



AGENDA

CHESTERFIELD CITY COUNCIL MEETING

**Chesterfield City Hall
690 Chesterfield Parkway West
Wednesday, September 5, 2007
7:00 PM**

- I. CALL TO ORDER** – Mayor John Nations
- II. PLEDGE OF ALLEGIANCE** – Mayor John Nations
- III. MOMENT OF SILENT PRAYER** – Mayor John Nations
- IV. ROLL CALL** – City Clerk Judy Naggiar
- V. APPROVAL OF MINUTES** – August 20, 2007
- VI. INTRODUCTORY REMARKS** – Mayor John Nations
 - A. Monday, September 17 - Next City Council Meeting**
 - B.**
- VII. PUBLIC HEARINGS** – Mayor John Nations
- VIII. COMMUNICATIONS AND PETITIONS** – Mayor John Nations
 - A. Beautification Committee Awards**
- IX. APPOINTMENTS** – Mayor John Nations
 - A. Public Works Citizens Advisory Group**

X. COUNCIL COMMITTEE REPORTS

A. Planning and Zoning Committee – Chairperson Connie Fults, Ward IV

1. **Recommended Approval** - Site Development Section Plan - Saturn of West County
2. **Bill No. 2428** - Approves Boundary Adjustment Plat - Spirit 40 Park, Lots 8 and 9 (**FIRST AND SECOND READINGS**)
3. **Bill No. 2559** - P.Z. 02-2007 - The Estates at Upper Kehrs Mill (Miceli Construction) (**SECOND READING - GREEN SHEET AMENDMENT**)
4. **Bill No. 2567** - P.Z. 21-2007, River Crossing (Lamborghini of St. Louis) (**SECOND READING**)
5. **Bill No. 2568** - P.Z. 26-2007, Wildhorse Ridge (c/o Thomas Fleming) (**SECOND READING**)
6. **Bill No. 2570** - Recycling Ordinance for New Developments (**SECOND READING**)
7. **Bill No. 2571** - P.Z. 36-2007, City of Chesterfield (Planned Commercial and Residential Mixed-Use District (PC&R)) (**SECOND READING**)
8. **Next Meeting** – Thursday, September 6, 2007 (5:30pm)

XI. REPORT OF THE CITY ADMINISTRATOR – Michael G. Herring

- A. **Proposed Amendment** - Design Contract - Stormwater Pump Station
- B. **Bid Results** - CDBG Handicapped Access Ramps
- C. **Bid Results** - Bleacher Cover Installation (CVAC)
- D.

XII. NEW BUSINESS

- A.

XIII. LEGISLATION

- A.

XIV. LEGISLATION - PLANNING COMMISSION

- A. [BILL NO. 2559](#) AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E” ONE-ACRE DISTRICT FOR A 10.2-ACRE TRACT OF LAND LOCATED ON THE EASTERN SIDE OF KEHRS MILL ROAD, 4,100 FEET SOUTH OF ITS INTERSECTION WITH WILD HORSE CREEK ROAD (P.Z. 02-2007 THE ESTATES AT UPPER KEHRS MILL/MICELI CONSTRUCTION) **(SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL) (P&Z COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ATTACHED "GREEN SHEET")**
- B. [BILL NO. 2567](#) REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 1871 TO ALLOW FOR A CHANGE TO THE PARKING AND STRUCTURE SETBACKS, AN INCREASE IN THE NUMBER OF BUILDINGS AND LOTS FOR A 15.8 ACRE TRACT OF LAND IN A “PC” PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF CHESTERFIELD AIRPORT ROAD, ACROSS FROM PUBLIC WORKS DRIVE {P.Z. 21-2007 RIVER CROSSINGS DEVELOPMENT (LAMBORGHINI OF ST. LOUIS)} **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**
- C. [BILL NO. 2568](#) AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “LLR” LARGE LOT RESIDENTIAL DISTRICT FOR 36.08 ACRES LOCATED SOUTH OF BENTLEY PLACE SUBDIVISION, EAST OF COUNTRY PLACE SUBDIVISION AND WEST OF CHESTERFIELD ESTATES [P.Z. 26-2007 WILDHORSE RIDGE (C/O THOMAS FLEMING)] **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**
- D. [BILL NO. 2570](#) REQUIRES THE PLACEMENT OF A RECYCLING AREA IN ALL NEW PLANNED COMMERCIAL AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**
- E. [BILL NO. 2571](#) ESTABLISHES A NEW ZONING DISTRICT, “PLANNED COMMERCIAL AND RESIDENTIAL, (PC&R) SAID NEW SECTION PROVIDES GENERAL AND SPECIFIC DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN A SPECIFIC SECTION OF THE CITY’S URBAN CORE. **(SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL) (P&Z COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

(Continued to next page)

F. BILL NO. 2428

APPROVES A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING PART OF LOTS 8 AND 9 OF SPIRIT 40 PARK SUBDIVISION IN U.S. SURVEY 122, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI (FIRST AND SECOND READINGS; DEPT. OF PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)

XV. 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 actions, 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; bidding specification (RSMo 610.021(11) 1994; and/or proprietary technological materials (RSMo 610.021(15) 1994.

BILL NO. 2559

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E” ONE-ACRE DISTRICT FOR A 10.2-ACRE TRACT OF LAND LOCATED ON THE EASTERN SIDE OF KEHRS MILL ROAD, 4,100 FEET SOUTH OF ITS INTERSECTION WITH WILD HORSE CREEK ROAD (P.Z. 02-2007 THE ESTATES AT UPPER KEHRS MILL/MICELI CONSTRUCTION)

WHEREAS, the petitioner, Miceli Construction, has requested a change in zoning from “NU” Non-Urban District to “E” One Acre District for a 10.2 acre tract of land located on the east side of Kehrs Mill Road, 4,100 feet south of its intersection with Wild Horse Creek Road.; and,

WHEREAS, the Planning Commission held a public hearing on March 12, 2007 to consider the matter; and,

WHEREAS, P.Z. 02-2007 was considered by the Planning Commission and recommended for approval by a vote of 7-1; and,

WHEREAS, a protest petition was heard at the June 21, 2007 meeting of the Planning and Zoning Committee; and,

WHEREAS, the Planning and Zoning Committee, upon consideration of the request for “E” One Acre District zoning, recommended approval of P.Z. 02-2007 Estates at Upper Kehrs Mill by a vote of 3-1 with amendments to the Attachment A relative to drainage and landscaping; and,

WHEREAS, The City Council, having considered the petition and proposed changes, approved P.Z. 02-2007 The Estates at Upper Kehrs Mill.

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 a part thereof, are hereby amended by transferring from an “NU” Non-Urban District to a “E” One Acre District for a 10.2 acre tract of land located on the east side of Kehrs Mill Road, 4,100 feet south of its intersection with Wild Horse Creek Road. A description of the subject site is as follows:

PROPERTY DESCRIPTIONS

Legal Description

A tract of land being Lots 1 and 2 of “Upper Kehrs Mill”, a subdivision according to the plat thereof recorded in Plat Book 254, Page 6 of the St. Louis County Records and part

of vacated Kehrs Mill Road and part of the Excess Acquisition parcel acquired by St. Louis County, Missouri as described in the Deed recorded in Book 11229, Pages 591 through 594 of the St. Louis County Records in U.S. Survey 886 and Fractional Section 18, Township 45 North – Range 4 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the most western corner of said Lot 2 of “Upper Kehrs Mill”; thence Eastwardly along the North lines of said Lot 2 the following courses and distances: South 79 degrees 10 minutes 51 seconds East 137.34 feet, North 59 degrees 27 minutes 33 seconds East 150.65 feet, North 81 degrees 16 minutes 07 seconds East 121.16 feet, South 62 degrees 40 minutes 45 seconds East 114.75 feet and North 85 degrees 17 minutes 24 seconds East 120.68 feet to the Northwest corner of said Lot 1 of “Upper Kehrs Mill”; thence along the boundary lines of said Lot 1 the following courses and distances: South 58 degrees 08 minutes 40 seconds East 328.25 feet, South 76 degrees 29 minutes 43 seconds East 86.49 feet, South 88 degrees 50 minutes 07 seconds East 120.97 feet, and South 01 degrees 05 minutes 16 minutes West 362.15 feet to the Southeast corner of said Lot 2 of “Upper Kehrs Mill”; thence Westwardly along the South line of said Lot2 and its prolongation Westwardly South 70 degrees 08 minutes 00 seconds West 508.51 feet to the Northeast Right-of-way line of Kehrs Mill Road, 60 feet wide as established by aforesaid Excess Acquisition parcel deed to St. Louis County, Missouri; thence Northwestwardly along said Northeast Right-of-way line of Kehrs Mill Road, 60 feet wide, the following courses and distances: North 20 degrees 11 minutes 03 seconds West 48.67 feet, along a curve to the left whose radius point bears South 69 degrees 48 minutes 57 seconds West 605.00 feet from the last mentioned point, a distance of 272.03 feet, North 45 degrees 56 minutes 47 seconds West 589.89 feet and along a curve to the right whose radius point bears North 44 degrees 03 minutes 13 seconds East 545.00 feet from the last mentioned point, a distance of 28.36 feet to a point; thence North 47 degrees 02 minutes 07 seconds East 3.28 to the point of beginning and containing 10.270 acres according to calculations based on record information by Volz Incorporated on November 20, 2006.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council.

Section 3. The City Council, pursuant to the petition filed by Miceli Construction in P.Z. 02-2007 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 public hearings, held by the Planning Commission on the 12th day of March 2007, 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 warnings and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

ATTACHMENT A

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

Comprehensive Plan Policies

- 2.1 Quality Residential Development**
- 2.1.1 Conservation of Existing Quality of Life**
- 2.1.4 Compatible In-Fill Residential Construction**
- 2.1.5 Provide Buffer for Existing Residential Development -**
- 2.1.6 Reinforce Existing Residential Development Pattern -**
- 2.1.11 Restrict Access of Individual Homes on Arterial Streets -**

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "E-One Acre" District shall be:
 - a. Single family detached residences.
2. The above uses in the "E-One Acre District shall be restricted as follows:
 - a. Development within this District shall maintain a density of one (1) acre).
 - b. The minimum lot size shall be no less than 22,000 square feet.

B. HEIGHT

The maximum height of the detached single family homes shall be fifty (50) feet.

C. SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than a freestanding subdivision monument sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

- a. Eighty (80) feet from the right of way of Kehrs Mill Road.
- b. Twenty-five feet from the all other perimeter boundaries..

2. LOT CRITERIA

In addition to the above-referenced requirements, no building or structures other than boundary and retaining walls, light standards, flag poles or fences, the following lot criteria shall apply:

- a. Front yard: Twenty-five (25) feet from the internal road.
- b. Side yard: Twenty (20) feet from the side property line.
 - i. This side yard setback may be reduced up to five feet if the side yard setback on the adjacent property
 - ii. A minimum of forty (40) feet must be maintained between structures.
- c. Rear yard setback: Twenty-five (25) feet from the rear property line. .

D. PARKING AND LOADING REQUIREMENTS

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

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. A minimum of 40% of the tree mass shall be maintained.
3. A twenty five foot undisturbed buffer is to be retained adjacent to the north and east outboundary with the following bearings: Starting at the east limits of the 30 foot landscaped buffer parallel to Kehrs Mill right of way and extending north eastwardly along the line bearing S 70 degrees 08 minutes 00 seconds W, thence S 01 degrees 05 minutes 16 seconds W, thence S 88 degrees 50 minutes 07 seconds E, thence S 76 degrees 29 minutes 43 seconds E, thence S 58 degree 08 minutes 40 seconds E, thence N 85 degrees 17 minutes 24 seconds E. One perpendicular penetration will be permitted within said undisturbed buffer, not to exceed 25 feet in width, to allow for utility connections.
4. The location of trees to be preserved shall be shown and approved on the record plat for the subject development. In addition, tree preservation information shall be provided on plats provided to owners upon sale of individual lots.

F. SIGN REQUIREMENTS

2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations prior to installation or construction.
3. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

G. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

1. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.

I. ACCESS/ACCESS MANAGEMENT

1. Access to Kehrs Mill Road shall be limited to one street approach. The street approach shall be as close to the north property line as practical and adequate sight distance shall be provided, as directed by the Department of Public Works and St. Louis County Department of Highways and Traffic.
2. If required sight distance cannot be provided at the access locations, acquisition of right-of-way, reconstruction of pavement including correction to the vertical alignment and other off-site improvements may be required to provide adequate sight distance as directed by the Saint Louis County Department of Highways and Traffic

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Improve Kehrs Mill to one half of a sixty (60) foot right-of-way and a thirty nine (39) foot pavement including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.
2. Provide a sidewalk conforming to Saint Louis County ADA standards adjacent to Kehrs Mill Road , as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.
3. 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 Highways and Traffic. No gate installation will be permitted on public right of way.
4. If a gate is installed on a street in this development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.
5. All roadway and related improvements in each plat or phase of the development shall be constructed prior to 60% occupancy of that plat or phase.

K. TRAFFIC STUDY (if applicable)

1. Provide a traffic study as directed by the City of Chesterfield and/or the St. Louis County Highways and Traffic. 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 and/or St. Louis County Highways and Traffic for the proposed entrance onto Kehrs Mill Road. If adequate sight distance cannot be provided at the access location, acquisition of right of way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

L. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than 24 hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

M. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Detention/retention and other storm water quantity and quality management measures are to be provided in each watershed as required by the City of Chesterfield. The storm water quantity management facilities, related to flood and channel protection, shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty (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.
3. Detention may be required for the entire project such that the release rates will not exceed the allowable release rates for the post developed peak flow of the 2-year and 100-year, 24 hour

storm event. Stormwater must be discharged at an adequate discharge point. Wetland mitigation will not be allowable within the detention basin area

4. Lake(s), ponds(s), detention area(s), etc., are located downstream from the proposed development which may, in the opinion of the Chesterfield, be impacted by development of the subject site. A bond, in a form acceptable to the City of Chesterfield, shall be posted to assure compliance with this section. The developer shall perform preconstruction and post-construction surveys of these facilities and determine any changed condition. Preconstruction surveys shall be performed prior to any clearing, grading, demolition or other construction related to the proposed development. Post-construction surveys shall be performed within twelve (12) months of the completion of the proposed development or two (2) years from the start of the development, whichever is greater. The developer shall return affected facilities to their preconstruction condition within 3 months of the post-construction survey. If the owner/operator of potentially impacted facilities will not grant the developer the necessary easements to complete the surveys and/or restorative work, the requirements in this paragraph are null and void. The required bond and preconstruction survey of downstream facilities shall be submitted prior to approval of a grading permit or improvement plans.
5. The detention basin for the subject site will be constructed and designed in such a way to prevent retention of water/materials which may attract vectors and create other nuisances.

N. SANITARY SEWER

1. Treatment for water quality and channel protection, in accordance with MSD regulations dated February 2006, may be required..
2. This project is in the Caulks Creek Surcharge area and is subject to a surcharge of \$2,750 per acre.

O. GEOTECHNICAL REPORT.

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 Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of

compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and improvement plans

P. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. The developer is advised that utility companies will require compensation for relocation of their facilities with 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.
3. Prior to Special Use Permit issuance by the Saint Louis County Department of Highways and Traffic, a special cash escrow or a special escrow supported by an Irrevocable Letter of Credit, must be established with the Saint Louis County Department of Highways and Traffic to guarantee completion of the required roadway improvements.
4. As this development is not subject to traffic generation assessment, the roadway improvements required herein represent the developer's road improvement obligation. These improvements will not exceed an amount established by multiplying the ordinance-required parking spaces by the following applicable rates:

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

1. The developer shall submit a concept plan within 18 months of City Council approval of the change of zoning.
2. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within 18 months of the date of approval of the change of zoning by the City.
3. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
4. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this

project to the Planning Commission shall be permitted if this option is utilized.

5. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. Site Development Concept Plan, Site Development Section Plan, Site Development Plans.

1. Any site development plan shall show all information required on a sketch plan as required in the City of Chesterfield Code.
2. Include a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
3. Include a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.
4. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, and the St. Louis County Department of Highways and Traffic.

V. RECORDING

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

VI. ENFORCEMENT

- A. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development 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.

Proposed change to Attachment A for P.Z. 02-2007 Estates at Upper Kehrs Mill:

Amend Section M, page 6 of the Attachment A by adding the following language:

- 6. Post construction sheet runoff leaving the site is to be less than the pre-existing sheet flow; and water from disturbed areas shall be managed so as to reduce the sheet flow from the site.**

BILL NO. 2567

ORDINANCE NO. _____

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE NUMBER 1871 TO ALLOW FOR A CHANGE TO THE PARKING AND STRUCTURE SETBACKS, AND INCREASE IN THE NUMBER OF BUILDINGS AND LOTS FOR A 15.8 ACRE TRACT OF LAND IN A “PC” PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF CHESTERFIELD AIRPORT ROAD, ACROSS FROM PUBLIC WORKS DRIVE {P.Z. 21-2007 River Crossings Development (Lamborghini of St. Louis)}

WHEREAS, the petitioner, Bentley Holdings, LLC, has requested an ordinance amendment to allow for an increase to the number of buildings and lots, and a change in the parking and structure setbacks for this 15.8 acre tract of land located north of North Chesterfield Airport Road and across from Public Works Drive; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of the ordinance amendment request; and,

WHEREAS, the City Council upon review of said request, recommended approval.

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 Ordinance Number 1871 is hereby repealed and those conditions therein are incorporated into the Attachment A, which is attached hereto and made a part hereof for River Crossings Development.

Legal Description

A tract of land being all of River Crossings and River Crossings Tract E as recorded in Plat Book 350 page 205 and plat book 350 page 746 of the St. Louis County Recorder's Office.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in the Attachment “A”, which is attached hereto and made a part hereof.

Section 3. The City Council, pursuant to the request filed by Bentley Holdings, LLC, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted, 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 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 8/20/07

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PC" Planned Commercial District shall be:
 - a. Barber shops and beauty parlors.
 - b. Bookstores.
 - c. Dry cleaning drop-off and pick-up stations.
 - d. Financial institutions.
 - e. Hotels and motels.
 - f. Medical and dental offices.
 - g. Offices or office buildings.
 - h. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters (excluding golf courses, golf practice driving ranges, and drive-in theaters).
 - i. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
 - j. Restaurants, fast food (frontage on Interstate 64/40 shall not be allowed).
 - k. Restaurants, sit down.
 - l. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs. All vehicles used by business, industry, and agriculture.
 - m. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
 - n. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
 - o. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind,

including indoor sale of motor vehicles are being offered for sale or hire to the general public on the premises.

2. Ancillary Uses:

- a. Cafeterias for employees and guest only.
- b. Child care centers, nursery schools, and day nurseries.
- c. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- d. Vehicle repair facilities for automobiles.
- e. Vehicle service centers for automobiles.
- f. Vehicle washing facilities for automobiles.

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 three (3) stories or forty five (45) feet, whichever is less.

2. BUILDING REQUIREMENTS

- a. A minimum of thirty one percent (31%) openspace, excluding stormwater areas. This percentage shall be an average of the entire development.
- b. A maximum of eight (8) buildings shall be permitted on this development.
- c. The maximum square footage of this development shall not exceed a total of 175,000 square feet.

C. SETBACKS

1. STRUCTURE SETBACKS

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

a. Lot 1:

- (1.) One hundred (100) feet from Chesterfield Airport Road right-of-way.
- (2.) One hundred fifty (150) feet from the western boundary of this district.
- (3.) Seventy (70) feet from the main entrance into the development.
- (4.) Sixty (60) feet from the proposed interior road to the north, as proposed on the Preliminary Plan

b. Lot 2:

- (1.) One hundred (100) feet from Chesterfield Airport Road right-of-way.
- (2.) One hundred (100) feet from the building on Lot 1.
- (3.) Fifty (50) feet from the building on Lot 3.
- (4.) Sixty (60) feet from the proposed interior road to the north, as proposed on the Preliminary plan.

c. Lot 3:

- (1.) One hundred (100) feet from Chesterfield Airport Road right-of-way.
- (2.) Sixty (60) feet from the eastern boundary of this district.
- (3.) Sixty (60) feet from the proposed interior road to the north, as proposed on the preliminary plan.

d. Lot 4:

- (1.) One hundred twenty (120) feet from the western boundary of this district.
- (2.) Sixty (60) feet from the southern interior road, as proposed on the Preliminary Plan.
- (3.) Sixty (60) feet from the proposed interior road to the north, as proposed on the preliminary plan.

e. Lot 5:

- (1.) Eighty (80) feet from the eastern boundary of this district.
- (2.) Sixty (60) feet from the southern interior road, as proposed on the Preliminary Plan.
- (3.) Sixty (60) feet from the northern interior road to the north, as proposed on the preliminary plan.
- (4.) One hundred (100) feet from the building on Lot 4.

f. Lot 6:

- (1.) Sixty (60) feet from Interstate 64/40 right-of-way.
- (2.) Thirty (30) feet from the western boundary of this district.
- (3.) Forty (40) feet from the proposed interior road to the south, as proposed on the Preliminary Plan.

g. Lot 7:

- (1.) Sixty (60) feet from Interstate 64/40 right-of-way.
- (2.) Thirty (30) feet from the interior road to the south as proposed on the Preliminary Plan.
- (3.) Sixty (60) feet from the building on Lot 6.

h. Lot 8:

- (1.) Sixty (60) feet from Interstate 64/40 right-of-way.
- (2.) Seventy (70) feet from the eastern boundary of this district.
- (3.) Thirty (30) feet from the interior road to the south.

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. Fifty (50) feet from the Chesterfield Airport Road right-of-way.
- b. Fifty (50) feet from Interstate 64/40 right-of-way.
- c. Twenty (20) feet from the western and eastern boundaries of this district.
- d. Fifteen (15) feet from internal drives within the site.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. Parking space dimensions may be reduced to a seventeen (17) foot length as approved by the Planning Commission and City Council and with the following considerations (as prescribed by the Architectural Review Board on May 17, 2001):
 - a. Adequate room is available for the reduction.
 - b. The reduction does not count in the greenspace calculations.
 - c. The design of the space shall be constructed so that landscaping is not harmed by car overhangs.
- 3. Construction Parking
 - a. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.
 - b. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
 - c. No construction related parking shall be permitted within the Chesterfield Airport Road right-of-way.
- 4. Parking lots shall not be used as streets.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
2. A thirty (30) foot landscape strip shall be provided along Highway 40/61 from the western district line to the west side of Lot 8. To achieve this dense landscaping the following combination of plant material shall be used:
 - a. Deciduous Trees
 - b. Evergreen Trees
 - c. Bushes and shrubs

The plant material shall comply with the following:

- a. Three (3) deciduous trees per 100 feet, at 2 ½ inch caliper.
- b. Six (6) evergreen trees per 100 feet, at six (6) foot in height.
- c. Eight (8) bushes and shrubs per 100 feet, at 18 inches in diameter.

F. SIGN REQUIREMENTS

1. Signage shall conform to the design guidelines provided by the Petitioner and attached hereto as Exhibit 2.
2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.
3. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Highways and Traffic, for sight distance considerations 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. Provide for the installation, maintenance, operation and all expenses related thereto for the street lighting along all public streets associated with this development, including Chesterfield Airport Road in perpetuity, as directed by the City of Chesterfield's Department of Public Works. The street lighting plan shall comply with Chesterfield Valley Master Street Lighting Plan.

H. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.
2. Building facades should be articulated by using color, arrangement or change in materials to emphasize the facade elements. The planes of the exterior walls may be varied in height, depth or direction. Extremely long facades shall be designed with sufficient building articulation and landscaping to avoid a monotonous or overpowering appearance.
3. Trash enclosures: The location, material, and elevation of any trash enclosures will be as approved by the Planning Commission on the Site Development Plan. All exterior trash areas will be enclosed with a six (6) foot high sight-proof enclosure complimented by adequate landscaping approved by the Planning Commission on the Site Development Plan. An opportunity for recycling will be provided.
4. Mechanical equipment will be adequately screened by roofing or other material as approved by the Planning Commission.
5. The architectural elevations shall reasonably conform to the elevations submitted with the Preliminary Plan and take into consideration recommendations provided by the Architectural Review Board (May 17, 2001).
6. A material and color palette for the development shall be submitted with the Site Development Concept Plan.
7. Architectural elevations shall conform to design guidelines attached hereto as Exhibit 1.

I. ACCESS/ACCESS MANAGEMENT

1. Access to Chesterfield Airport Road shall be limited to one entrance. The entrance shall generally align with Public Works Drive, which lies on the south side of Chesterfield Airport Road.
2. Lots along Chesterfield Airport Road shall be accessed via a secondary drive off the main entrance. The secondary drive shall be designed to current city standards, extend to the east property line of the development and be located approximately 300 feet from the Chesterfield Airport Road right-of-way, as directed by the City of

Chesterfield and the St. Louis County Department of Highways and Traffic.

No access to the main entrance shall be permitted between Chesterfield Airport Road and the secondary drive, and entrances along each side of the secondary drive shall generally align.

3. Cross access shall be provided to the properties to the east and west of the development. Cross access shall also be provided between lots within the development.
3. The centerline of the interior connector road that parallels Chesterfield Airport Road shall be approximately 300 feet from the Chesterfield Airport Road right-of-way or as directed by the City of Chesterfield and the St. Louis County Department of Highways and Traffic.
4. No entrances shall be allowed from proposed Lot 4 onto the entrance roadway from Chesterfield Airport Road.
5. All entrances onto the roadway that parallels Chesterfield Airport Road from the proposed lots shall align with each other.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Provide additional right-of-way and construct improvements to Chesterfield Airport Road as required by the Department of Public Works and the St. Louis County Department of Highways and Traffic.
2. Roadway and related improvements shall be constructed prior to 60% occupancy of the retail portion of the site.
3. Sidewalks shall be as proposed on the Preliminary Plan including sidewalks around the perimeter of the office and retail/restaurant structures and internal walkways connecting lots within the development.
4. The interior roadway that parallels Chesterfield Airport Road shall be designed to current City standards.
5. The developer shall provide any additional right-of-way and construct any improvements to Chesterfield Airport Road, as well as to the entrance to the proposed development from Chesterfield Airport Road, as required by the St. Louis County Department of Highways and Traffic and the City of Chesterfield's Department of Public Works.

K. TRAFFIC STUDY

1. Prior to Site Development Plan approval, provide a traffic study, including internal and external circulation, for review, and approval, by the City of Chesterfield Department of Public Works, and the St. Louis County Department of Highways and Traffic.

N. POWER OF REVIEW

The Mayor or a Councilmember of the Ward in which a development is proposed may request that the site plan be reviewed and approved by the entire City Council. This request must be made no later than 24 hours before posting the agenda for the next City Council meeting after Planning Commission review and approval of the site plan. The City Council will then take appropriate action relative to the proposal.

O. STORMWATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
2. Per the Chesterfield Valley Master Storm Water Plan, a 10 foot wide flat bottom ditch has been constructed along the north property line of this site, and a 15 foot ditch along the south. Chesterfield Valley Storm Water Easements have also been dedicated. Depict the channel and easements on all Site Development Plans and improvement plans. Maintenance of the required channel shall be the responsibility of the property owner.
3. All Chesterfield Valley Master Storm Water Plan improvements shall be operational prior to the paving of any driveways or parking areas.

Q. GEOTECHNICAL REPORT.

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 Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

R. MISCELLANEOUS

1. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
2. All loading docks are to be screened by sound attenuating material.
3. No retail, storage or displays are permitted outside the main building unless one side is attached to said building. Screening for the remaining three (3) sides shall be approved by the Planning Commission as part of the Site Development Plan.
4. Screening for outdoor storage shall be approved by the Planning Commission on the Site Development Plan and shall have the same sight proof materials as the approved color palette for the development.

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

- A. The developer shall submit a concept plan within 18 months of City Council approval of the change of zoning.
- B. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within 18 months of the date of approval of the change of zoning by the City.
- C. Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- D. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- E. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

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

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

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

- 1. All information required on a sketch plan as required in the City of Chesterfield Subdivision Ordinance.
- 2. Provide a conceptual landscape plan in accordance with the City of Chesterfield Code to indicate proposed landscaping along arterial and collector roadways.
- 3. Provide a lighting plan in accordance with the City of Chesterfield Code to indicate proposed lighting along arterial collector roadways.

B. SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

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

- 1. All information required on a preliminary plat as required in the City of Chesterfield Subdivision Ordinance.
- 2. Provide a landscape plan in accordance with the City of Chesterfield Code.
- 3. Provide a lighting plan in accordance with the City of Chesterfield Code.
- 4. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the St. Louis County Department of Highways and Traffic, Monarch Levee District, Spirit of St. Louis Airport and the Missouri Department of Transportation.

V. CHESTERFIELD VALLEY TRUST FUND

1. 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 in accordance with the Chesterfield Valley Road Improvement Plan on file with the St. Louis County Department of Highways and Traffic. The amount of the developer's contribution to this fund shall be computed on the basis of the following:

<u>Type of Development</u>	<u>Required Contribution</u>
Commercial	\$1.66/sq. ft. of building space
Office	\$1.66/sq. ft. of building space
Industrial	\$4,003.84/acre of gross acreage

If the types of development proposed differ from those listed, rates shall be provided by the St. Louis County Department of Highway and Traffic.

Credits for roadway improvements required in condition will be awarded as directed by the St. Louis County Highways and Traffic. Any portion of the roadway improvement contribution which remains, following completion of road improvements required by the development shall be retained in the trust fund.

The roadway improvement contribution shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

2. Water Main

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$528.50 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 contributions shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to approval of the Site Development Plan unless otherwise directed

by the St. Louis County Department of Highway and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

3. Stormwater

The stormwater 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 stormwater 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 stormwater contribution will be computed on the basis of \$1,667.77 per acre for the total area as approved on the Site Development Plan.

The stormwater contributions to the Trust Fund shall be deposited with the St. Louis County Department of Highways and Traffic. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by St. Louis County Department of Highways and Traffic. Funds shall be payable to the Treasurer, St. Louis County.

4. Sanitary Sewer

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

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

The amount of this required contribution for the roadway, stormwater and primary waterline improvements, if not submitted by January 1, 2001 shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Departments of Highway and Traffic.

Trust fund contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits.

VI. RECORDING

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

VII. OCCUPANCY PERMIT

Prior to the issuance of any occupancy permit, the existing storm water channels located on this site shall be regraded to restore the channel to the line and grade of the original design.

VIII. 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.

**River Crossings Development
Sign Criteria
SEPTEMBER, 2002**

Project Identification Sign

There shall be one (1) Project Identification Sign at the development entrance on Chesterfield Airport Road. The sign shall not exceed six (10) feet in height and 100 square-feet of graphic area per face. The graphic area shall incorporate tenant identification as required. This internally illuminated sign shall be designed to the development standard and consistent in materials, construction and design.

Highway 40 Monument

There shall be one (1) monument sign permitted along Highway 40. This sign shall not exceed 50 square-feet in outline area and six (6) feet in height.

Tenant Monuments

There shall be four (4) monument signs. Two (2) signs shall be located on Chesterfield Airport Road and two (2) signs shall be located on the southern interior drive. Each sign shall not exceed fifty (50) square-feet in outline area and six (6) feet in height.

Building Signage

Any tenant or sole building occupant shall be permitted one (1) wall sign on any two (2) exterior walls. The wall sign shall not exceed 5% of the wall area on which it is attached. No business sign shall exceed 300 sq. ft.

Directional Signs

Shall not exceed ten (10) sq. ft. per face and not more than six (6) feet above grade. They shall be designed to the development standard and consistent materials, construction and design.

Utility Signs

Pole mounted signs shall be used to identify restricted / handicapped parking, traffic flow, etc. These shall be designed to the development standard and consistent in materials, construction and design

Special Note

The total square-footage of all monument signs and the project identification sign shall not exceed 350 square-feet in outline area.



RIVER CROSSINGS DESIGN GUIDELINES



River Crossings is proposed as a mixed-use development including two office buildings, a 104-room Extended Stay America hotel, three retail/restaurant outparcels, and a Bentley/Rolls Royce car dealership. It is the intention of these Design Guidelines to promote the quality of the overall development to the benefit of Chesterfield and to protect the long-term interests of the individual parcel developers.

This can be accomplished by defining a broad set of Design Guidelines that promote consistency among all buildings while allowing the parcel developers an appropriate level of design autonomy.

Building Construction Guidelines

1. A minimum of seventy-five percent (75%) of the exterior walls of all buildings will be constructed of brick masonry units – the color of brick and all other exposed siding materials to be reviewed and approved in writing by the master developer prior to construction.
2. Visible roof areas will be covered with high quality shingles consistent with the color palette created by the master developer. Quality and color to be reviewed and approved by the master developer prior to construction.
3. All rooftop equipment will be screened from normal mid-range view lines by building parapets and/or roof screens constructed of metal and painted in a dark color to match general construction.

Site Improvement Guidelines

1. Service areas and trash enclosures will also be constructed of brick masonry units. Gates will be made of unpainted wood boards.
2. All sight lighting will be single or double-headed box fixtures with cut-off shades as required to reduce light spillage beyond the site boundaries. Poles will be 30-foot high black anodized aluminum. There will be a maximum of 8-foot candles, a minimum of ½ foot-candle, with an average of approximately 3-foot candles across the site.
3. All parking areas will have full concrete curbing.
4. Landscaping will be installed in general accordance with the overall landscape plan and maintained by the individual parcel owners.

Master Developer's Authority

Final construction documents (drawings and specifications) for buildings and site improvements on the individual parcels shall be reviewed and approved by the master developer prior to construction. The landlord shall have absolute discretion with regard to design, color, materials, and other elements of site and building design.

BILL NO. 2428

ORDINANCE NO. _____

AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING PART OF LOTS 8 AND 9 OF SPIRIT 40 PARK SUBDIVISION IN U.S. SURVEY 122, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI.

WHEREAS, Volz Engineering, on behalf of Nine West, L.L.C., has proposed a Boundary Adjustment Plat for the aforementioned tracts; and,

WHEREAS, the Department of Planning and Department of Public Works have reviewed the Boundary Adjustment Plat in accordance with the Boundary Adjustment regulations of the City of Chesterfield and found it to be in compliance with all applicable ordinances and forwarded said Boundary Adjustment Plat to the City Council.

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

Section 1. The Boundary Adjustment Plat which is attached hereto as Exhibit "A" and made part hereof as if fully set out herein is hereby approved; the owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

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

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

Passed and approved this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK

BOUNDARY ADJUSTMENT PLAT
TRACTS OF LAND BEING LOT 8 AND LOT 9 OF SPIRIT 40 PARK
IN U.S. SURVEY 122, TOWNSHIP 45 NORTH - RANGE 3 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

We, Volz Incorporated, have by order of Eight East, L.L.C., completed a Boundary Adjustment Plat of “Tracts of land being Lot 8 and Lot 9 of ‘Spirit 40 Park’, a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County records, in U.S. Survey 122, Township 45 North – Range 3 East, City of Chesterfield, St. Louis County, Missouri” and the results are represented hereon. This Boundary Adjustment Plat was executed in compliance with the current Missouri Minimum Standards for Property Boundary Surveys adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects and The Missouri Department of Natural Resources, and meets the accuracy requirements set forth for Urban Property.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this ____ day of _____, 2007.

VOLZ INCORPORATED

Richard W. Norvell, P.L.S.
Professional Land Surveyor
Mo. P.L.S. #1437

The undersigned owners have caused these parcels to be adjusted in land area in the manner shown on the above Boundary Adjustment Plat.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this ____ day of _____, 2007.

Eight East, L.L.C.

Name Printed

Nine East, L.L.C.

Name Printed

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

On this ____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that ____ is the _____ of Eight East, L.L.C., a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company by authority of its members and the said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

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

My Commission Expires:

Notary Public

Printed Name

The undersigned holder or legal owner of notes secured by a deed of trust recorded in Book 12371, page 380, of the St. Louis County records, joins in and approves in every detail this Boundary Adjustment Plat.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this _____ day of _____, 2007.

First National Bank of St. Louis

Name Printed

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

On this ____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that ____ is the _____ of First National Bank of St. Louis, a Missouri Corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said _____ acknowledged said instrument to be the free act and deed of said corporation.

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

My Commission Expires:

Notary Public

Printed Name

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

On this ____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that ____ is the _____ of Nine East, L.L.C., a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company by authority of its members and the said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

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

My Commission Expires:

Notary Public

Printed Name

The undersigned holder or legal owner of notes secured by a deed of trust recorded in Book 11933, page 451, of the St. Louis County records, joins in and approves in every detail this Boundary Adjustment Plat.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this _____ day of _____, 2007.

U.S. Bank, National Association

Name Printed

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

On this ____ day of _____, 2007, before me personally appeared _____, who being by me duly sworn did say that ____ is the _____ of U.S. Bank, National Association, and that the seal affixed to the foregoing instrument is the seal of said National Association, and that said instrument was signed and sealed on behalf of said National Association by authority of its Board of Directors and the said _____ acknowledged said instrument to be the free act and deed of said National Association.

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

My Commission Expires:

Notary Public

Printed Name

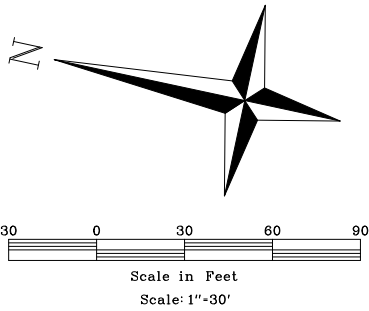
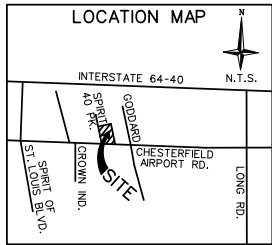
This is to certify that this Boundary Adjustment Plat was approved by the City Council for the City of Chesterfield by Ordinance No. _____, on the _____ day of _____, 2007, and thereby authorizes the recording of this Boundary Adjustment Plat with the office of the St. Louis County Recorder of Deeds.

John Nations, Mayor

Marty DeMay, City Clerk

VOLZ
INCORPORATED
LAND SURVEYORS - ENGINEERS - LAND PLANNERS
10849 INDIAN HEAD IND'L BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-6212

8984-2
Sheet 1 of 2
Spirit 40 Park

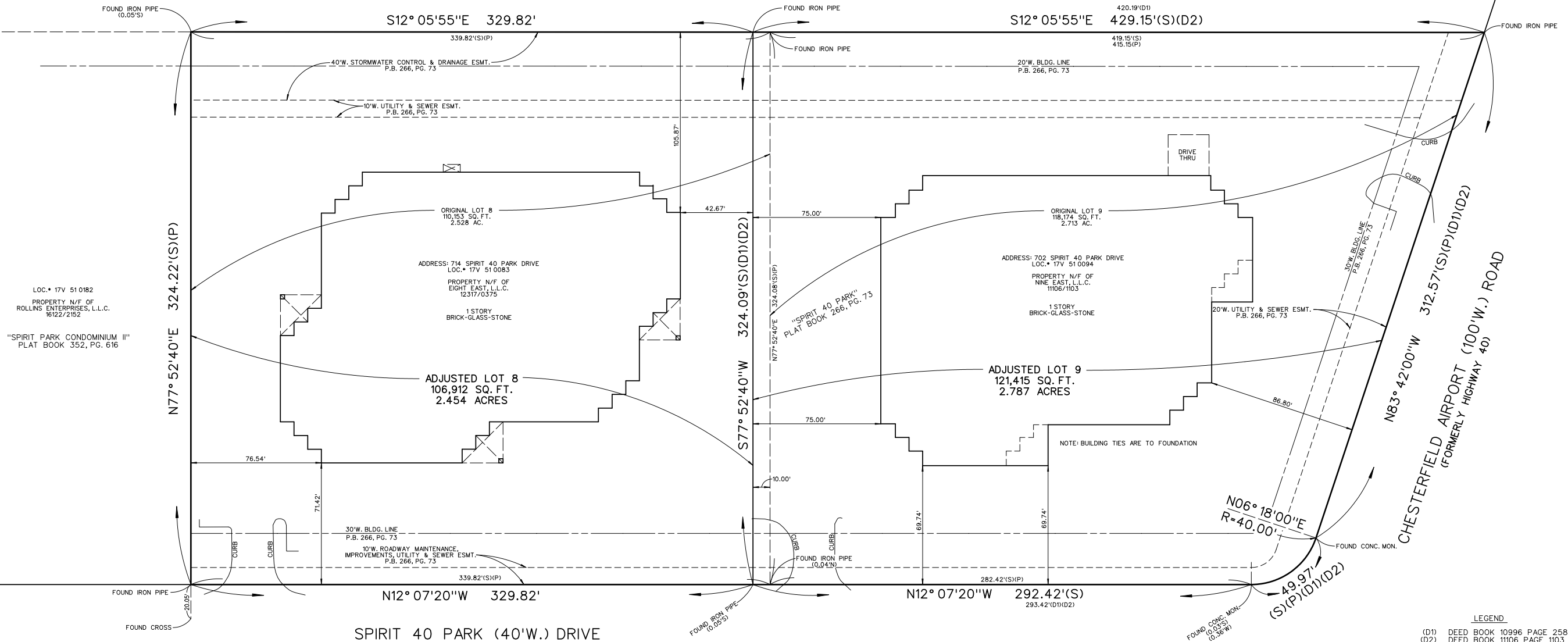


BOUNDARY ADJUSTMENT PLAT
TRACTS OF LAND BEING LOT 8 AND LOT 9 OF SPIRIT 40 PARK
IN U.S. SURVEY 122, TOWNSHIP 45 NORTH - RANGE 3 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

LOC. 17V 51 0016
PROPERTY N/F OF
NAPLES MILFIELD VENTURE, L.L.C.
17401/2741

Notes:

- Bearing system adopted from the plat of "Spirit 40 Park," recorded in Plat Book 266 page 73.
- Property referenced from Commonwealth Land Title Insurance Company Abstract No. 260676, Revision No. 1, effective date of October 8, 1996, for Lot 9.
- Lots 8 and 9 are subject to the following:
- Restrictions, conditions, and easements contained in instruments recorded in Plat Book 266 page 73 and Book 8203 page 1908.
- Terms and provisions of the development plans, according to the plats thereof recorded in Plat Book 234 page 79 and Plat Book 347 page 209.
- Terms and provisions of Ordinance Number 1377 of the City of Chesterfield.
- Reciprocal Cross-Access Easement and Parking Easement according to instrument recorded in Book 12153 page 2440 which is of an unplotable nature.



LEGEND
(D1) DEED BOOK 10996 PAGE 2584
(D2) DEED BOOK 1106 PAGE 1103
(P) PLAT BOOK 266 PAGE 73
(S) SURVEY

Richard W. Norvell, P.L.S.
Professional Land Surveyor
Mo. P.L.S. #1437

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PHONE 314-426-6212

Original Lot 8

A tract of land being Lot 8 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Northwest corner of said Lot 8 of "Spirit 40 Park," said point being also a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Eastwardly along said North line of Lot 8 North 77 degrees 52 minutes 40 seconds East 324.22 feet to the Northeast corner thereof; thence Southwardly along the East line of Lot 8 South 12 degrees 05 minutes 55 seconds East 339.82 feet to the Southeast corner thereof; thence Westwardly along the South line of Lot 8 South 77 degrees 52 minutes 40 seconds West 324.09 feet to the Southwest corner thereof; said point being also a point in the East line of aforementioned Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line of Spirit 40 Park Drive, North 12 degrees 07 minutes 20 seconds West 329.82 feet to the point of beginning and containing 2.528 acres.

Adjusted Lot 8

A tract of land being part of Lot 8 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Northwest corner of said Lot 8 of "Spirit 40 Park," said point being also a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Eastwardly along said North line of Lot 8 North 77 degrees 52 minutes 40 seconds East 324.22 feet to the Northeast corner thereof; thence Southwardly along the East line of Lot 8 South 12 degrees 05 minutes 55 seconds East 329.82 feet to a point; thence South 77 degrees 52 minutes 40 seconds West 324.09 feet to a point in the East line of aforementioned Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line of Spirit 40 Park Drive, North 12 degrees 07 minutes 20 seconds West 329.82 feet to the point of beginning and containing 2.454 acres.

Original Lot 9

A tract of land being Lot 9 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Southeast corner of said Lot 9 of "Spirit 40 Park," said point being also a point in the North line of Chesterfield Airport Road, 100 feet wide; thence Westwardly along said North line of Chesterfield Airport Road, North 83 degrees 42 minutes 00 seconds West 312.57 feet to a point; thence along a curve to the right, whose radius point bears North 06 degrees 18 minutes 00 seconds East 40.00 feet from the last mentioned point, a distance of 49.97 feet to a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line North 12 degrees 07 minutes 20 seconds West 282.42 feet to the Northwest corner thereof; thence Eastwardly along the North line of said Lot 9, North 77 degrees 52 minutes 40 seconds East 324.08 feet to the Northeast corner thereof; thence Southwardly along the East line of said Lot 9 South 12 degrees 05 minutes 55 seconds East 419.15 feet to the point of beginning and containing 2.713 acres.

Adjusted Lot 9

A tract of land being Lot 9 and part of Lot 8 of "Spirit 40 Park," a subdivision according to the plat thereof recorded in Plat Book 266 page 73 of the St. Louis County Records, in U.S. Survey 122, Township 45 North - Range 3 East, City of Chesterfield, St. Louis County, Missouri and being more particularly described as:

Beginning at the Southeast corner of said Lot 9 of "Spirit 40 Park," said point being also a point in the North line of Chesterfield Airport Road, 100 feet wide; thence Westwardly along said North line of Chesterfield Airport Road, North 83 degrees 42 minutes 00 seconds West 312.57 feet to a point; thence along a curve to the right, whose radius point bears North 06 degrees 18 minutes 00 seconds East 40.00 feet from the last mentioned point, a distance of 49.97 feet to a point in the East line of Spirit 40 Park Drive, 40 feet wide; thence Northwardly along said East line North 12 degrees 07 minutes 20 seconds West 292.42 feet to a point; thence North 77 degrees 52 minutes 40 seconds East 324.09 feet to a point in the East line of aforementioned Lot 8 of "Spirit 40 Park;" thence Southwardly along said East line of Lot 8 and the East line of aforesaid Lot 9 South 12 degrees 05 minutes 55 seconds East 429.15 feet to the point of beginning and containing 2.787 acres.

BILL NO. 2568

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “LLR” LARGE LOT RESIDENTIAL DISTRICT FOR 36.08 ACRES LOCATED SOUTH OF BENTLEY PLACE SUBDIVISION, EAST OF COUNTRY PLACE SUBDIVISION AND WEST OF CHESTERFIELD ESTATES [P.Z. 26-2007 WILDHORSE RIDGE (C/O THOMAS FLEMING)]

WHEREAS, Thomas Fleming, on behalf of the owners of the 36.08 acres of land referenced above, has requested a change of zoning from “NU” Non-Urban District to “LLR;” and,

WHEREAS, the Planning Commission held a public hearing on July 9, 2007 to consider the matter; and,

WHEREAS, P.Z. 26-2007 was considered by the Planning Commission and recommended for approval by a vote of 8-0; and,

WHEREAS, the Planning and Zoning Committee, at its August 9, 2007 meeting, recommended P.Z. 26-2007 Wildhorse Ridge for approval by a vote of 4-0; and,

WHEREAS, the City Council, having considered the request for a change of zoning from “NU” Non-Urban to “LLR” Large Lot Residential District. voted to approve P.Z. 26-2007 Wildhorse Ridge.

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 a part thereof, are hereby amended by transferring from an “NU” Non-Urban District to a “LLR” Large Lot Residential for 36.08 acres of land located south of Bentley Place Subdivision, east of Country Place Subdivision and west of Chesterfield Estates. Descriptions of the subject sites are as follows:

PROPERTY DESCRIPTIONS

17050 Cripple Creek

A tract of land in U.S. Survey 886, Township 45 North, Range 4 East, St. Louis County, Missouri being part of a larger tract conveyed to the Wild Bunch by deed recorded in Book 6725 page 634 of the St. Louis County records. , and more fully described as follows: Starting at an iron pipe at the Northwestern most corner of said Wild Bunch tract;

thence North 89 degrees 08 minutes 42 seconds East, 416.19 feet to an iron pipe at the center of a 50 foot wide private road easement; thence along the centerline of said easement South 0 degrees 05 minutes 33 seconds west, 452 feet to an iron pin at the point of beginning; thence continuing along the centerline of a 50 foot wide private road easement North 89 degrees 54 minutes 25 second West 105 feet to an iron pipe; thence leaving said easement South 4 degrees 31 minutes 28 seconds West, 169.87 feet to an iron pipe; thence South 25 degrees 40 minutes 59 seconds east 75.26 feet to an iron pipe; thence South 1 degree 01 minutes 43 seconds East 316.42 feet to an iron pipe; thence North 89 degrees 18 minutes 25 seconds East 300.94 feet to an iron pipe; thence North 0 degrees 37 minutes 55 seconds West 281.02 feet to an iron pipe; thence North 8 degrees 22 minutes 39 seconds East, 133.02 feet to an iron pipe; then North 9 degrees 11 minutes 43 seconds West 138.55 feet to an iron pipe in the center of a 50 foot wide private road easement; thence along the centerline of said easement North 89 degrees 54 minutes 25 seconds West 214.97 feet to an iron pin at the point of beginning, according to survey by Fawcett-Vogt Associates in July, 1974

17040 Rooster Ridge

Lot 1 of Wild Horse Ridge Subdivision of Lot 4, as per plat thereof recorded in Plat Book 171, Page 49 of the St. Louis County Records, together with all improvements thereon known and numbered as 17040 Rooster Ridge. Subject to building lines, easements, conditions and restrictions of record, if any.

17055 Rooster Ridge

Lot 2 of WILD HORSE RIDGE, according to the plat thereof recorded in Plat Book 168 page 98 of the St. Louis County Records. Together with all improvements thereon known and numbered as 17055 Rooster Ridge, St. Louis, Missouri 63017.

17058/17052 Rooster Ridge

Lot 3 of Wild Horse Ridge, according to the plat thereof recorded in Plat Book 168 page 98 of the St. Louis County Records

17061 Rooster Ridge/17067 Rooster Ridge

Parcel 1: A parcel of land in U.S Survey 886, Township 45 North, Range 4 East, St. Louis County, Missouri, being part of a larger tract of land conveyed to THE WILD BUNCH by deed recorded in Book 6725 page 634 of the St. Louis County Records, and more fully

described as follows: Starting at an iron pipe at the Northwestmost corner of said WILD BUNCH tract; thence South 0 degrees 55 minutes 22 seconds East 1017.14 feet to an iron pipe in the West edge of a 50 foot wide private road easement at the point of beginning of the parcel described herein; thence North 86 degrees 55 minutes 19 seconds East 319.40 feet to an iron pipe; thence North 89 degrees 18 minutes 25 seconds East 108.01 feet to an iron pipe; thence South 10 degrees 23 minutes 25 seconds East, 255.32 feet to an iron pipe; thence South 12 degrees 11 minutes 45 seconds West, 255.32 feet to an iron pipe in the centerline of a 50 foot wide private road easement; thence along the centerline of said easement the following courses and distances: North 56 degrees 16 minutes 49 seconds West, 170.50 feet; North 89 degrees 46 minutes 11 seconds West, 271 feet to a point in the West line of said WILD BUNCH tract; thence North 0 degrees 55 minutes 22 seconds West, 386.55 feet along the West edge of a previously mentioned 50.00 foot wide private road easement to the iron pipe at the point of beginning, according to survey by Fawcett-Vogt Assoc. in September, 1975.

Parcel 2: Lot 1 of Wild Horse Ridge, as per plat thereof recorded in Plat Book 168 page 98 of the St. Louis County Records.

17070 Rooster Ridge

A parcel of land in U.S. Survey 886, Township, 45 North, Range 4 east, being part of a larger tract conveyed to the Wild Bunch by deed recorded in book 6725 Page 634 of the St. Louis County Records, being more particularly described as follows: Starting at an old iron pipe in the Southwest corner of said Wild Bunch tract; thence North 0 degrees 55 minutes 22 seconds West 1,043.06 feet along the West line of said tract to an iron pipe at the point of beginning of the parcel described herein; thence South 89 degrees 46 minutes 11 seconds East, 271.00 feet along the center line of a 50 foot wide private road easement to an iron pipe; then South 56 degrees 16 minutes 49 seconds East 351.20 feet along the center line of said road easement to an iron pipe; thence South 11 degrees 05 minutes 56 seconds West 549.81 feet to an iron pipe; thence North 15 degrees 06 minutes 52 seconds West 117.43 feet to an iron pipe; thence North 34 degrees 26 minutes 18 seconds West 754.44 feet to the iron pipe of beginning.

400 Winter Wheat/444 Winter Wheat

Parcel 1 : Part of the U.S Survey 886 Township 45 North Range 4 East, being part of a larger tract conveyed to the "Wild Bunch" by deed recorded in Book 6725 page 634 of the St. Louis County Records, being more particularly described as follows: Beginning at an iron pipe

in the southwest corner of said "Wild Bunch" tract, said point also being the southwest corner of the tract described herein; thence North 88 degrees 34 minutes 43 seconds East 120.17 feet along the South line of said tract aforesaid to an iron pipe; thence North 1 degree 25 minutes 17 seconds West 410.43 feet to an iron pipe; thence South 88 degrees 30 minutes 48 seconds West, 416.60 feet to an iron pipe in the West line tract conveyed to "Wild Bunch" as aforesaid; thence South 0 degrees 55 minutes 22 seconds East 409.96 feet to the point of beginning, EXCEPTING that part conveyed to Harold F. Hencken, Jr. and Doris A. Hencken, husband and wife according to deed recorded in Book 9220 page 2019.

Parcel 2: A parcel of land in U.S Survey 806, Township 45 North, Range 4 East, St. Louis County, Missouri, being part of a larger tract conveyed to the "Wild Bunch" by deed recorded in book 6725 page 634 of the St. Louis County Records, being more fully described as follows: Starting at an iron pipe at the Southwest corner of said "Wild Bunch" tract; thence North 89 degrees 14 minutes 15 seconds East, 420.17 feet along the South line of said "Wild Bunch" to an iron pipe at the beginning of the parcel described herein; thence North 89 degrees 14 minutes 15 seconds East, 100.00 feet along the South line of said "Wild Bunch" tract to an iron pipe; thence North 14 degrees 50 minutes 49 seconds West, 310.81 feet to an iron pipe; thence North 15 degrees 06 minutes 52 seconds West, 117.43 feet to an iron pipe; thence South 01degrees 25 minutes 02 seconds East, 415.26 feet to the iron pipe at the point of beginning.

(The above parcels 1 and 2 are now known as the Adjusted Hannasch Tract of Adjusted Hencken Tract and the Adjusted Hannasch Tract of the Hencken Tract and the Hanasch Tract according to the plat thereof recorded in Plat Book 310 page 67 in the St, Louis County Recorder's Office).

Parcel 3: An easement for ingress and egress and utility purposes on the following described property, to-wit: A 50.00 ft. wide road easement in the U.S. Survey 886, Township 45 North, Range 4 East, St. Louis County, Missouri, more fully described as follows: Starting at an iron pipe at the Southwest corner of the "Wild Bunch" Tract (Book 6725 page 634), also being the Southwest corner of the Wetzel property; thence North 00 degrees 55 minutes 22 seconds West, 109.96 feet to a point at the point of beginning of a tract described herein for the purpose of a road easement; thence North 89 degrees 04 minutes 38 seconds East, 50.00 feet to a point; thence North 00 degrees 55 minutes 22 seconds West, 605.29 feet to a point; thence North 25 degrees 28 minutes 49 seconds West, 120.32 feet to a point

thence South 00 degrees 55 minutes 22 seconds East, 714.73 feet to a point at the point of beginning.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council.

Section 3. The City Council, pursuant to the petition filed by Dollar Construction in P.Z. 26-2007 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 public hearings, held by the Planning Commission on the 9th day of July 2007, 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 warnings and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this _____ day of _____, 2007.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____

BILL NO. 2570

ORDINANCE NO. _____

AN ORDINANCE REQUIRING THE PLACEMENT OF A RECYCLING AREA IN ALL NEW PLANNED COMMERCIAL AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS

WHEREAS, the City is interested in providing for the separation of recyclable items and promoting the collection thereof and disposal by means other than deposit in a sanitary landfill or by burning, and

WHEREAS, it is the intent of the City to make such separation and disposal available to commercial tenants and residents of multi-family dwellings, and

WHEREAS, such spaces are not currently provided to commercial tenants and residents of multi-family dwellings.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, as follows:

Section 1. Chapter 25, Article VII Section 25-122 through 25-126 of the City of Chesterfield, Missouri, Code is hereby approved to be designated as Section 25-122 through Section 25-126, to read as follows

Section 25-122. Requirements for Recycling Areas.

- (a) All new planned commercial and all new multiple-family residential development projects of four or more units shall provide an adequate recycling area for collecting and loading recyclable materials.
- (b) The recycling area shall be available for use by persons residing or employed on the property, but shall be kept secured from unauthorized entry by the general public. No payment shall be made to persons depositing recyclable materials and no processing of recyclable materials shall be permitted, except for period loading of materials into a vehicle for removal from the site.
- (c) It shall be the responsibility of the property owner and lessee to supply and maintain recycling area(s) and recycling receptacles that are adequate for the collection of all recyclable materials generated by the use(s) occupying the site;

Section 25-123. Size Requirements

- (a) The recycling area or room shall comply with the following standards for minimum size:

- (1) for multiple-family residential uses of 20 or less dwelling units, or commercial, industrial or institutional uses with a total floor area of less than 3,000 square feet, the minimum area shall be 30 square feet;
 - (2) for multiple-family residential uses of 21 to 50 dwelling units, or commercial, industrial or institutional uses having a total floor area of 3,001 to 7,500 square feet, the minimum recycling area shall be 60 square feet
 - (3) for multiple-family residential uses of 51 or more dwelling units, or commercial, industrial or institutional uses having a total floor area of greater than 7,500 square feet, the minimum area shall be 100 square feet
- (b) every recycling area shall contain a minimum vertical space of at least eight feet
 - (c) the recycling area shall be of adequate size for the collection of all recyclable materials generated by the use(s) occupying the site, without such materials overflowing the area or forcing significant amounts of recyclable materials to be discarded as general refuse, or the Department of Public Works shall determine the area to be inadequate and require a larger space, even if the area provided exceeds the minimum requirements listed in subparagraph 2 above

Section 25-124. Notification to Tenants and Employees

- (a) to encourage active participation in recycling to the maximum extent possible, each property owner, manager, or lessee shall inform all tenants and/or employees living or working on the property of the availability and location of the recycling area, the types of materials that are collected for recycling.

Section 25-125. Collection and Storage of Recyclable Materials

- (a) no toxic or hazardous materials shall be stored in recycling areas or receptacles;
- (b) all recyclable materials shall be placed or stored in recycling receptacles. Paper products and other lightweight materials shall be immediately placed into covered recycling receptacles when they are dropped off;
- (c) on a daily basis the recycling area shall be kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards

- (d) The recycling area shall be clearly identified by one or more signs designating it for recycling collection and loading
- (e) the recycling area shall be available for use by persons residing or employed on the property, but shall be kept secured from unauthorized entry by the general public;

Section 25-126. Construction of Recycling Areas

- (a) Recycling areas shall be placed alongside of trash areas or rooms whenever possible. In all cases, recycling areas shall be separate from trash areas or rooms and shall comply with the following:
 - (1) outdoor recycling areas on commercial, industrial, or public facilities, or residential buildings having four or more living units shall be confined to the rear one-half of the lot and shall not exceed an area of 300 square feet.
 - (2) outdoor recycling areas shall be completely enclosed by an eight-foot wall or chain link fence with wooden slates, concrete block, or similar construction (enclosure) with gates of the same heights. No materials shall exceed the height of the wall or fence. The enclosure shall be constructed with a concrete floor sloped to drain, and a water faucet for hose attachment shall be located adjacent to or within the enclosure. The enclosure shall be secured by a locking gate.

Section 2. The Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 3. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2007.

MAYOR

ATTEST:

CLERK

FIRST READING HELD: _____

BILL NO. 2571

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH A NEW ZONING DISTRICT, "PLANNED COMMERCIAL AND RESIDENTIAL, (PC&R) SAID NEW SECTION PROVIDES GENERAL AND SPECIFIC DEVELOPMENT CRITERIA FOR MIXED USE DEVELOPMENT IN A SPECIFIC SECTION OF THE CITY'S URBAN CORE.

WHEREAS, there has been increased interest in the creation of a mixed-use Zoning District to facilitate the creation of a "downtown" area; and,

WHEREAS, the Planning Commission Ordinance Review Committee recommended the creation of the "PC&R" Zoning District; and,

WHEREAS, the Planning Commission concurred with the recommendation of the Ordinance Review Committee and voted to recommend said amendment; and,

WHEREAS, the Planning and Zoning Committee reviewed and favorably recommended the creation of said "PC&R" Zoning District.

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 is hereby amended incorporate a new Zoning District, identified as the Planned Commercial and Residential (PC&R) District, as set forth in Attachment "A" which is attached hereto and made a 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 _____, 2007

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: 8-20-2007

ATTACHMENT A

PLANNED COMMERCIAL AND RESIDENTIAL MIXED USE DEVELOPMENT ("PC&R") DISTRICT

Scope. This Section provides general regulations for the PC&R District and contains the enabling authority for the adoption of site specific ordinances, site development plan, or site development concept plan and site section plans for specific PC&R developments. Specific regulations and conditions governing a PC&R development may be provided in a site specific ordinance as authorized in this Section.

- 1) **Purpose and Intent.** This Section is intended to enable the creation of a PC&R District development comprising a minimum of seventy (70) acres in size and located only in the area bounded on the east by State Route 340, on the west by Baxter Road, on the north by State Route 40 / I-64, and on the south by Lydia Hill Drive. A PC&R District development is intended to create a diverse residential and commercial mixed use environment in which residential and commercial uses can be integrated pursuant to a "downtown" concept that encourages creative and coordinated design and architectural styles, efficient and effective pedestrian circulation, conservation of land resources, efficient and effective vehicular circulation, and where people can choose to live, work, eat, shop, enjoy cultural amenities and recreate. By definition, "Downtown" development is mixed-use, and usually follows one of two patterns (or an adaptation of both). First, as a vertical mix on a given parcel, land uses change from floor to floor within the same building. Typically, this pattern is residential above commercial (retail, professional services or office). The second pattern occurs when buildings or spaces of a single use are combined with those of other single uses. Examples are a street of residential buildings with commercial buildings occupying the corners or a commercial "Main Street" combined with residential "side streets."
- 2) **Permitted Uses.** Permitted uses shall be established in the Site Specific PC&R District Ordinance governing a PC&R development and may include commercial uses permitted in the Planned Commercial ("PC") District or any of the residential uses in any of the Residential Districts. Residential and commercial uses may be combined in the same building, combined on the same lot in separate buildings or on separate lots within a PC&R development. The permitted uses shall be combined within a PC&R Development to create a "Downtown" concept.
- 3) **Performance Standards.** Performance Standards for the PC&R District are provided in the Chesterfield City Code for the PC (Commercial) and R (Residential) land uses. Conflicts between the Commercial and Residential performance standards shall be resolved in the Site Specific PC&R Ordinance, Site Development Plan, Site Development Concept Plan, or Site Development Section Plan. Specific performance standards may be provided in the Site Specific PC&R District Ordinance governing a PC&R development or provided on the Site Development Plan, Site Development Concept Plan, or Site Development Section Plan. Said performance standards may supplement, modify, or alter performance standards provided elsewhere in the Chesterfield City Code. Except where specifically stated otherwise in this Section, performance standards established in the Site Specific PC&R District Ordinance governing a PC&R development or provided on the Site Development Plan, Site Development Concept Plan, or Site Development Section Plan for a PC&R development shall supersede any performance standards required by any other District regulation or Ordinance of the City.

In order to provide for, supplement, modify, or alter a specific performance standard in a Site Development Plan, Site Development Concept Plan or Site Development Section Plan, the Site Specific

PC&R Ordinance must specifically authorize such provision, supplementation, modification, or alteration; such authority, if granted in the Site Specific PC&R Ordinance, may be limited or conditioned by the terms of the Site Specific PC&R Ordinance.

Performance Standards may include, but are not limited to addressing, one or more of the following:

- (a) density;
- (b) maximum height of buildings and structures;
- (c) setbacks;
- (d) open space;
- (e) parking;
- (f) signage;
- (g) architectural standards.

4) **Procedure to Establish a PC&R District by Adoption of a Site Specific PC&R District Ordinance.**

In order to establish a PC&R District, the procedure shall be as follows:

(a) *Application.* The owner or owner of record or owners under contract of a lot or tract of land, or their authorized representatives, shall petition the Chesterfield City Council on forms prescribed for this purpose by the City. These forms shall be submitted to the City and accompanied by the following:

1. Filing fee per requirements of Section 1003.210, "Fees".
2. Metes and Bounds Legal description of the property.
3. Outboundary survey of the property, Prepared by a registered land surveyor, at any scale from one inch equals twenty (20) feet to one inch equals one hundred (100) feet in any increments of ten (10) feet from an accurate survey on one or more sheets whose maximum dimensions are thirty-six (36) inches by forty-two (42) inches. In certain unusual instances where the property is of unusual size or shape, the Department of Planning may permit a variation in the scale or size of the survey. If more than one sheet is required, a key map on Sheet No. 1 showing the entire project at reduced scale shall be provided if required by the Department. Said survey shall include, but is not limited to the following:
 - i. The record owner or owners of the tract.
 - ii. The party who prepared the survey.
 - iii. The party for whom the survey was prepared.
 - iv. North arrow and graphic scale
 - v. The boundary lines within the outboundary of the property with accurate distances and bearings; also all section, U.S. Survey and congressional township and range lines; and the boundary lines of municipalities; sewers, schools, and other legally established districts within and the name of or description of any of the same adjacent to or abutting on the project.
 - vi. The boundary lines of all adjoining lands and the right-of-way lines of adjacent streets and alleys with their width and names.

- vii. All survey monuments, together with the descriptions.
- viii. Certification by a land surveyor who performs the property survey to the effect that the plat represents a survey made by him, and that the locations of all required survey monuments, installed or to be installed, are correctly shown thereon. The month and year during which the survey was made shall also be shown.
- ix. The outboundary corners of the tract be tied into the State Plane Coordinate System in accordance with the Missouri Minimum Standards for Property Boundary Surveys.

4. Preliminary Development Plan, Prepared by a registered land surveyor, at any scale from one inch equals twenty (20) feet to one inch equals one hundred (100) feet in any increments of ten (10) feet from an accurate survey on one or more sheets whose maximum dimensions are thirty-six (36) inches by forty-two (42) inches. In certain unusual instances where the property is of unusual size or shape, the Department of Planning may permit a variation in the scale or size of the plan. If more than one sheet is required, a key map on Sheet No. 1 showing the entire project at reduced scale shall be provided. The Preliminary Development Plan shall at a minimum include, but is not limited to the following:

- (i) A key map showing the tract and its relation to the surrounding area.
- (ii) A north arrow and scale.
- (iii) Approximate location of all existing structures to be retained within the tract and within 225 feet thereof.
- (iv) Location of wooded areas within the tract and 225 feet thereof.
- (v) Names of the owners of all property adjoining the tract as disclosed by the most recent assessor's record.
- (vi) Existing streets, roads, and approximate location of wet and dry weather water courses, floodplain areas, sink holes, and other significant physical features within the tract and within 225 feet thereof.
- (vii) Direction of and approximate distance to the nearest major street intersection.
- (viii) Conceptual location of proposed points of access, extensions or improvements to existing streets.
- (ix) Sufficient existing contour data, at not more than 5 foot intervals, to indicate the slope and drainage of the tract and the high and low points thereof. Contour data shall extend 225 feet beyond the limits of the subdivision boundaries. Nothing herein is intended to require a physical topographic survey, U.S.G.S. generated topographic data is sufficient.
- (x) Approximate location of any historical building which exists within the boundaries of the site as identified by the St. Louis County Historic Building Commission or the Chesterfield Landmark Preservation Commission (CLPC).
- (xi) Proposed categories of uses (commercial and residential) and cumulative total square footage of commercial uses and cumulative total number of units of residential uses; and
- (xii) Other information requested by the City.

(b) *Public hearing.* A public hearing on the petition and Preliminary Development Plan shall be held by the Planning Commission in accordance with the provisions of Section 1003.300, "Procedure for Amending the Zoning Ordinance," provided, however, a public hearing shall be set within forty-five (45) days of acceptance of the petition, filing fee, and Preliminary Development Plan meeting all requirements of this Section by the Department of Planning.

(c) *Planning Commission recommendation.* No action shall be taken by the City Council with respect to the petition and the Preliminary Development Plan until it has received the recommendation of the Planning Commission. The recommendation shall address planning considerations and may include recommended Performance Standards.

5) **Procedure to Approve a Site Development Concept Plan and Section Plan(s).** This Subsection 5) assumes the PC&R District development will be developed in phases. A Site Development Concept Plan and Section Plan(s) shall be reviewed by the Planning Commission as follows:

- (a) The Site Development Concept Plan shall assure consistency and continuity of the “downtown” concept and shall comply with the Site Specific PC&R District Ordinance, the recommendations of the Architectural Review Board as approved by the Planning Commission and the applicable provisions of the City of Chesterfield Code; any Section Plan shall comply with the Site Specific PC&R District Ordinance, the Site Development Concept Plan and the applicable provisions of the City of Chesterfield Code.
- (b) Within sixty (60) days after approval by the Planning Commission, the Site Development Concept Plan and the Site Development Section Plan(s) shall be recorded with the St. Louis County Recorder of Deeds.

6) **Procedure to Approve a Site Development Plan.** This Subsection 6) assumes the PC&R District development will not be developed in phases. A Site Development Plan shall be reviewed by the Planning Commission as follows:

- (a) The Site Development Plan shall comply with the Site Specific PC&R District Ordinance, the recommendations of the Architectural Review Board as approved by the Planning Commission and the applicable provisions of the City of Chesterfield Code.
- (b) Within sixty (60) days after approval by the Planning Commission, the Site Development Plan shall be recorded with the St. Louis County Recorder of Deeds.

7) **Procedure to Amend a Site Specific Ordinance, Site Development Plan, Site Development Concept Plan or Site Development Section Plan.** In order to amend an existing Site Specific PC&R District Ordinance or to amend the Site Development Plan, Site Development Concept Plan or a Site Development Section Plan, the procedure shall be as follows:

- (a) *To amend the site Specific PC&R District Ordinance:*
 - 1. The property owner or authorized representative shall submit a written request to amend to the City.
 - 2. A public hearing shall then be held and the request to amend shall be acted upon in accordance with the procedure herein specified in Subsection 4) for an original petition to establish a PC&R District.
- (b) *To amend the recorded Site Development Plan, Site Development Concept Plan or a Site Development Section Plan:*

1. The property owner or authorized representative shall submit a proposed amended Site Development Plan, Site Development Concept Plan or Site Development Section Plan to the City for review.
2. The proposed amendment to the Site Development Plan, Site Development Concept Plan or Site Development Section Plan shall be reviewed and approved by the Planning Commission. Said approved amended plan shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days after the Planning Commission's approval.