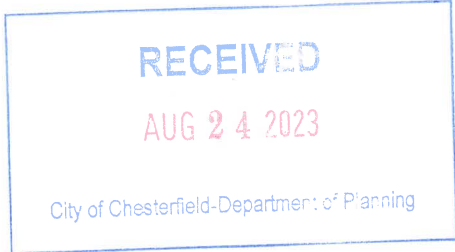
\_\_\_\_\_  
*[Insert Lender's name]*

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_





STANDARD FORM OF  
LETTER OF CREDIT

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

August 21, 2023

IRREVOCABLE LETTER OF CREDIT NO. 2354

City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017

Dear Sir:

We hereby establish in favor of the CITY OF CHESTERFIELD, upon the application of and for the account of Spirit Valley Development LLC (the "Account Party") our transferable irrevocable standby letter of credit (the "Letter of Credit") in the amount of \$137,897.21 (the "Maximum Available Credit"), subject to the reduction as hereinafter set forth.

For information only: This letter of credit is issued with respect to: (check all that apply)

Subdivision Maintenance Deposit

as detailed on the accompanying agreements for Spirit Valley Business Park – Phase II, approval of same issued by you for the benefit of the Account Party (the "Approval").

Subject to all of the terms and conditions of this Letter of Credit, the Maximum Available Credit shall be made available by your draft(s) at sight drawn on us accompanied by this Letter of Credit and any amendments thereto for presentation and by the following documents:

1. Your signed certificate, in the form attached hereto as Exhibit A, dated not more than ten days prior to its presentation to us; or
2. Your signed certificate, in the form attached hereto as Exhibit B, dated not more than ten days prior to its presentation to us.

\*No draft will be paid if the amount thereof is in excess of the Maximum available Credit hereunder as of the date such draft is to be paid.

Multiple drawings may be presented under this Letter of Credit, which, in the aggregate and subject to the limitations set forth herein, shall not exceed the Maximum Available Credit then in effect and each such drawing honored by us hereunder shall reduce the Maximum Available Credit by the amount of such drawing. The draft(s) drawn under this Letter of Credit must be drawn and presented to our offices at 2191 Lemay Ferry Rd., St. Louis, MO 63125 Attention: Loan Operations at the address designated in writing by us to you at your address shown above or at such other address as you shall advise us of in writing) by hand delivery or by delivery by courier between 9:00 a.m. and 4:30 p.m. (St. Louis, Missouri time) on a Business day (as defined below). As used in this Letter of Credit, "Business Day" shall mean any day other than a Saturday, Sunday or a day on which banking institutions in the State of Missouri are authorized or required by law to close.

We hereby agree that all drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored by us upon delivery of any of the certificate( s) specified above and if presented at our aforesaid office on or before the Expiration date (as defined below).

If demand for payment is made hereunder in strict conformity with the terms and conditions of this Letter of Credit before 11:00 a.m. (St. Louis, Missouri time) on any Business Day, payment of the amount demanded shall be made in immediately available funds not later than 1:00 p.m. (St. Louis, Missouri time) on the next succeeding Business Day.

Payment under this Letter of Credit to you shall be made by wire transfer or as agreed by the Chesterfield Department of Finance of immediately available funds per your instructions.

Only you or a transferee may make drawings under this Letter of Credit. Upon payment as provided above of the amount specified in a sight draft drawn hereunder, the Maximum Available Credit of the Letter of Credit shall be reduced by the amount of the payment.

If demand for payment does not conform to the terms and conditions of this Letter of Credit, we will promptly notify you thereof and of the reasons thereof, such notice to be promptly confirmed in writing to you, and we shall hold all documents at your disposal or return the same to you, if directed by you.

This Letter of Credit is effective immediately and expires on the earliest of (i) 4:00 p.m. (St. Louis, Missouri time) on August 21 2025, except that unless such date may be extended as hereinafter provided, this letter of credit shall automatically and immediately be paid by wire transfer the balance of the Maximum Available Credit to the City of Chesterfield at the following account: to receiving bank Central Bank (ABA #081004601) for beneficiary City of Chesterfield, Account #129300337, or (ii) when you have drawn and we have paid to you the Maximum Available Credit of this Letter of Credit or (iii) the day on which this Letter of Credit is surrendered to us for cancellation (collectively, the "Expiration Date"); provided, however, notwithstanding the termination by expiration of this Letter of Credit, our payment obligation shall survive such expiration with respect to any sight drafts accompanied by a certificate in the form of Exhibits A, or B, as the case may be, presented to us for payment prior to the expiration of this Letter of Credit; **and/or further provided that upon such expiration, or if automatically extended upon expiration of the last extension, we shall automatically and immediately transfer the balance of the Maximum Available Credit to the City of Chesterfield at the account set forth above or such**



other account subsequently designated by you unless you authorize in writing a release of our obligations under this Letter of Credit or authorize a replacement of the Letter of Credit. It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year (or such other date as the City and Account Party may agree in writing) from the present or any future Expiration date hereof, unless at least 75 days prior to any such date, we shall send you, in the form attached hereto as Exhibit C, notice that we elect not to consider this Letter of Credit renewed for such additional one-year period. Notwithstanding any automatic extensions, this letter of credit shall expire fully and finally not later than August 21, 2029.

Upon our receipt, from time to time, from you of a written reduction certificate in the form attached as Exhibit D, we are authorized to reduce the Maximum Available Credit hereunder by the amount stated in such certificate, any such reduction to be effective only at our close of business on the date on which we receive such written reduction certificate. Final reduction/ release of the Letter of Credit shall be effective at our close of business on the date on which we receive a certificate in the form attached as Exhibit E.

This Letter of Credit shall be governed by the Uniform Customs and Practice for Documentary Credits, 2007 Revision, International Chamber of Commerce Commission Publication No. 600, but excluding the provisions of Article 32 thereof (the "UCPDC").

Any communications with respect to this Letter of Credit shall be in writing and shall be addressed to us at 2191 Lemay Ferry Rd., St. Louis, MO 63125, Attention: Loan Operations, specifically referring thereon to Irrevocable Letter of Credit No. 2354.

You may transfer your rights under this Letter of Credit in their entirety (but not in part) to any transferee. Transfer of your rights under this Letter of Credit to any such transferee shall be effected only upon the presentation to us of this Letter of Credit accompanied by a transfer letter in the form attached hereto as Exhibit F, and we consent to such transfer without charges or fees of any kind. Upon such transfer, the transferee shall have no further rights to transfer this Letter of Credit.

This Letter of Credit sets forth in full our undertaking, and such undertaking shall not in any way be modified, amended, amplified or limited by reference to any document, instrument or agreement referred to herein (including, without limitation, the Approval, but excluding the UCPDC), and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement. Exhibits A, B, C, D, E, F and G attached hereto are incorporated herein by reference as an integral part of this Letter of Credit.

Very truly yours,

**MIDWEST BANKCENTRE**

By: 

Kurt J. Evans, Senior Vice President

EXHIBIT A  
TO LETTER OF CREDIT  
FORM OF CERTIFICATE FOR "A" DRAWING

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

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: Your Letter of Credit No. 2354  
In Favor of City of Chesterfield, Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to Midwest BankCentre (the "Bank"), with reference to Irrevocable Letter of Credit No. 2354 (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. The Account Party has failed to complete all of the required work or **fulfill** all obligations required by the City Code, permits, approved plans or agreements.
2. The draft in the sum of \$ \_\_\_\_\_ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # \_\_\_\_\_], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning



EXHIBITB  
TO LETTER OF CREDIT  
FORM OF CERTIFICATE FOR "B" DRAWING

\_\_\_\_\_

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: Your Letter of Credit No. 2354 in Favor of City of Chesterfield, Missouri

To Whom It May Concern:

The undersigned, a duly authorized official of City of Chesterfield, Missouri (the "Beneficiary"), hereby certifies to Midwest BankCentre (the "Bank"), with reference to Irrevocable Letter of Credit No. 2354 (the "Letter of Credit"; any capitalized terms used herein and not defined shall have their respective meanings as set forth in the said Letter of Credit) issued by the Bank in favor of the Beneficiary, that:

1. Funds in the amount of the accompanying draft are now due for deposit in a special transit account for the payment per Work completion.
2. The draft in the sum of \$ \_\_\_\_\_ accompanying this Certificate is not in excess of the Maximum Available Credit under the Letter of Credit and shall result in a reduction of the Maximum Available Credit under the Letter of Credit.

Transfer the funds as stated above to the credit of the City of Chesterfield, Missouri to

[INSERT BANK Account # \_\_\_\_\_ ], Attention: Director of Finance.

IN WITNESS WHEREOF, the Beneficiary has executed and delivered this certificate this  
\_\_ day of \_\_\_\_\_, 20\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning

EXHIBIT C  
TO LETTER OF CREDIT  
FORM OF NOTICE OF EXPIRATION

\_\_\_\_\_

City of Chesterfield  
690 Chesterfield Parkway W  
Chesterfield, Missouri 63017

Attention: Director of Planning

Re: Our Letter of Credit No. 2354 in Favor of City of Chesterfield, Missouri

Amount: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

To Whom It May Concern:

Please consider this letter as the Bank's notification that the Bank does not intend to renew the above-reference letter of credit and, therefore, it will expire in full and finally on the above-mentioned date. All remaining amounts under the Letter of Credit shall be transferred to the City of Chesterfield per the terms of the Letter.

Very truly yours,

Midwest BankCentre

By: \_\_\_\_\_  
Authorized Officer

cc: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



EXHIBITD  
TO LETTER OF CREDIT  
FORM OF REDUCTION CERTIFICATE

City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017

\_\_\_\_\_

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: LETTER OF CREDIT NUMBER: 2354  
IN ORIGINAL AMOUNT OF: \$ 137,897.21

To Whom It May Concern:

This certificate authorizes reduction in the amount of \$ \_\_\_\_\_ of the above letter of credit.  
The remaining maximum available credit for this letter of credit is \$ \_\_\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning

cc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBITE

TO LETTER OF CREDIT

FORM FOR FULL REDUCTION / RELEASE OF LETTER OF CREDIT

\_\_\_\_\_

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: LETTER OF CREDIT NUMBER: 2354  
IN ORIGINAL AMOUNT OF: \$137,897.21

FINAL REDUCTION

To Whom It May Concern:

The City of Chesterfield hereby authorizes the final reduction of the letter of credit established for Spirit Valley Development LLC. The letter of credit referenced above is hereby being surrendered.

Should you desire additional information, please contact \* \_\_\_\_\_ \*

By: \_\_\_\_\_  
Director of Planning

Enclosures: Letter of Credit

cc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



EXHIBIT F  
TO LETTER OF CREDIT  
FORM FOR FULL TRANSFER OF LETTER OF CREDIT

\_\_\_\_\_

Midwest BankCentre  
2191 Lemay Ferry Rd.  
St. Louis, MO 63125

Attention: Loan Operations

Re: Your Letter of Credit ("Letter of Credit") No. 2354 in favor of City of  
Chesterfield, Missouri

To Whom It May Concern:

The undersigned, City of Chesterfield, Missouri ("Transferor") has transferred and assigned (and hereby confirms said transfer and assignment) all of its rights in and under the Letter of Credit to [\_\_\_\_\_] ("Transferee"). Transferor confirms that it no longer has any rights under or interest in the Letter of Credit and that you shall have no further responsibility to make payment under the Letter of Credit to Transferor.

Transferor hereby surrenders the Letter of Credit subject to the transfer to you and requests that you note the transfer of the Letter of Credit and deliver the Letter of Credit, amended or endorsed to reflect said transfer, to Transferee.

CITY OF CHESTERFIELD, MISSOURI \_\_\_\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_  
Director of Planning

Enclosures: Letter of Credit, if applicable

cc \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

EXHIBITG  
TO LETTER OF CREDIT  
SIGHT DRAFT

\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Attention:

Re: Your Letter of Credit ("Letter of Credit") No. \_\_\_\_\_ in favor of City of  
Chesterfield, Missouri

To Whom It May Concern:

Pay on demand to \_\_\_\_\_ the sum of U.S.\$ \_\_\_\_\_. This  
draft is drawn under your Irrevocable Letter of Credit No. \_\_\_\_\_

CITY OF CHESTERFIELD, MISSOURI

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

-or-

\_\_\_\_\_  
*[Insert Lender's name]*

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



# SPRIT VALLEY BUSINESS PARK PLAT TWO

A TRACT OF LAND BEING PART OF LOT 3 OF AMELIA BOISSELIER ESTATE, PER PLAT BOOK 16, PAGE 27, LOCATED IN U.S. SURVEYS 1937 AND 133, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

## OWNER'S CERTIFICATION

We, the undersigned, owners of the tract of land herein platted and further described in the foregoing surveyor's certificate have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereafter be known as: "SPRIT VALLEY BUSINESS PARK PLAT TWO"

Spirit Valley West Drive, 40' wide, with all roundings located at the street intersections, which for better identification are shown cross hatched on this plat, are hereby dedicated to the City of Chesterfield for public use.

The area shown hatched on this plat is hereby established as a 30 feet wide non-exclusive CROSS ACCESS EASEMENT for use by any present and future owners of Lots 3, 4 and 5 of Spirit Valley Business Park Plat Two 2, their successors and/or assigns, their tenants, sub-tenants, lessees, and their respective officers, employees, agents, representatives, and invitees for ingress and egress by pedestrians, automobiles, passenger vehicles, and trucks. The present and future owners of Lots 3, 4 and 5 agree not to obstruct the foregoing easement area in any way that would prohibit its use by any of such present or future owners.

The Owner of Lot 3 shall construct the drive and roadway which comprises such easement and shall repair, maintain and replace such easement in good order, condition and repair. When Lots 4 and 5 Owners elect to utilize the easement granted hereunder, Lots 4 and 5 Owners shall each reimburse the Lot 3 Owner one-half of Lot 3 Owners reasonable cost and expenses incurred from time to time related to the construction, repair, maintenance and replacement of said easement. Such costs shall be due and payable by Lots 4 and 5 Owners to Lot 3 Owner within 30 days of receipt by Lots 4 and 5 Owners of invoices setting forth such costs.

The area shown as Common Ground & Utility Easement on this plat, is hereby dedicated to the Trustees of Spirit Valley Business Park Plat Two and shall be maintained by said Trustees pursuant to that certain Declaration of Indentures, Conditions and Restrictions as recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the records of the St. Louis County, Missouri Recorder of Deeds, and to the City of Chesterfield, Missouri, Missouri-American Water Company, Spire Gas Company, AmeronUE, AT&T Missouri, Metropolitan St. Louis Sewer District, Charter Communications, their successors and assigns as their interests may appear for the purpose of improving, constructing, maintaining and repairing public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair or replacement of said utilities, sewers and drainage facilities.

The Utility Easements as shown on this plat are hereby dedicated to the Missouri-American Water Company, Spire Gas Company, AmeronUE, AT&T Missouri, Metropolitan St. Louis Sewer District, Charter Communications, their successors and assigns as their interests may appear for the purpose of improving, constructing, maintaining and repairing public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair or replacement of said utilities, sewers and drainage facilities.

All easements that overlay the Chesterfield Valley Storm Water Easements shall be subordinate to the Chesterfield Valley Storm Water Easements.

The owners hereby give, grant, extend, and confer on the Monarch Chesterfield Levee District the right to build and/or maintain stormwater improvements on those strip or strips of ground described as Utility and Drainage Easements shown hereon and to use such additional space adjacent to the easement(s) so granted as may be required for working room during the construction, reconstruction, maintenance, or repair of the aforementioned stormwater improvements. The Levee District may from time to time enter upon said premises to construct, reconstruct, replace, maintain, or repair the aforesaid stormwater improvements, and may assign its rights herein to the State, County, City, or other political subdivisions of the State. The easement hereby granted are irrevocable and shall continue forever.

The property owners shall be responsible for maintaining the dry/wet basins, channels, drainage facilities and sewer lines in good working order and in good repair as appropriate to ensure proper conveyance of storm water. In the event that the property owner(s) or its successors in title to said property shall fail to adequately maintain the basins, reservoirs, channels, drainage facilities and sewer lines in accordance with the approved Chesterfield Valley Storm Water Master Plan, the Monarch Chesterfield Levee District their successors and assigns shall be permitted to enter onto the property and make the repairs and corrections and perform such maintenance as it deems necessary and bill the property owners of said property for the services performed. It is further agreed that in the event that said bill or charge for services performed shall not be paid within a period of thirty (30) days said sum shall become a lien on the real property and shall accrue interest at a rate of eight percent (8%) until paid in full.

All taxes which are due and payable against this property have been paid in full.

This subdivision is subject to the Indenture of Covenants, Conditions and Restrictions by instrument recorded in Book \_\_\_\_\_ Page \_\_\_\_\_

Two (2) permanent monuments for each block created, and semi-permanent monuments at all lot corners will be set within twelve (12) months after the recording of this subdivision plat, in accordance with 20 CSR 2030-16 of the Department of Insurance, Financial Institutions and Professional Registration. In addition, other survey monuments indicated on this subdivision plat, required by the Subdivision Ordinance of the City of Chesterfield, Missouri, will be set.

IN WITNESS THEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

SPRIT VALLEY DEVELOPMENT, L.L.C.,

Steel Ventures LLC  
a Kansas limited liability company

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

Print Title: \_\_\_\_\_

STATE OF MISSOURI )  
                                  ) SS.  
COUNTY OF ST. LOUIS )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me appeared \_\_\_\_\_ of \_\_\_\_\_ of SPIRIT VALLEY DEVELOPMENT, L.L.C., a Missouri limited liability company and that the seal affixed to the foregoing instrument is the corporate seal of said limited liability company, and the said instrument was signed and sealed in behalf of said limited liability company, by authority of its Board of Directors; and said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My commission expires: \_\_\_\_\_

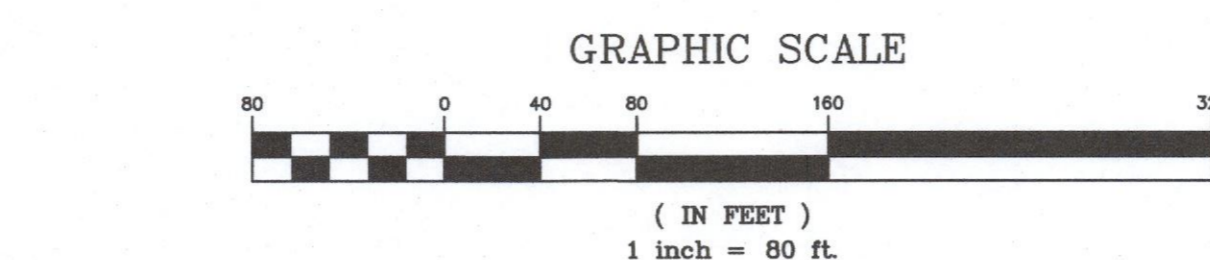
STATE OF \_\_\_\_\_ )  
                                  ) SS.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me appeared \_\_\_\_\_ of \_\_\_\_\_ of Steel Ventures LLC, a Kansas limited liability company and that the seal affixed to the foregoing instrument is the corporate seal of said limited liability company, and the said instrument was signed and sealed in behalf of said limited liability company, by authority of its Board of Directors; and said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My commission expires: \_\_\_\_\_



### ABBREVIATIONS

- DB - DEED BOOK
- FT - FEET
- FND - FOUND
- N/F - NOW OR FORMERLY
- PL - PLAT BOOK
- PC - PAGE
- R.L.B. - RADIAL BEARING
- SQ - SQUARE
- (86'W) - RIGHT-OF-WAY WIDTH
- (XXX) - ADDRESS

### LEGEND

- ⊕ - BENCH MARK
- ⊙ - FOUND IRON ROD
- ⊚ - FOUND IRON PIPE
- ⊗ - RIGHT OF WAY MARKER
- - SET IRON ROD



The undersigned Owner and Holder of Note, as secured by Deed of Trust recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the St. Louis County Records, does hereby join in and approve the foregoing Subdivision Plat as shown hereon.

IN WITNESS WHEREOF, we have hereunto set out hand and affixed our corporate seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Print Corporate Name \_\_\_\_\_  
By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Print Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
                                  ) SS.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me appeared \_\_\_\_\_ of \_\_\_\_\_ known to me to be the person who executed the within instrument in behalf of said \_\_\_\_\_ and acknowledged to me that \_\_\_\_\_ executed same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My commission expires: \_\_\_\_\_

The undersigned Owner and Holder of Note, as secured by Deed of Trust recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ of the St. Louis County Records, does hereby join in and approve the foregoing Subdivision Plat as shown hereon.

IN WITNESS WHEREOF, we have hereunto set out hand and affixed our corporate seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Print Corporate Name \_\_\_\_\_  
By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Print Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
                                  ) SS.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me appeared \_\_\_\_\_ of \_\_\_\_\_ known to me to be the person who executed the within instrument in behalf of said \_\_\_\_\_ and acknowledged to me that \_\_\_\_\_ executed same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public

My commission expires: \_\_\_\_\_

## GENERAL NOTES:

1) Subject property is Zoned P1-Planned Industrial Ordinance #2413

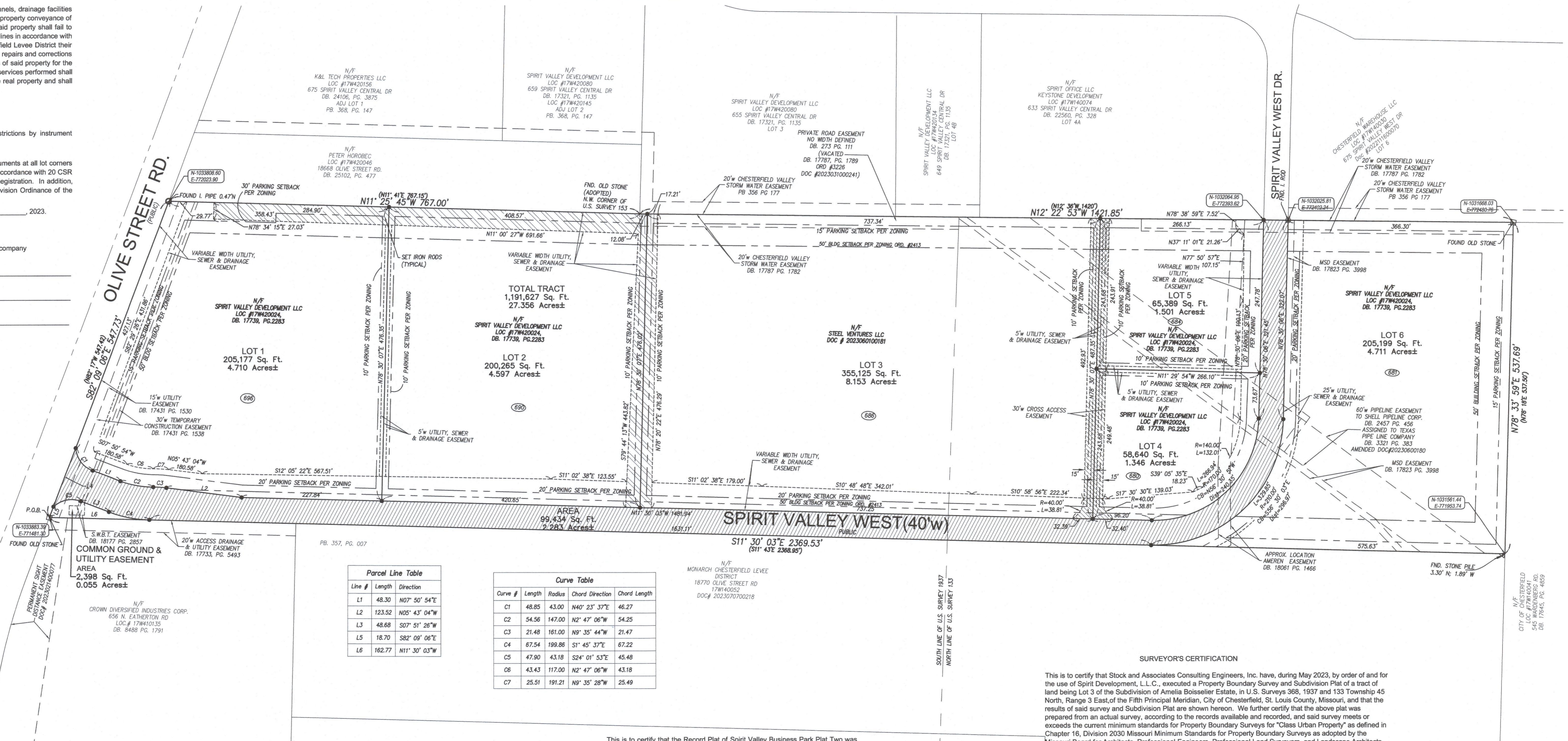
### STRUCTURE SETBACKS

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

### PARKING SETBACKS

- No parking stall or loading space will be located within the following setbacks:
- a. Thirty five (35) feet from the right-of-way Olive Street Road.
  - b. Ten (10) feet from the internal property lines, with the exception of shared driveways.
  - c. Twenty (20) feet from the principal internal street.
  - d. Fifteen (15) feet from the eastern and western property lines of this development.
  - e. The parking setback along the eastern property line contiguous to 18668 Olive Street Road for the first 175 feet from Olive Street Road shall be thirty (30) feet. The parking setback for the remainder of this property line shall be fifteen (15) feet.

2) Subject property lies within Flood Zone X (SHADED) areas of 0.2% annual chance flood; area of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood, according to the National Flood Insurance Rate Map Number 29189C0142K with and effective date of February 4, 2015.



Line #	Length	Direction
L1	48.30	N07° 50' 54"E
L2	123.52	N05° 43' 04"W
L3	49.68	S07° 51' 26"W
L4	18.70	S82° 09' 06"E
L5	162.77	N11° 30' 03"W

Curve #	Length	Radius	Chord Direction	Chord Length
C1	48.85	43.00	N40° 23' 37"E	46.27
C2	54.56	147.00	N2° 47' 06"W	54.25
C3	21.48	161.00	N9° 35' 44"W	21.47
C4	67.54	199.86	S1° 45' 37"E	67.22
C5	47.90	43.18	S24° 01' 53"E	45.48
C6	43.43	117.00	N2° 47' 06"W	43.18
C7	25.51	191.21	N9° 35' 28"W	25.49

PROPERTY DESCRIPTION  
Part of Lot 3 of the Subdivision of Amelia Boisselier Estate, in U.S. Surveys 368, 1937 and 133 Township 45 North, Range 3 East, and described as:

Beginning at an iron axis set at the intersection of the West line of said Lot 3 with the South line of Olive Street Road; thence along the West line of said Lot 3, South 11 degrees 30 minutes 03 seconds East, 2369.53 feet (South 11 degrees 43 minutes East, 2369.95) feet to an iron axis; thence North 78 degrees 33 minutes 59 seconds East, 537.69 feet (North 78 degrees 18 minute East, 537.50) feet to an old stone; thence North 12 degrees 22 minutes 53 seconds West, 1421.85 feet (North 12 degrees 36 minutes West, 1420) feet to an old stone; thence North 11 degrees 25 minutes 45 seconds West, 767.00 feet (North 11 degrees 41 minutes West, 767.15) feet to an old stone in the South line of Olive Street Road, and thence along the South line of Olive Street Road, (North 82 degrees 09 minutes 06 seconds West, 547.75 feet (North 82 degrees 17 minutes West, 547.42) feet to the beginning.

Metro: P 16-27 (South Part Lot 3)

This is to certify that the Record Plat of Spirit Valley Business Park Plat Two was approved by the City Council for the City of Chesterfield by Ordinance No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and thereby authorizes the recording of this Record Plat with the office of the St. Louis County Recorder of Deeds.

Bob Nation, Mayor

Vickie McGownd, City Clerk

## SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc. have, during May 2023, by order of and for the use of Spirit Development, L.L.C., executed a Property Boundary Survey and Subdivision Plat of a tract of land being Lot 3 of the Subdivision of Amelia Boisselier Estate, in U.S. Surveys 368, 1937 and 133 Township 45 North, Range 3 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and that the results of said survey and Subdivision Plat are shown hereon. We further certify that the above plat was prepared from an actual survey, according to the records available and recorded, and said survey meets or exceeds the current minimum standards for Property Boundary Surveys for "Class Urban Property" as defined in Chapter 16, Division 2030 Missouri Minimum Standards for Property Boundary Surveys as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

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

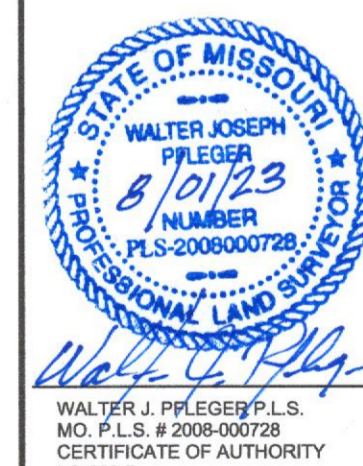
By: Walter J. Pfeiffer, Missouri P.L.S. No. 2008000728

PREPARED FOR:  
NAI DESCO  
8112 Maryland Ave Suite 300,  
Clayton, MO 63105

Keystone Development Company  
633 Spirit Valley Central Drive,  
Chesterfield, MO 63005

257 Chesterfield Business Parkway  
St. Louis, MO 63103  
TEL: 314.910.1430 FAX: 314.910.1430  
E-MAIL: general@stockandassociates.com  
Web: www.stockandassociates.com

RECORD PLAT  
18730 OLIVE STREET RD  
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



REVISIONS:  
1 5/26/23 - Cross Access Maintenance script added  
2 6/01/23 - Revised per City comments.  
1 7/11/23 - Revised per City comments.

DRAWN BY: J.K.  
CHECKED BY: W.J.P.  
DATE: 5/11/23  
JOB NO: 206-4086-2  
M.S.D. P. # 17  
S.M.S.D. # 0198  
S.L.C. HAT # HAT S.L.P. #  
M.D.R. # 201-9838

SHEET TITLE:  
RECORD PLAT  
SHEET NO.:  
1 OF 1