



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Monday, August 5, 2019
6:00 pm**

I. Appointments

- A. Appointment – Architectural Review Board – Scott Starling**
- B. Reappointment – Architectural Review Board – Doug DeLong**

II. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

- A. Bill No. 3253 - P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes)**
An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “NU” Non-Urban District to a “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way. [P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes) 17W530101].

Green Sheet Amendments (First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended. (Petitioner has requested to hold until next City Council Meeting)

- B. Bill No. 3254 - P.Z. 08-2019 City of Chesterfield (Unified Development Code—Article 4) An ordinance amending Article 04-05 Sign Requirements of the Unified Development Code {P.Z. 08-2019 City of Chesterfield (Unified Development Code – Article 4)}.** **(First Reading) Green Sheet Amendments Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**

- C. City Policy No. PW-33 - Snow Removal for Private Driveways within Public Right-of-Way**

- D. Release of Special Cash Escrows 85 & 86 (Roll Call Vote)**

- E. Next Meeting – August 22, 2019 (5:30pm)**

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

- A. Next Meeting – August 12, 2019 (5:30pm)**

IV. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

A. Budget Transfer

B. CVAC Baseball & Softball Fee Changes for 2020

V. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

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

A. Bill No. 3255 - Conflict of Interest An ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials **(First Reading)**

B. Easement and Maintenance Agreement – Chesterfield Valley TDD & CHA

C. Proposed Resolution authorizing signatories for Sterling Bank deposits

VII. Other Legislation

A. Bill No. 3256 - 84 Lumber, Lot 2 - Boundary Adjustment Plat An ordinance providing for the approval of a Boundary Adjustment Plat for the consolidation of a tract of land in U.S. 125 and Lot 2 of 84 Lumber Subdivision totaling 13.02 acres, zoned “PC” Planned Commercial District, and located on the north side of Chesterfield Airport Road east of Long Road (17U510084). **(First & Second Readings)**

VIII. Unfinished Business – Mayor Bob Nation

IX. New Business – Mayor Bob Nation

X. Adjourn –

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

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

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



AGENDA
CHESTERFIELD CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Monday, August 5, 2019
7:00PM

- I. CALL TO ORDER** – President Pro-Tem Michael Moore
- II. PLEDGE OF ALLEGIANCE** – President Pro-Tem Michael Moore
- III. MOMENT OF SILENT PRAYER** – President Pro-Tem Michael Moore
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – President Pro-Tem Michael Moore
 - A. City Council Meeting Minutes** – July 15, 2019
- VI. INTRODUCTORY REMARKS (items not requiring action by City Council)** – President Pro-Tem Michael Moore
 - A. Monday, August 12, 2019** – Finance & Administration Committee Meeting (5:30pm)
 - B. Monday, August 12, 2019** – Planning Commission (7pm)
 - C. Monday, August 19, 2019** – Next City Council Meeting (7pm)
 - D. Thursday, August 22, 2019** – Planning & Public Works Committee (5:30pm)

VII. COMMUNICATIONS AND PETITIONS

VIII. APPOINTMENTS – President Pro-Tem Michael Moore

A. Appointment – Architectural Review Board – Scott Starling

B. Reappointment – Architectural Review Board – Doug DeLong

IX. STANDING COMMITTEE OF COUNCIL COMMITTEE REPORTS & ASSOCIATED LEGISLATION

A. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

- 1. Bill No. 3253 - P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes)** An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “NU” Non-Urban District to a “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way. [P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes) 17W530101]. **Green Sheet Amendments (First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended. (Petitioner has requested to hold until next City Council Meeting)**
- 2. Bill No. 3254 - P.Z. 08-2019 City of Chesterfield (Unified Development Code—Article 4)** An ordinance amending Article 04-05 Sign Requirements of the Unified Development Code {P.Z. 08-2019 City of Chesterfield (Unified Development Code – Article 4)}. **(First Reading) Green Sheet Amendments Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**
- 3. City Policy No. PW-33 - Snow Removal for Private Driveways within Public Right-of-Way**
- 4. Release of Special Cash Escrows 85 & 86 (Roll Call Vote)**
- 5. Next Meeting – August 22, 2019 (5:30pm)**

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

- 1. Next Meeting – August 12, 2019 (5:30pm)**

C. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

1. Budget Transfer

2. CVAC Baseball & Softball Fee Changes for 2020

D. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

**X. REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS
REQUIRING ACTION BY CITY COUNCIL** – Mike Geisel

A. Bill No. 3255 - Conflict of Interest An ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials. **(First Reading)**

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XI. OTHER LEGISLATION

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XII. UNFINISHED BUSINESS – President Pro-Tem Michael Moore

XIII. NEW BUSINESS – President Pro-Tem Michael Moore

XIV. ADJOURNMENT

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AGENDA REVIEW – Monday 8/05/2019 – 6:00 PM

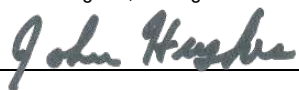
An AGENDA REVIEW meeting has been scheduled to start at **6:00 pm, on Monday, August 5, 2019.**

Please let me know, ASAP, if you will be unable to attend this meeting.

City of Chesterfield
Excess Checks (=> \$5,000)
July 2019

DATE	CHECK #	VENDOR	DESCRIPTION	CHECK AMT
7/26/2019	5022	THOMAS AND HUTTON ENGINEERING CO	CHESTERFIELD VALLEY STORM WATER MASTER PLAN	\$ 62,981.40
7/2/2019	44131	DSO, LLC	ADVERTISING	14,000.00
7/2/2019	44133	GREY EAGLE DISTRIBUTORS	BEER	10,088.85
7/9/2019	44179	R.L. MUELLER NATIONAL DIST. INC.	FOOD	16,639.24
7/12/2019	44185	CAPRI POOLS, LLC	POOL; STRAINER	34,377.90
7/12/2019	44196	SAM'S CLUB	JUNE 2019 MONTHLY SAMS CLUB STATEMENT	7,306.37
7/16/2019	44204	JOHN DEERE CO.	ZERO TURN PROPANE MOWER	10,132.10
7/19/2019	44234	MAMMOTH, INC	CONCERT; DWIGHT YOAKAM	20,013.26
7/19/2019	44239	PEPSI BEVERAGE CO	BEVERAGES	6,933.18
7/19/2019	44241	R.L. MUELLER NATIONAL DIST. INC.	FOOD	7,336.46
7/26/2019	44275	AMEREN MISSOURI	16365 LYDIA HILL RD, ACCT# 8780009313	8,219.27
7/26/2019	44277	AMEREN MISSOURI	17925 NORTH OUTER FORTY, CONCESSION D/E, ACCT 5798504112	5,500.83
7/26/2019	44279	AMEREN MISSOURI	17925 NORTH OUTER FORTY, CONCESSION B, ACCT# 0153089010	6,037.93
7/26/2019	44299	MISSOURI AMERICAN WATER COMPANY	16365 LYDIA HILL DR, ACCT #1017-210013295038	28,697.45
7/26/2019	44302	MISSOURI AMERICAN WATER COMPANY	17925 N OUTER 40, ACCT #1017-210013295212	6,247.57
7/30/2019	44327	SOUTHERN GLAZERS WINE & SPIRITS OF MISSOURI, LLC	AMPITHEATER CONCESSIONS	5,004.50
7/2/2019	58041	ENERGY PETROLEUM CO.	NL PLUS 89 OCT RFG	15,417.63
7/2/2019	58044	GAMMA TREE EXPERTS	2019 STREET TREE REMOVAL	20,918.00
7/2/2019	58051	LAMKE TRENCHING & EXCAVATING, INC.	2019 SIDEWALK REPLACEMENT-AREA A	15,310.35
7/2/2019	58058	THE GRAVILLE LAW FIRM, LLC	APRIL 2019 PROFESSIONAL SERVICES	31,638.90
7/2/2019	58060	TREASURER-ST. LOUIS COUNTY	POLICE COMMUNICATIONS	16,301.16
7/5/2019	58062	AMCON MUNICIPAL CONCRETE, LLC	2019 SELECTIVE SLAB REPLACEMENT A	198,823.49
7/5/2019	58070	J. M. MARSCHUETZ	2019 SELECTIVE SLAB REPLACEMENT B; 2020 SELECTIVE SLAB REPLACEMENT C	235,793.10
7/5/2019	58073	MARY JANE LYONS	LAND ACQUISITION-2290 SCHOETTLER ROAD	107,031.00
7/5/2019	58079	R. V. WAGNER, INC.	2019 SIDEWALK REPLACEMENT-AREA B	43,255.70
7/5/2019	58083	ST. LOUIS AREA INSURANCE TRUST	WORK COMP/SUPPLEMENTAL/GENERAL-POLICE-AUTO LIABILITY	294,541.00
7/9/2019	58090	BSS CHESTERFIELD, LLC	LANDSCAPE SURETY RELEASE-BEYOND SELF STORAGE	36,862.00
7/9/2019	58111	TIMBERLINE PROFESSIONAL TREE CARE	2019 STREET TREE REMOVAL	7,950.00
7/12/2019	58125	AMERICA'S PARKING REMARKING INC	2019 PAVEMENT STRIPING; 2020 STREET STRIPING	44,155.29
7/12/2019	58136	DELTA DENTAL OF MISSOURI	JULY 2019 DENTAL INSURANCE	13,811.52
7/12/2019	58162	ST. LOUIS AREA HEALTH INSURANCE TRUST-MEDICAL	JULY 2019 HEALTH INSURANCE	192,621.50
7/12/2019	58169	TOTAL BUILDING SOLUTIONS, LLC	PWF STRUCTURAL REPAIRS	55,879.00
7/16/2019	58176	AMEREN MISSOURI	690 CHESTERFIELD PKWY W-0627147004	17,356.37
7/16/2019	58185	KIESLER POLICE SUPPLY &	LAW ENFORCEMENT EQUIPMENT	12,033.00
7/16/2019	58188	REJIS COMMISSION	REJIS CONTRACTUAL FEES	6,578.80
7/19/2019	58203	CUMMINGS, MC GOWAN & WEST, INC.	E-Z DRILL; PICK-UP & DELIVERY-EQUIP	7,918.46
7/19/2019	58214	JOE MACHENS FORD	PICKUP TRUCK	28,973.00
7/19/2019	58231	THE HARTFORD-PRIORITY ACCOUNTS	JULY 2019 LIFE INSURANCE	8,654.95
7/19/2019	58233	TOPE PLUMBING	1954 SQUIRES WAY - SEWER REPAIR	9,038.25
7/23/2019	58251	MISSOURI AMERICAN WATER COMPANY	690 CHESTERFIELD PKWY W-1017-210014663856	5,899.34
7/26/2019	58267	DF ADAMS AND ASSOCIATES	GRADING RELEASE-WINGS CORPORATE ESTATES	11,365.00
7/26/2019	58280	PNC BANK	JULY 2019 MONTHLY PNC STATEMENT	7,417.47
7/26/2019	58281	R. V. WAGNER, INC.	2020 BRIDGE DECK SEALING AND EPOXY OVERLAY	109,725.75
7/26/2019	58287	TREASURER-ST. LOUIS COUNTY	POLICE COMMUNICATIONS	16,301.16
7/31/2019	58294	DLT SOLUTIONS, INC.	AUTODESK SOFTWARE SUBSCRIPTION	6,860.00
7/31/2019	58295	ESRI	ANNUAL SOFTWARE MAINTENANCE	18,031.00
7/31/2019	58296	GEORGE BUTLER ASSOCIATES, INC.	UPDATES TO TRAVEL DEMAND MODEL	40,391.70
				<u>\$ 1,886,370.20</u>

Respectfully submitted by,
John Hughes, Acting Finance Director





RECORD OF PROCEEDING

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

JULY 15, 2019

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

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Bob Nation
Councilmember Mary Monachella
Councilmember Barbara McGuinness
Councilmember Ben Keathley
Councilmember Mary Ann Mastorakos
Councilmember Dan Hurt
Councilmember Michael Moore
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the June 17, 2019 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the June 17, 2019 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the July 1, 2019 Executive Session were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the July 1, 2019 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

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

COMMUNICATIONS AND PETITIONS

There were no speakers this evening.

APPOINTMENTS

Mayor Nation nominated Ms. Jeannie Rader for re-appointment to the Board of Adjustment. Councilmember Ohley made a motion, seconded by Councilmember Monachella, to re-appoint Ms. Rader to the Board of Adjustment for a term of five years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nation nominated Ms. Jane Staniforth for appointment to the Planning Commission. Councilmember DeCampi made a motion, seconded by Councilmember Ohley, to appoint Ms. Staniforth to the Planning Commission for a term of four years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Councilmember Hurt made a motion, seconded by Councilmember DeCampi, to approve a partial amended sign package for Lot A (Edison Express) of Monarch Center. Councilmember McGuinness made a motion, seconded by Councilmember Moore, to amend the motion to not allow any additional signs beyond the existing currently approved sign package (approved on October 26, 2016 and amended on November 14, 2016 and February 13, 2017). A roll call vote was taken with the following results: Ayes – Moore, Mastorakos, McGuinness, Ohley and Monachella. Nays – DeCampi, Hurt and Keathley. The motion to amend was declared passed.

Discussion ensued and Councilmember Keathley made a motion, seconded by Councilmember DeCampi, to further amend the motion to allow for an additional 38 square feet of signage to be used at the owner's discretion. A roll call vote was taken with the following results: Ayes – DeCampi, Hurt and Keathley. Nays – Monachella, McGuinness, Mastorakos, Ohley and Moore. The motion to further amend was declared failed.

A roll call vote was taken on the motion as amended, to not allow any additional signs beyond the existing currently approved sign package (approved on October 26, 2016 and amended on November 14, 2016 and February 13, 2017), with the following results: Ayes – Monachella, Ohley, Mastorakos, Moore and McGuinness. Nays – Keathley, Hurt and DeCampi. Whereupon Mayor Nation declared the motion as amended passed.

Councilmember Mastorakos, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Hurt, to approve proposed Planning and Development Services Policy Number 2 (Special Cash Escrow), which defines the conditions that warrant acceptance of a Special Cash Escrow and formalize the Special Cash Escrow process, including transfer – release of \$56,970 to the Capital Projects Fund for nine special cash escrows for projects that have been completed. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Mastorakos announced that the next meeting of this Committee is scheduled for Thursday, July 18, at 5:30 p.m.

Finance and Administration Committee

Councilmember Michael Moore, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Ohley, to approve the proposed 2020 City Council Meeting schedule. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Moore made a motion, seconded by Councilmember Mastorakos, to authorize the City Administrator to execute the proposed contracts to provide information technologies services for Frontenac and Town & Country as recommended by the F&A Committee, including the associated budgetary adjustments. A roll call vote was taken with the following results: Ayes – DeCampi, Moore, Keathley, Mastorakos, Monachella, Ohley and Hurt. Nays – McGuinness. Whereupon Mayor Nation declared the motion passed.

Councilmember Moore made a motion, seconded by Councilmember Ohley, to authorize the City Administrator to execute the proposed government services contract renewal with Gamble & Schlemeier in the amount of \$40,000 funded by a transfer from the

General Fund Fund Reserves. A roll call vote was taken with the following results: Ayes – DeCampi, Mastorakos, Keathley, Monachella, McGuinness, Ohley, Hurt and Moore. Nays – None. Whereupon Mayor Nation declared the motion passed.

Parks, Recreation & Arts Committee

Councilmember Tom DeCampi, Chairperson of the Parks, Recreation & Arts Committee, made a motion, seconded by Councilmember Ohley, for approval of two budget adjustments totaling \$13,961.72 related to insurance reimbursements. A roll call vote was taken with the following results: Ayes – Keathley, Ohley, McGuinness, Moore, Monachella, Mastorakos, Hurt and DeCampi. Nays – None. Whereupon Mayor Nation declared the motion passed.

Public Health & Safety Committee

Councilmember Mary Monachella, Chairperson of the Public Health & Safety Committee, indicated that she had no report this evening.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel indicated that, per statutory limitations and City Code section 2-91, the City Clerk is appointed for a term not to exceed four years. City Clerk Vickie (Hass) McGownd's current appointment will expire as of August 11, 2019. Councilmember Hurt made a motion, seconded by Councilmember Ohley, to approve a proposed resolution to re-appoint Vickie (Hass) McGownd as City Clerk for a new four year term as recommended by the City Administrator. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The successful resolution became Chesterfield Resolution No. 453.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Councilmember McGuinness requested that the current City Council policy which requires the public to submit speaker cards not later than ten minutes after the start of the Council meeting, be forwarded to the Finance and Administration Committee for review and potential revision. There was a general consensus of the Council to forward this item to the F&A Committee, and the F&A Chair, Councilmember Moore, agreed.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:44 p.m.

Mayor Bob Nation

ATTEST:

Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

A. Monday, August 12, 2019 – Finance & Administration Committee Meeting (5:30pm)

B. Monday, August 12, 2019 – Planning Commission (7pm)

C. Monday, August 19, 2019 – Next City Council Meeting (7pm)

D. Thursday, August 22, 2019 – Planning & Public Works Committee (5:30pm)

APPOINTMENTS

Mayor Nation has offered the appointment of Scott Starling to the Architectural Review Board. Mr. Starling was introduced to the Planning and Public Works Committee at their July 18th meeting at which time the Committee unanimously recommended that his appointment be confirmed by the full Council. Mr. Starling's resume is included in this meeting packet. If approved, his term extends until 8/5/2021.

Mayor Nation has offered the re-appointment of Doug DeLong to the Architectural review Board. If the re-appointment is confirmed, his term would be extended until 8/17/2021.



DATE: July 22, 2019
TO: Michael O. Geisel, City Administrator
FROM: Vickie McGownd, City Clerk *V. McGownd*
SUBJECT: Statutory Committee Appointment/Reappointment

Motion to approve appointment of Scott Starling to the Architectural Review Board was passed by a vote of 4-0 at the July 18, 2019 Planning and Public Works Committee meeting (resume attached):

Architectural Review Board

Scott Starling
14 Upper Conway Lane
Chesterfield, MO 63017
636-778-0969 (h)
314-630-5585 (o)
sstarling03@gmail.com
Ward II
New term expires 8/5/21

Mayor Nation intends to nominate the following individual for reappointment at the August 5, 2019 City Council meeting:

Architectural Review Board

Doug DeLong
DeLong Landscape Architecture, LLC
7620 West Bruno Avenue
St. Louis, MO 63117
314-346-4856
delong.la@gmail.com
New term expires 8/17/21

Please add these appointment/reappointments to the August 5, 2019 City Council agenda.

R. Scott Starling, Architect

Professional Resume

Contact Information

- Mailing address:
14 Upper Conway Lane
Chesterfield, MO 63017
- Home telephone:
636.778.0969
- Mobile telephone:
314.630.5585
- E-mail address:
ssstarling03@gmail.com

Professional Background

- Bachelor of Architecture Degree, University of Kansas.
- Registered architect, Missouri
- NCARB certification
- Harvard Graduate School of Design, Executive Ed Certificate
- OSHA 10-Hour Construction Industry Course, Certificate
- SAVE Coalition SEMA certification for building safety inspections
- Member:
August Hill on Conway Board of Trustees
- Past Member:
 - American Institute of Architects
 - Society for College and University Planning (SCUP)
 - Board of Appeals, City of Clayton, Missouri
 - National Trust for Historic Preservation
 - National Parks Conservation Assoc.
 - Board of Directors, Glenridge Child Care Center
 - Co-Chair, City of Clayton, MO House Tour
 - Coach, City of Clayton, MO youth Athletics Programs
 - Committee Chair, Boy Scout Troop 21, Clayton_ MO

Current Status

- **Retired** **Registered Architect**
State of Missouri registration is active.
Consistently exceeds annual continuing education / learning unit requirements.
- **President** **August Hill Board of Trustees**
Originally elected to Board in 2014, elected president in May, 2019.
Currently serving second, 3-year term on the Board.
- **Certified Inspector** **SAVE Coalition**
Originally trained and certified in 2014.
Inspectors work with SEMA (State Emergency Management Administration) to perform emergency building assessments for structures damaged by catastrophic events.

Work History

- **Associate Vice President** **Cannon Design**
Functioned as senior project manager for higher education and corporate laboratory and research facility projects for this large A/E firm.
- **Director of Higher Education Facilities** **Jacobs**
Served as senior project manager and St. Louis higher education market leader at this large, international A/E firm
- **Vice President** **Yarger Associates**
Joined this medium-sized firm to be in charge of technical facilities and orchestrate firm's expansion into new markets. Types of projects included research laboratories, recreational facilities and institutional buildings.
- **Vice President** **Jamie Cannon Associates**
Joined this newly-created firm at its inception as production manager and set up the production standards and structure for all work. Projects primarily included research laboratories, medical facilities, institutional and corporate facilities.
- **Principal** **R. Scott Starling, AIA**
Practiced as a sole proprietor with both private commissions and contract work for other architectural and engineering firms. Types of projects were primarily corporate and institutional facilities.
- **Project Manager** **PGAV**
Sewed as project manager for this large architectural office on a variety of different project types, primarily for corporate and recreational clients and was interim head of their interiors group for corporate projects.
- **Project Manager** **Hastings & Chivetta**
Led and served on design and production teams working on a variety of building types, mostly corporate, recreational and institutional facilities.
- **Project Architect** **DEG Associates**
Member of design and production team, primarily for medical projects.
- **Production Architect** **The Drake Partnership**
Member of production teams for large hospitals and medical facilities.

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Mastorakos

Vice Chair: Councilmember Monachella

The Planning and Public Works Committee has the following action items for the August 5, 2019 City Council Meeting.

Bill No. 3253 - P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes)

An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “NU” Non-Urban District to a “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way. [P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes) 17W530101]. **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.** Petitioner has requested to hold until next City Council Meeting

Green Sheet Amendments recommended by the PPW Committee. The green sheet amendments are generally:

- 1) Require cross access to all adjacent properties, and**
- 2) Remove the proposed uses “d. Commercial services facility” and “w. Warehouse, general”.**

Bill No. 3254 - P.Z. 08-2019 City of Chesterfield (Unified Development Code–Article 4) An ordinance amending Article 04-05 Sign Requirements of the Unified Development Code {P.Z. 08-2019 City of Chesterfield (Unified Development Code – Article 4)}. **(First Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended.**

The purpose of this petition is to incorporate language to provide regulations and standards for electronic message centers (EMC’s).

Green Sheet Amendments recommended by the PPW Committee. The green sheet amendments are generally:

- 3) To include a provision that permanent freestanding signs beyond what the UDC allows for administrative approval shall be at least 2,000 feet from residential properties, and**
- 4) Prohibit billboards from utilizing this section of code.**

City Policy No. PW-33 - Snow Removal for Private Driveways within Public Right-of-Way

Establishes procedures for the removal of snow windrows from residential driveway aprons for qualifying residents resulting from City snow removal operations within the public right-of-way. The Department of Public Works initiated the trial program in 2014. Due to mild winters over the subsequent years, there was little experience to develop a recommendation to make the program permanent. The 2018-2019 winter season provided that experience and staff recommended, the PPW Committee agreed to make the windrow clearing program permanent by adopting City Council Policy PW-33. **Planning & Public Works Committee recommends approval.**

RECOMMENDATION

Release of Special Cash Escrows 85 and 86

Recommendation to authorize the City Administrator to release Special Cash Escrow 85 and Special Cash Escrow 86 to D. F. Adams and Associates, Incorporated as reimbursement for work completed in connection with the Master Plan Stormwater Channel connecting Wings Corporate Estates to the West End Reservoir. These two special cash escrows were collected and held for the purpose of completing a section of the Chesterfield Valley Master Plan at the west end of Chesterfield Valley, providing for continuous drainage into stormwater reservoir 2-3. The developer expended in excess of \$300,000 to complete the improvements, of which the two special cash escrows will reimburse \$160,053. The difference is simply the developer's responsibility.

(Roll call vote) Department of Public Works recommends approval.

NEXT MEETING

The next meeting of the Planning & Public Works Committee is scheduled for Thursday, August 22, 2019.

If you have any questions, please contact Director of Public Works/City Engineer Jim Eckrich, Director of Planning and Development Services Justin Wyse, or me prior to Monday's meeting.

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: James Eckrich, Director of Public Works/City Engineer


SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, July 18, 2019



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, July 18, 2019 in Conference Room 101.

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

Also in attendance were: Councilmember Michelle Ohley (Ward IV); Planning Commission Chair Merrell Hansen; Jim Eckrich, Director of Public Works/City Engineer; Mike Knight, Planner; Andrew Stanislav, Planner; and Kathy Juergens, Recording Secretary.

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

I. APPROVAL OF MEETING SUMMARY

A. Approval of the June 20, 2019 Committee Meeting Summary

Councilmember Hurt made a motion to approve the Meeting Summary of June 20, 2019. The motion was seconded by Chair Mastorakos and **passed by a voice vote of 3-0** with Councilmember Monachella abstaining.

II. UNFINISHED BUSINESS – None.

III. NEW BUSINESS

A. Architectural Review Board Nominee Interview

Chair Mastorakos introduced Architectural Board nominee Scott Starling.

Councilmember Hurt asked Mr. Starling his opinion relative to current architecture within Chesterfield. Mr. Starling stated that he is very critical of one building in particular and that is what sparked his interest in serving on the Board. He realizes that the Board is limited in its responsibilities, but he hopes to provide a positive influence on future developments. He is a retired architect. He does have opinions about what constitutes good and bad architecture and how architecture influences the general public's perception of a community. He believes that most of the architecture in Chesterfield is very favorable and it is a good image to maintain. Mr. Starling has lived in Chesterfield since 2010. He previously lived in Clayton and served on its Board of Adjustment committee.

When asked about material preferences, Mr. Starling stated that he does not limit himself. He does have a strong preference for contemporary architecture but noted that traditional materials can be used in a contemporary manner that is attractive.

Councilmember Monachella asked if he was familiar with the proposed development for downtown Chesterfield. Mr. Starling stated that he has only seen a land use plan. He likes the concept of a city center and the benefits that it provides.

Chair Mastorakos commented that his resume focuses on commercial architecture rather than residential architecture. Mr. Starling stated that his entire practice was commercial but he feels very comfortable with residential design and has a strong interest in it. He is President of the Board of Trustees for the August Hill subdivision and deals with a lot of residential issues in that area.

Councilmember Monachella made a motion to forward the Architectural Review Board nomination of Scott Starling to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed by a voice vote of 4-0.**

- B. P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes):** A request for a zoning map amendment from an “NU” Non-Urban District to the “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way (17W530101). (Ward 4)

STAFF PRESENTATION

Planner Andrew Stanislav presented the project request for a zoning map amendment from an “NU” Non-Urban District to a “PC” Planned Commercial District. The new “PC” Planned Commercial District will allow for development of a building on the site to support commercial uses permitted in this part of Chesterfield Valley as well as define development criteria for the site.

Mr. Stanislav provided a brief review of the process for this item thus far:

1. A Public Hearing was held on November 14, 2018.
2. An issues meeting was held on April 22, 2019. There were concerns regarding the west setback, the building height and the pipeline. The Applicant requested postponement until the May 29, 2019 Planning Commission meeting.
3. At the May 29, 2019 meeting, it was again postponed until the June 24, 2019 meeting at the request of the Applicant.
4. At the June 24, 2019 meeting, there was a motion to approve the request and it passed by a vote of 5-3.

Mr. Stanislav presented the current preliminary development plan and delineated the following:

1. The building structure setbacks.
2. The parking and access drive setbacks.
3. Provisions to accommodate the City’s storm water master plan.
4. The distance between the proposed building and the existing residences to the west and east of the subject property.
5. The revised building height of 40 feet and 65 feet for the hotel/motel use.

The applicant is proposing 23 permitted uses. They intend to use this property as an additional location for their sewer and drain cleaning business, Drain Surgeons, and they have provided

documentation substantiating the intended use as a Commercial Service Facility. It was noted at the June 24 Planning Commission meeting that the cleaning of their equipment and trucks, along with waste disposal, would be conducted offsite at a separate facility.

DISCUSSION

Storm Water Drainage

Councilmember Ohley asked how the storm water drainage has been addressed. Mr. Stanislav stated that the preliminary development plan is only required to show that storm water drainage is in conformance with the City's Storm Water Master Plan. The plan does not show exact locations of current or future storm water facilities. Securing any necessary easement will occur at the site plan phase. Other proposed possibilities for storm water accommodation could be considered, as long as they meet the City's standards and review.

Cleanout and Disposal

Councilmember Hurt inquired if Attachment A addressed the restrictions on cleaning trucks and equipment. Mr. Stanislav stated there is currently only a restriction on overnight parking of commercial vehicles but such language can be added. Since the Applicant indicated there would be no cleaning or disposal onsite, Councilmember Hurt stated that he would have thought that the Planning Commission would have included that restriction. Planning Commission Chair Merrell Hansen stated that the Planning Commission did express concern in that area and an amendment was proposed to exclude the Commercial Service Facility use but it failed. Councilmember Hurt stated that he was under the impression that the Applicant did not have a problem with including a restriction with respect to waste disposal as they were not intending to perform cleaning and disposal on site anyway. However, they did not want to prohibit trucks from entering and leaving the site because there may be a need to retrieve specific equipment for a particular job.

Overnight Storage

Councilmember Ohley stated she was present when the Applicant explained their plan for overnight storage. They were planning to store some trucks on site overnight but they also stated that trucks are dispatched from the technicians' homes. With this conflicting information, she wondered how to make an informed choice as to whether to allow the use or not. Councilmember Hurt stated that the Commercial Service Facility use is not indicative of the requested use but it allows for this type of business. Attachment A already lists no overnight parking and no storage within the development. Mr. Stanislav clarified that the Applicant intends to store its larger trucks on site inside the building; but no equipment would be stored outside. Planner Mike Knight stated that the language can be clarified. Ms. Hansen questioned why this has to be classified as Commercial Service Facility when it is possible that another use would cover their administrative operations. Councilmember Hurt stated that administrative issues are not the problem. The problem is the transfer of material, disposal and smell.

Councilmember Monachella stated that it is unclear as to how frequently during the night that the larger trucks will be dispatched out. Councilmember Ohley advised that Drain Surgeons' website says they provide 24/7 service, seven days a weeks, every day of the year, to residential, commercial and industrial customers throughout the greater St. Louis metro area.

Chair Mastorakos stated that she is not sure what the Petitioner wants to do. She then summarized the information provided, along with the concerns raised:

1. Applicant wants the site to be a call center.
2. Applicant wants to store some of their trucks inside only, not outside.

3. Service technicians might visit the site to pick up supplies or equipment.
4. There would be no waste on the site as it would always be disposed of offsite, however, that is not stipulated in the Attachment A.
5. Hours of operation are uncertain.
6. There needs to be assurance that trucks are not maintained or cleaned on the property and that none of the trucks are emptied on the property.
7. Owners are not sure of the number of trucks they own.
8. Even though residential is not a component of a "PC" District, there should be some consideration for the existing homes adjacent to the subject site as these are residents of Chesterfield. Consideration should also be given to fact that the general public is in this area, living and shopping.
9. Drainage easement needs to be resolved. Mr. Rombach will not provide an easement on this property. This will necessitate a creative design to accommodate storm water.
10. The existing pipeline on site is a concern.
11. The hotel use is concerning.

Cross Access

Councilmember Hurt pointed out that the preliminary plan shows cross access only to the north, and noted that the City typically requires access to all adjacent properties. Mr. Stanislav explained that the north access is included and the future extension of Blue Valley Avenue will provide access both to the east and west. The proposed north/south right-of-way to the east abuts the property line so future development in that area will have access. He further stated that language could be included for the western portion. Councilmember Hurt stated that this needs to be addressed at this time.

Petitioner Comments

George Stock, Stock & Associates, responded to the concerns raised:

Storage

- The Applicant would be amenable to restrictions prohibiting on-site waste disposal and cleaning of trucks.
- Equipment will be stored inside the building.
- Technicians take their vans home, which are equipped to handle the majority of calls but occasionally there is a need for a larger truck, which will be picked up from the site.

Drainage

- The issue of drainage will be solved at the site development and improvement plan phases, which is the normal City process.
- Mr. Rombach is not going to grant an easement for drainage.
- The pipeline company has already granted an easement.
- Ideas on ways to solve the problem regarding storm water will be discussed with the Engineering Staff to ensure compliance with City requirements.

Turn-around/Parking

- The garage doors are located on the north side of the building.
- The large trucks need enough space to turn-around.
- This could be a multi-tenant building and all the parking spaces would be needed to accommodate parking.

Mr. Stock pointed out that a conceptual drawing was submitted to try to address the City's goals and objectives as outlined in the Comprehensive Plan regarding vehicular access, pedestrian access and drainage.

Councilmember Hurt made a motion to amend P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes) to add that cross access shall be provided to all adjacent property owners. The motion was seconded by Chair Mastorakos and **passed** by a voice vote of 4-0.

There was additional discussion regarding adding language to Attachment A to prohibit the transfer and discharge of sewage material on site. Councilmember Hurt made the following general motion and asked that Staff prepare the specific wording.

Councilmember Hurt made a motion to amend P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes) to add language to Attachment A, I.A. paragraph 2 or 3, that prohibits the transfer, discharge or storage of sewage or waste materials on site at any time. The motion **died** due to lack of a second.

Public Comment

Tim Hayes, Attorney for Chip Rombach, stated that all of the surrounding property owners are against this particular use. The entire use is inappropriate for the area. There is the potential development of banks and restaurants in this area and a human waste hauling facility is not a compatible use. Instead of trying to find a way to make it fit in, it should just be denied.

Since the Committee could not reach a consensus on the rezoning, **Chair Mastorakos made a motion to deny P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes).** The motion was seconded by Councilmember DeCampi.

Discussion after the Motion

There was discussion regarding eliminating the Commercial Service Facility and Warehouse uses as removal of these uses would solve a lot of problems.

The above motion failed by a voice vote of 1-3 with Chair Mastorakos and Councilmembers Monachella and Hurt voting nay.

Councilmember Hurt made a motion to amend P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes) to remove *Commercial Service Facility and Warehouse, General*, as permitted uses. The motion was seconded by Councilmember Monachella and **passed** by a voice vote of 4-0.

There was a brief discussion regarding hours of operation, but the concern was largely related to the two uses that were removed.

Councilmember Hurt made a motion to forward P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the August 5, 2019 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes).]

- C. P.Z. 08-2019 City of Chesterfield (Unified Development Code—Article 4):** An ordinance amending Article 4 of the Unified Development Code to revise regulations pertaining to Sign Packages as established in Section 31-04-05 Sign Requirements.

Planner Andrew Stanislav stated that the purpose of this petition is to amend the regulations pertaining to Sign Packages in Article 4, Section 31-04-05 of the Unified Development Code (UDC) to incorporate language to provide regulations and standards for consideration of electronic message centers (EMCs).

The Ordinance Review Committee provided feedback on April 22, 2019 and a draft set of standards was presented for review at the Planning Commission's June 12 Work Session. A Public Hearing was held for this request at the June 24, 2019 Planning Commission meeting and there were no speakers for this item. At that meeting, the Planning Commission recommended approval with one amendment by a vote of 8-0. The amendment was to correct the language of item "*d.5.a(7) Malfunction and noncompliance.*"

Mr. Stanislav then displayed a PowerPoint depicting the requirements and review standards for EMCs.

DISCUSSION

Councilmember Hurt made the following suggestions:

1. Add language stating that EMCs over 50 sq. ft. have to be at least a half a mile away from any residential area.
2. Require that 25% of the time, EMCs display, at the City's discretion, a free public service announcement to benefit the City.

There was some discussion on how this would apply to zoned residential areas versus land use designations and how it would affect mixed use developments. Permanent versus temporary signage was also discussed.

Attorney Mike Doster commented that the suggested distance requirement may affect a future request of one of his clients, and asked the Committee to provide a more specific measurement. He also stated that the recommended public service announcement may be unconstitutional and suggested that Staff may want to consult the City Attorney.

Councilmember DeCampi stated that he is not sure of the constitutionality of a public service announcement, but he is not comfortable with the government telling private entities what to include on their signs.

There was some discussion regarding the distance of signage in relation to residential areas. It was decided that 2,000 feet was an appropriate measurement.

Councilmember Hurt made a motion to amend P.Z. 08-2019 City of Chesterfield (Unified Development Code-Article 4) to add language in which any permanent, freestanding sign that exceeds what the UDC allows for administrative approval is required to be a minimum

distance of 2,000 feet from any residential land use. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Chair Mastorakos made a motion to amend the above motion to include language to prohibit the use of billboards (advertising signs) as an Electronic Message Center. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

Councilmember Hurt made a motion to amend the above referenced motion to add that a maximum of 25% of electric messaging time be used for public service messages at the City's discretion. The motion **died** due to lack of a second.

Councilmember Monachella made a motion to forward P.Z. 08-2019 City of Chesterfield (Unified Development Code-Article 4), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a vote of 3-1 with Councilmember Hurt voting nay.

Note: One Bill, as recommended by the Planning & Public Works Committee, will be needed for the August 5, 2019 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 08-2019 City of Chesterfield (Unified Development Code—Article 4).]

D. Snow Removal on Driveway Aprons within Public Right of Way

STAFF PRESENTATION

Jim Eckrich, Director of Public Works/City Engineer, stated that in 2014 the City implemented a trial program whereby maintenance personnel would remove ice and snow from the driveway aprons within public right of way of qualifying residents after any snow event with two or more inches of snow. Staff has been reluctant to recommend this program on a permanent basis because winter seasons in the recent past have been relatively mild in terms of snowfall. However, there were two large snowfall events last year. In both cases, the number of man-hours exerted was less than expected, and in fact, it was less than that which was spent during prior smaller storms.

Overall, Staff believes that this has been a successful program and it has been well received by the residents. Therefore, it is Staff's recommendation to continue the Program on a "permanent" basis.

Councilmember Hurt made a motion to forward Public Works Policy PW 33 to City Council with a recommendation to approve. The motion was seconded by Councilmember DeCampi and **passed** by a voice vote of 4-0.

[Please see the attached report prepared by Jim Eckrich, Director of Public Works/City Engineer, for additional information on Snow Removal on Driveway Aprons within Public Right of Way.]

IV. OTHER

Chair Mastorakos informed the Committee that a Vice-Chair needs to be appointed.

Chair Mastorakos made a motion to appoint Councilmember Hurt as Vice-Chair for the Planning & Public Works Committee. The motion was seconded by Councilmember Monachella and passed by a voice vote of 3-0 with Councilmember Hurt abstaining.

V. ADJOURNMENT

The meeting adjourned at 6:57 p.m.

City Council Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services

Date: July 23, 2019

CC Date: August 5, 2019

RE: **P.Z. 09-2018 18633 Olive Street Rd (Herman & Connie Grimes):** A request for a zoning map amendment from an “NU” Non-Urban District to the “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way (17W530101).

Summary

Herman and Connie Grimes, with Stock and Associates Consulting Engineers, Inc., are requesting a zoning map amendment from an “NU” Non-Urban District to a “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way. The new “PC” Planned Commercial District will allow for development of a building on the site to support commercial uses permitted in this part of Chesterfield Valley as well as define development criteria for the site.

A Public Hearing was held on November 14, 2018. At that time issues identified included compatibility with the Comprehensive Land Use Plan and nearby development, proposed uses, existing neighboring residential properties, stormwater, building height and architecture, and outdoor storage. These items were discussed and additional information provided at the subsequent April 22, 2019 Planning Commission meeting.

After receiving input from the Commission, the applicant requested at the meeting to postpone this item to the May 29, 2019 Planning Commission meeting in order to further address and clarify issues raised. The Commission passed a motion at the May meeting to further postpone the item to the June 24, 2019 meeting per the applicant’s request.

On June 24, 2019, the Planning Commission recommended approval of this change of zoning by a vote of 5-3.

The Planning and Public Works Committee met and discussed the petition on July 18, 2019. A motion to recommend approval was passed by a vote of 4-0 with two amendments: 1) to require cross access to all adjacent properties, and 2) to remove proposed uses “d. Commercial service facility” and “w. Warehouse, general.”

Attached to this report please find the draft legislation, green sheet, Attachment A, exhibits from the applicant, and Preliminary Development Plan.

Attachments: Legislation
Green Sheet
Attachment A
Exhibits from the Applicant
Preliminary Development Plan



Figure 1: Subject Site Aerial



July 23, 2019

**VIA ELECTRONIC AND
U.S. MAIL**

Chris Graville
City Attorney, City of Chesterfield
Graville Law Firm, LLC
130 S Bemiston Ave #700
Clayton, MO 63105

Re: Herman & Connie Grimes
P.Z. 09-2018 18633 Olive Street Road

Dear Mr. Graville:

Please be advised that this firm represents the interests of Herman and Connie Grimes, petitioners in the above referenced matter pending in the City of Chesterfield. The Grimes are requesting a zoning map amendment from a “NU” Non-Urban District to a “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way (the “Property”).

Our clients are very excited about the prospect of becoming productive corporate citizens in the City of Chesterfield. The Property and the surrounding area has gone undeveloped for many years and the Grimes believe they can be the catalyst for further development.

The City’s Department of Planning & Development Services has made the following findings with respect to the Grimes’ rezoning request:

- “The uses proposed as part of this request include retail and service options that are compliant with the Mixed Use (Retail/Office/Warehouse) designation in the City’s current Land Use Plan”. Staff Report, June 24, 2019, p. 4.
- “This request proposes retail and commercial uses within the Chesterfield Valley near an existing area of current development (Spirit Valley Business Park and Chesterfield Blue Valley), which has similar commercial service and retail uses to those requested in the Attachment A for this development.” Staff Report, June 24, 2019, p. 4.
- “The proposed uses in the draft Attachment A are consistent with the current Comprehensive Land Use Plan designation of “Mixed Use (Retail/Office/Warehouse)” for this area north of Olive Street Road, which is

recognized as encompassing retail, low-density office, and limited office/warehouse facilities. The adjacent existing residential properties west and east of the subject site are also within this same land use designation as residential uses are no longer encouraged in the Valley in accordance with the plan policies. Additionally, the two proposed uses that are considered “light industrial type uses” according to the UDC are also within the designated area of the Valley where they are expressly permitted west of Long Road.” Staff Report, June 24, 2019, p. 7.

In short, the City’s planning department has determined that the proposed rezoning and associated requested permitted uses (a) wholly comply with the City’s Comprehensive Plan and (b) encompass the same (yet significantly fewer) requested permitted uses as the properties immediately adjacent to the east and the south. To expound upon this latter point, Ordinance 2805 (Blue Valley) permitted 104 permitted uses for the property immediately to the East, and Ordinance 2813 permitted 57 uses for the property immediately to the South. Each of these ordinances expressly allowed “commercial service facility” as a permitted use. Ordinances 2893 and 3002 (Spirit Valley-40 permitted uses) also expressly allow for “warehouse” as a permitted use.

Despite this compatibility with the Comprehensive Plan, the request for the same (but far fewer) permitted uses allowed in the adjacent properties, and the approval of the proposal by the City’s Planning & Zoning Commission as submitted, the Planning & Public Works Committee voted to disallow the “commercial service facility” and “warehouse” uses, permitted for the adjacent properties as described above. The Planning & Public Works Committee apparently decided to give more credence to the unsubstantiated opinions of two developers/neighboring property owners who opposed the uses than its own Planning Department. As you know, the Missouri Court of Appeals has expressly held that “neighboring property owners are not the public and their collective interests are not the public interest which must be weighed in any rezoning inquiry.” *Rhein v. City of Frontenac*, 809 S.W.2d 107, 110 (Mo. Ct. App. 1991). The frustration by our clients at the removal of these uses was exacerbated when they learned that one of the committee members referenced any additional restrictions on the project (including storage, parking, and waste restrictions which the Grimes endorsed!) as simply akin to “putting lipstick on a pig”. After hundreds of hours and thousands of dollars spent addressing City concerns, the Grimes were disheartened to hear this characterization.

A legislative body’s zoning determination cannot stand if it is arbitrary and capricious. *Loomstein v. St. Louis County*, 609 S.W.2d 443 (Mo. Ct. App. 1980)(“zoning is lawful only when it bears a substantial relation to the public welfare. If the public welfare is not served by the zoning or if the public interest served by the zoning is greatly outweighed by the detriment to private interests, the zoning is considered to be arbitrary and unreasonable and, therefore, violative of the due process clauses of our State and Federal Constitutions”). With respect to this application, it is respectfully submitted that a decision to remove a permitted use from this particular property that is expressly permitted in the parcels immediately adjacent to said property is arbitrary and capricious, and designed only to provide a competitive advantage requested by said adjacent property owners.

The Grimes are earnest in their desire to be productive corporate citizens. It is very important for them to convey the fact that any construction (to be subsequently considered in the site plan process) will be first-class, consistent with adjacent architecture, and worthy of being located in the City of Chesterfield. To the extent they pursue the "Commercial Service facility" use, they are willing to abide by restrictions discussed throughout this process, including a prohibition on outside storage or waste on the premises, in addition to a requirement that all trucks on-site be cleaned off-site. The Grimes respectfully request that the decision of the Planning & Zoning Commission be approved as presented and that the recommendation of the Planning & Public Works committee be rejected.

Finally, in that our clients are out of town at a previously scheduled wedding on August 5, 2019, we would respectfully request that the first reading be held on August 19, 2019, with the second reading to be held on September 4, 2019.

Our clients and we appreciate the City's consideration of these requests.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael K. Daming', with a stylized, looped flourish at the end.

Michael K. Daming

MKD/ac

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 3.1 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE STREET ROAD WEST OF ITS INTERSECTION WITH PREMIUM WAY. [P.Z. 09-2018 18633 OLIVE STREET RD (HERMAN & CONNIE GRIMES) 17W530101].

WHEREAS, the petitioner, Herman and Connie Grimes, has requested a zoning map amendment from the “NU” Non-Urban District to a “PC” Planned Commercial District for a 3.1 acre tract of land located on the north side of Olive Street Road west of its intersection with Premium Way; and

WHEREAS, a Public Hearing was held before the Planning Commission on November 14, 2018; and,

WHEREAS, the Planning Commission having considered said request, recommended approval of the change of zoning request by a vote of 5-3; and

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

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

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

Section 1. City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing a “PC” Planned Commercial District designation for 3.1 acres located on the north side of Olive Street Road west of its intersection with Premium Way and as described as follows:

Part of Lot 1 of the Amelia Boisselier Estate in U.S. Surveys 368, 1937 and 133, Township 45 North, Range 3 East, according to survey and Subdivision thereof made by Richard Elbring Surveyor, recorded in Plat Book 16 page 27 of the St. Louis County Records and described as:

Beginning at a point in the North line of Olive Street Road, distant 140.0 feet North 82 degrees 44 minutes West from the Southeast corner of said Lot 1; thence North 11 degrees 43 minutes West 626 feet to a point; thence North 82 degrees 44 minutes West parallel with the North line of Olive Street Road 228 feet to a point 25 feet east from the center line of Shell Pipe Line Right-of-Way; thence South 11 degrees 43 minutes East from the center line of Shell Pipe Line Right-of-way, passing an angle in said pipe line and continuing on

the same course, South 11 degrees 43 minutes East 626 feet to the North line of Olive Street Road; thence along road line South 82 degrees 44 minutes East 228 feet to the place of beginning. Containing approximately 3.3 acres.

Section 2. The preliminary approval, pursuant to the City of Chesterfield Unified Development Code is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council, which are set out in the “Attachment A” and the preliminary plan indicated as “Attachment B” which is attached hereto and made part of.

Section 3. The City Council, pursuant to the petition filed by Herman and Connie Grimes in P.Z. 09-2018, requesting the rezoning embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a Public Hearing, held by the Planning Commission on the 14th day of November 2018, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 8/5/2019

GREEN SHEET AMENDMENTS

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

AMENDMENT 1:

Section I. Specific Criteria, A. Permitted Uses, page 1. Revise the following language:

1. The uses allowed in this “PC” Planned Commercial District shall be:

~~d. Commercial service facility~~

~~w. Warehouse, general~~

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

AMENDMENT 2:

Section I. Specific Criteria, I. Access/Access Management, page 4. Revise the following language:

2. A cross access easement shall be provided to **all** adjacent property ~~ies to the north.~~

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. Bakery
- b. Brewpub
- c. Coffee Shop, drive-through
- d. Commercial service facility
- e. Drugstore and pharmacy, with drive-through
- f. Filling station and convenience store with pump stations
- g. Financial institution, with drive-through
- h. Grocery, community
- i. Grocery, neighborhood
- j. Hotel and motel
- k. Hotel and motel, extended stay
- l. Laboratory-professional, scientific
- m. Office, general
- n. Office, medical
- o. Professional and technical service facility
- p. Recreation facility
- q. Research laboratory and facility
- r. Restaurant, fast-food

- s. Restaurant, sit-down
 - t. Retail sales establishment, community
 - u. Retail sales establishment, neighborhood
 - v. Retail sales establishment, regional
 - w. Warehouse, general
2. All outdoor storage and/or outdoor sales activity shall be prohibited within this development.
 3. Overnight parking of commercial vehicles is prohibited within this development.
 4. Hours of Operation.
 - a. Retail sales will be limited from 7 a.m. to 11 p.m. Hours of operation for retail sales may be expanded for Thanksgiving Day and the day after Thanksgiving upon review and approval of a Special Activities Permit, signed by the property owner and submitted to the City of Chesterfield at least seven (7) business days in advance of said holiday.
 - b. Hours of operation for all other uses in this “PC” District shall not be restricted.
 5. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

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

1. Height
 - a. The maximum height of the building, exclusive of roof screening, shall not exceed 40 feet.
 - b. Notwithstanding the limitation set forth in subsection B.1.a., the maximum height of the building for uses “j” and “k” above, exclusive of roof screening, shall not exceed 65 feet.
2. Building Requirements
 - a. A minimum of 35% openspace is required for each lot within this development.
 - b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. Structure Setbacks

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

- a. Fifty (50) feet from the right-of-way of Olive Street Road.
- b. Fifteen (15) feet from the proposed right-of-way of the Blue Valley Avenue extension as shown on the Preliminary Development Plan.
- c. Ten (10) feet from the proposed right-of-way of the North/South roadway as shown on the Preliminary Development Plan.
- d. Fifteen (15) feet from the western boundary of this “PC” District.

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. Thirty (30) feet from the right-of-way of Olive Street Road.
- b. Fifteen (15) feet from the proposed right-of-way of the Blue Valley Avenue extension as shown on the Preliminary Development Plan.
- c. Ten (10) feet from the proposed right-of-way of the North/South roadway as shown on the Preliminary Development Plan.
- d. Fifteen (15) feet from the western boundary of this “PC” District.

D. PARKING AND LOADING REQUIREMENTS

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

E. LANDSCAPE AND TREE REQUIREMENTS

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

F. SIGN REQUIREMENTS

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

G. LIGHT REQUIREMENTS

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

H. ARCHITECTURAL

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

I. ACCESS/ACCESS MANAGEMENT

1. Access to this development from Olive Street Road shall be located opposite Spirit Valley East Drive and constructed to Saint Louis County Standards as directed by Saint Louis County Department of Transportation and the City of Chesterfield. The proposed right of way and Blue Valley Avenue Extension shall be as shown on the preliminary plan.
2. A cross access easement shall be provided to adjacent property to the north.
3. If adequate sight distance cannot be provided at the access location(s), acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance as required by the City of Chesterfield and the agency in control of the right of way off which the access is proposed.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. The proposed right of way located within this development shall be privately maintained until a connection to Blue Valley Avenue is constructed and approved by the City of Chesterfield. After that time, the developer may request the City of Chesterfield to accept the streets for maintenance.
2. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the agency in control of the right of way off of which the entrance is constructed. No gate installation will be permitted on public right-of-way.
3. 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.
4. Provide a 5 foot wide sidewalk, conforming to ADA standards, along the project frontage of Olive Street Road and along both sides of the proposed rights of way as shown on the preliminary plan. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within right-of-way controlled by another agency, if permitted by that agency or on private property within a 6 foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
5. Obtain applicable permits from the City of Chesterfield and the Saint Louis County Department of Transportation as necessary for locations of proposed and removals of existing access points, and roadway improvements.
6. Additional right-of-way and road improvements shall be provided, as required by the Saint Louis County Department of Transportation and the City of Chesterfield.

K. TRAFFIC STUDY

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

regional issues shall be addressed as directed by the City of Chesterfield.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto public right of way. 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 St. Louis County Department of Transportation.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed or the Mayor may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than seventy-two (72) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
2. Water Quality Features are to be provided as required by the Metropolitan Saint Louis Sewer District. The location and types of storm water management facilities shall be identified on all Site Development Plans and Improvement Plans and must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. The developer shall be responsible for construction of any required storm water improvements per the Chesterfield Valley Master Storm Water Plan, as applicable, and shall coordinate with the owners of the properties affected by construction of the required improvements. In the event that the ultimate required improvements cannot be

- constructed concurrently with this development, the developer shall provide interim drainage facilities and establish sufficient escrows as guarantee of future construction of the required improvements, including removal of interim facilities. Interim facilities shall be sized to handle runoff from the 100-year, 24-hour storm event as produced by the Master Storm Water Plan model. The interim facilities shall provide positive drainage and may include a temporary pump station, if necessary. Interim facilities shall be removed promptly after the permanent storm water improvements are constructed.
5. The developer may elect to propose alternate geometry, size and/or type of storm water improvements that are functionally equivalent to the required improvements per the Chesterfield Valley Master Storm Water Plan. Functional equivalence is said to be achieved when, as determined by the Public Works Director, the alternate proposal provides the same hydraulic function, connectivity, and system-wide benefits without adversely affecting any of the following: water surface profiles at any location outside the development; future capital expenditures; maintenance obligations; equipment needs; frequency of maintenance; and probability of malfunction. The City will consider, but is not obligated to accept, the developer's alternate plans. If the Public Works Director determines that the developer's proposal may be functionally equivalent to the Chesterfield Valley Master Storm Water Plan improvements, hydraulic routing calculations will be performed to make a final determination of functional equivalence. The Director will consider the developer's proposal, but is not obligated to have the hydraulic analysis performed if any of the other criteria regarding functional equivalence will not be met. The hydraulic routing calculations regarding functional equivalence may be performed by a consultant retained by the City of Chesterfield. The developer shall be responsible for all costs related to consideration of an alternate proposal, which shall include any costs related to work performed by the consultant.
 6. The developer shall provide all necessary Chesterfield Valley Storm Water Easements to accommodate future construction of the Chesterfield Valley Master Storm Water Plan improvements, and depict any and all Chesterfield Valley Master Storm Water Plan improvements on the Site Development Plan(s) and Improvement Plans. Maintenance of the required storm water improvements shall be the responsibility of the property owner unless otherwise noted.
 7. All Chesterfield Valley Master Storm Water Plan improvements, as applicable, shall be operational prior to the paving of any driveways or parking areas unless otherwise approved.

N. SANITARY SEWER

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

O. GEOTECHNICAL REPORT

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

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. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
3. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Saint Louis County Department of Transportation. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.
4. Prior to record plat approval, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.
5. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Development Permit/Application to the City of Chesterfield for approval. The Floodplain Study must be

approved by the City of Chesterfield prior to the approval of the Site Development Plan, as directed. The Floodplain Development Permit must be approved prior to the approval of a grading permit or improvement plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development. Elevation Certificates will be required for any structures within the Special Flood Hazard Area or the Supplemental Protection Area. All new roads within and adjacent to this site shall be constructed at least one (1) foot above the base flood elevation of the Special Flood Hazard Area. Improvements to existing roadways shall be required as necessary to provide at least one access route to each lot that is at least one (1) foot above the base flood elevation. Consult Article 5 of the Unified Development Code for specific requirements for specific requirements.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS

- A.** The developer shall submit a Site Development Plan within eighteen (18) months of City Council approval of the change of zoning.
- B.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- C.** 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.
- D.** Where due cause is shown by the developer, the City Council may extend the period to submit a Site Development Plan for eighteen (18) months.

III. COMMENCEMENT OF CONSTRUCTION

- A.** Substantial construction shall commence within two (2) years of approval of the Site Development Plan, unless otherwise authorized by ordinance.
- B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

IV. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

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

16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.
22. Compliance with Sky Exposure Plane.
23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. TRUST FUND CONTRIBUTIONS

Traffic generation assessment contributions shall be deposited with Saint Louis County prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

A. ROAD IMPROVEMENTS

1. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Chesterfield Valley Trust Fund (No. 556). This contribution shall not exceed an amount established by multiplying the required parking spaces by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
General Retail	\$2,319.85/parking space
General Office	\$773.24/parking space

(Parking Space as required by the site-specific ordinance.)

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

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

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

2. As this development is located within a trust fund area established by St. Louis County, any portion of the traffic generation assessment contribution which remains following completion of road improvements required by the development shall be retained in the appropriate trust fund.
3. Road Improvement Traffic Generation Assessment contributions shall be deposited with St. Louis County Department of Transportation. The deposit shall be made prior to the issuance of a Special Use Permit (S.U.P.) by Saint Louis County Department of Transportation or prior to the issuance of building permits in the case where no Special Use Permit is required. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment contribution prior to the issuance of building permits for each phase of development. Funds shall be payable to Treasurer, St. Louis County.

B. WATER MAIN

The primary water line contribution is based on gross acreage of the development land area. The contribution shall be a sum of \$915.62 per acre for the total area as approved on the Site Development Plan to be used solely to help defray the cost of constructing the primary water line serving the Chesterfield Valley area.

The primary water line contribution shall be deposited with Saint Louis County Department of Transportation. The deposit shall be made before Saint Louis County approval of the Site Development Plan unless

otherwise directed by the Saint Louis County Department of Transportation. Funds shall be payable to Treasurer, St. Louis County.

C. STORM WATER

The storm water contribution is based on gross acreage of the development land area. These funds are necessary to help defray the cost of engineering and construction improvements for the collection and disposal of storm water from the Chesterfield Valley in accordance with the Master Plan on file with and jointly approved by Saint Louis County and the Metropolitan Saint Louis Sewer District. The amount of the storm water contribution will be computed based on \$2,905.08 per acre for the total area as approved on the Site Development Plan.

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

D. SANITARY SEWER

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

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

E. TRAFFIC GENERATION ASSESSMENT RATES

1. The amount of all required contributions for roadway, storm water and primary water line improvements, if not submitted by January 1, 2020, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the Saint Louis County Department of Transportation.
2. Prior to Special Use Permit issuance by the Saint Louis County Department of Transportation, 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 Transportation to guarantee completion of the required roadway improvements.

3. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

VI. RECORDING

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

VII. 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.

STOCK | & ASSOCIATES
Consulting Engineers, Inc.

May 15, 2019

Via Email(astanislav@chesterfield.mo.us / jwyse@chesterfield.mo.us & Hand Delivery)

City of Chesterfield
690 Chesterfield Pkwy W,
Chesterfield, MO 63017

Attention: Mr. Justin Wyse – Director of Community Development
Mr. Andrew Stanislav – Project Planner

Re: P.Z. 09-2018 18633 Olive Street Road (Herman & Connie Grimes).
(Stock Project No. 218-6387)

Dear Justin & Andrew,

Pursuant to our meeting on April 26, 2019, following the Planning Commission meeting on 4/22/19, we are pleased to offer the following additional information.

- 1.) We have field located the Marathon pipeline, by surveying three (3) markers which exist on the southside of Olive St. Road, the northside of Olive St. Road and on their structure within the site. In addition, numerous paint markings & flags located on the Marathon Pipeline Property. The attached Preliminary Plan includes photos of the Pipeline Markers & the location of the Gas Main, in "Green"

The Existing Pipeline from the proposed building will be approximately 41 feet. (See Preliminary Plan)

- 2.) The proposed building location has been slid east to provide a fifteen (15) foot setback from the West Property line which is contiguous to the Marathon Pipeline Property. The proposed building separation from existing residences to the west is approximately 160 feet and from the east is approximately 189 feet. This compares to BlueValley Future Building of approximately 110 feet from the Residence.
- 3.) Regarding comparison in height of buildings and number of uses requested in our petition, the following is a comparison to the three (3) adjoining Planned Developments

	Current Petition P.Z. 09-2018	(Stock JN 3652) BlueValley Ord. No. 2805	(Stock JN. 3923, 4080, 6221) Spirit Valley Business Park Ord. No. 3002	(Stock JN 5262,) 1826 Olive St. Rd. Ord. No. 2818
1.)Height	40 ft. Except Hotel 65 ft.	4 Stories / 65 Feet Plus 3 Parcels 6 Stories / 75 Feet	40 Ft. Except Lots 8 & 9B, 65 Ft.	40 Ft.
2.)Permitted Uses	23	54	104	57

4.) **Architecture:**

Attached are photos of several buildings within the BlueValley Development: Burlington, BP Gas, Cavender's, Town Place Suites, Premium Outlet at Blue Valley. In addition, photos of numerous buildings within the Spirit Valley Business Park. The proposed architecture for this petition would mimic the existing Architecture on the East & South Sides of this development.

- 5.) Our Preliminary Plan shows the existing remaining residences to the East & West. The Scott and Kurt Rombach Residence which is located on the subject property would be demolished once the purchaser closes with the Rombach's.
- 6.) This petition "as reflected" on the Preliminary Plan furthers the goals & objectives of the City's Comprehensive Plan by Constructing Public Road & Public Stormwater Infrastructure Improvements. Similar to the Blue Valley Development this project incorporates the extension of Blue Valley Ave. (East-West) and the Master Drainage Channel (East-West).

Along with this exhibit are the approved Concept Plans and Preliminary Plan associated with Ordinances 2805, 2818, & 3002. These drawings are included to demonstrate consistency with future building locations relative existing residence and building location relative to the Marathon Pipeline. Lastly, they show consistency with the Road & Stormwaters Improvements previously described.

7.) **Proposed Use:**

The only issue before the Planning & Zoning Commission at this point is whether or not to rezone this area to PC. As staff has acknowledged, such a rezoning is much more consistent with the Comprehensive Plan than the current zoning. The current owners of the site, Scott Rombach and Kurt Rombach, are in full support, as reflected in the attached letters.

The Commission will have the opportunity after this rezoning to separately review and approve the proposed site plan, but in the interest of transparency, the Applicant at this time envisions two potential uses: hotel or a new corporate headquarters for its drain cleaning business. If the hotel is the ultimate use, the Applicant requests a 65' height limitation; if the headquarters is the ultimate use, the Applicant has no problem with a 40' height limitation.

The Applicant acknowledges that certain members of the Commission expressed concerns with

the latter, corporate headquarters proposal. It is very important to the Applicant to convey the fact that should the corporate headquarters option be the ultimate use, the construction will be first-class, consistent with adjacent architecture, and worthy of being located in the City of Chesterfield. With respect to this potential use, the Applicant envisions that, generally, only a receptionist type person would be on site at the subject property. This person would take calls/dispatch service technicians from their houses for sewer or drain cleaning work. The service technician would likely first visit the project site, assess the situation and needed equipment, and then retrieve the sewer or drain cleaning equipment in need from the headquarters or address the situation with the equipment on their work trucks (**maintained at their residences rather than the subject property**).

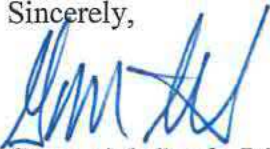
No retail sales would occur at the subject property and no repair service would occur at the subject property. The equipment used by the service technician would not be warehoused (i.e. permanently stored without active use) at the subject property, but rather used in the course of the services as dispatched per the description above. **Trucks would not be stored outside the building or cleaned on site, and the Applicant has no problem with an express limitation to this effect.**

Hopefully, the above Narrative along with supplemental Drawings, Adjoining Property Ordinances, & Photo information address the questions raised by the Planning Commission.

Lastly, we have enclosed letters of support from Scott and Kurt Rombach who are the owners and sellers of the subject property.

Should you have any questions or comments please do not hesitate to call.

Sincerely,



George M. Stock, P.E.
President

Enclosures

CC: Mr. Chuck Hulse, P.E., PLS (Charles.hulse@stockassoc.com) w/attachments
Mrs. Kate Stock-Gitto, E.I. (kate.gitto@stockassoc.com) w/ attachments
Mr. Michael Daming (mdaming@wasingerdaming.com) w/attachments
Mrs. Connie Grimes (cg@grimestax.com) w/attachments

LEVINA BOONE PROJECT NARRATIVE

Our proposal is to invest in the property 18633 Olive Street Road, which contains 3.1 +/- acres, and then market the property to appropriate investors. We would keep the architecture to blend nicely with the existing outlet mall, which is located near this acreage.

The proposed uses for the property are:

- Commercial Service Facility
- Grocery, community
- Grocery, neighborhood
- Office, general
- Office - medical
- Bakery
- Brewpub
- Coffee Shop, drive-through
- Filling station and convenience store with pump stations
- Laboratory - Professional Scientific
- Professional & Technical Service Facility
- Recreation facility
- Research Laboratory Facility
- Restaurant sit down
- Restaurant fast food
- Retail sales establishment-community
- Retail sales establishment-neighborhood
- Retail sales establishment-regional
- Drugstore and pharmacy with drive-through
- Financial institution with drive through
- Hotel and motel
- Hotel and motel, extended stay
- Warehouse, general

We want to do an environmental clean-up of the gas tank and pump located on the property as soon as closing, as well as proper disposal of the asbestos in the home, if any. We are also aware of the Chesterfield Tree Manual, and the Tree Stand Delineation requirement. We have four trees and have already been in contact with an arborist to do an evaluation of these trees. We have also been made aware of TownPlace Suites, and the trees that will line Olive Street Road on their property, and will conform to that standard.

We are not requesting any variations or exceptions from the requirement of the zoning ordinances. We are assuming that the neighboring homes are not considered in a residential district, as they are also zoned NU.

We are aware of the 50' easement for flood control, and it is our understanding that could be shared with the adjoining property. We are also aware of the request of the City of Chesterfield to extend connecting roadways through our property, and have hired George Stock and Associates to analyze the property, and put forward a plan that would be consistent with neighboring properties and the City of Chesterfield.

Hours of Operation: Unrestricted (Except Retail Sales Limited to 7:00 AM to 11:00 PM)

No proposed outside storage of materials and goods.

Commercial Vehicles will not be parked outside overnight.

Proposed Design Standards:

F.A.R. 0.55 MAX

Maximum Building Ht. 65 feet

Open Space: 35% Min.

Proposed Setbacks:

Parking/Access Drives:

30' from Olive Street Rd

15' from Blue Valley Avenue

10' from North/South Street

15' from West property line

Building:

50' from Olive Street Rd

15' from Blue Valley Avenue

10' from North/South Street

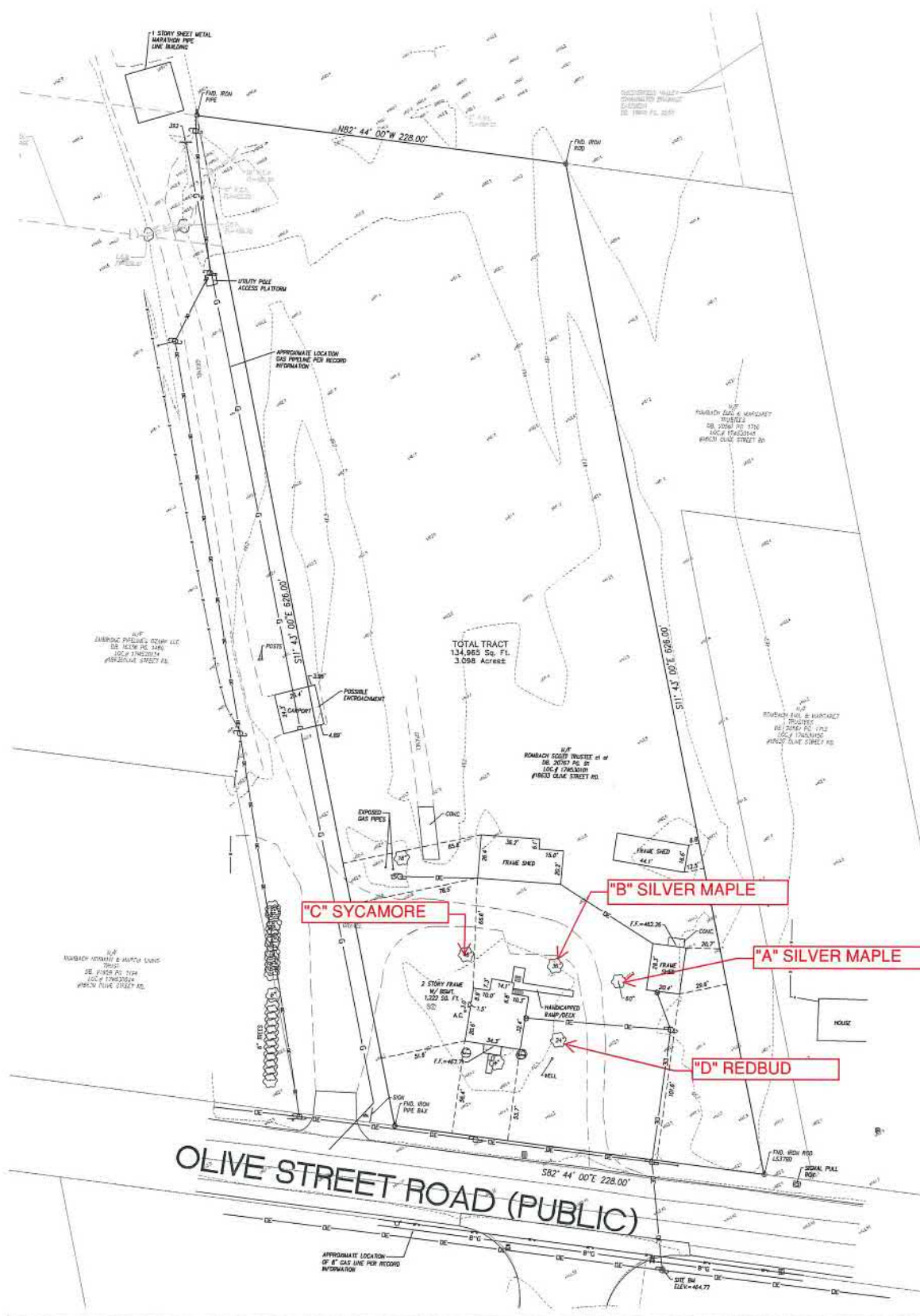
15' from West property line

TREE STAND DELINEATION REPORT
18633 Olive Street Road
Chesterfield Mo 63005

Prepared by:
Zachary D Hall
ISA Certified Arborist
MW-4833 A

SPECIMEN TREE

No.	Common Name	Scientific Name	DBH (inches)	Condition Rating	Condition Comments
A	Silver Maple	Acer saccharinum	180	Poor	Topped, Severe Decay Through Out Branch Wood
B	Silver Maple	Acer saccharinum	120	Fair	Topped, Decay Through Out Branch Wood
C	Sycamore	Platanus occidentalis	142	Poor	Topped, 40-50% Decline
D	Redbud	Cercis canadensis	32,25,29	Fair	Codominant Stems, 10-15% Decline



TREE STAND DELINEATION EXHIBIT
18633 OLIVE STREET ROAD
CHESTERFIELD, MO 63005

**LETTERS FROM PROPERTY
OWNERS:**

- 1.) SCOTT ROMBACH 12/4/18**
- 2.) KURT ROMBACH 12/5/18**

December 4 2018.

My name is Scott Rombach.

My brother and I are co-owners
of the Rombach farm property at
18751 Olive Street Road, Chesterfield, Mo.
63005. We are in favor of the
rezoning of the 3 acre property
being purchased by Herman and
Connie Grimes at 18635 Olive Street
Road, Chesterfield, Mo. 63005

Scott Rombach

12-6-18 Not DMU

12-5-18

My name is Kurt Romach. My brother Scott and I are co-owners of a portion of the farm property located at 18751 Olive Street Rd, Chesterfield 63005. I am in favor of the rezoning of the three acre property located at 18633 Olive Street Rd, Chesterfield 63005.

12-6-18 Kurt Romach

**A.) PHOTOS (5/14/19) OF
MARATHON PIPELINE MARKER**

SOUTHSIDE of olive

SPN 6387 Field Date 5-14-19

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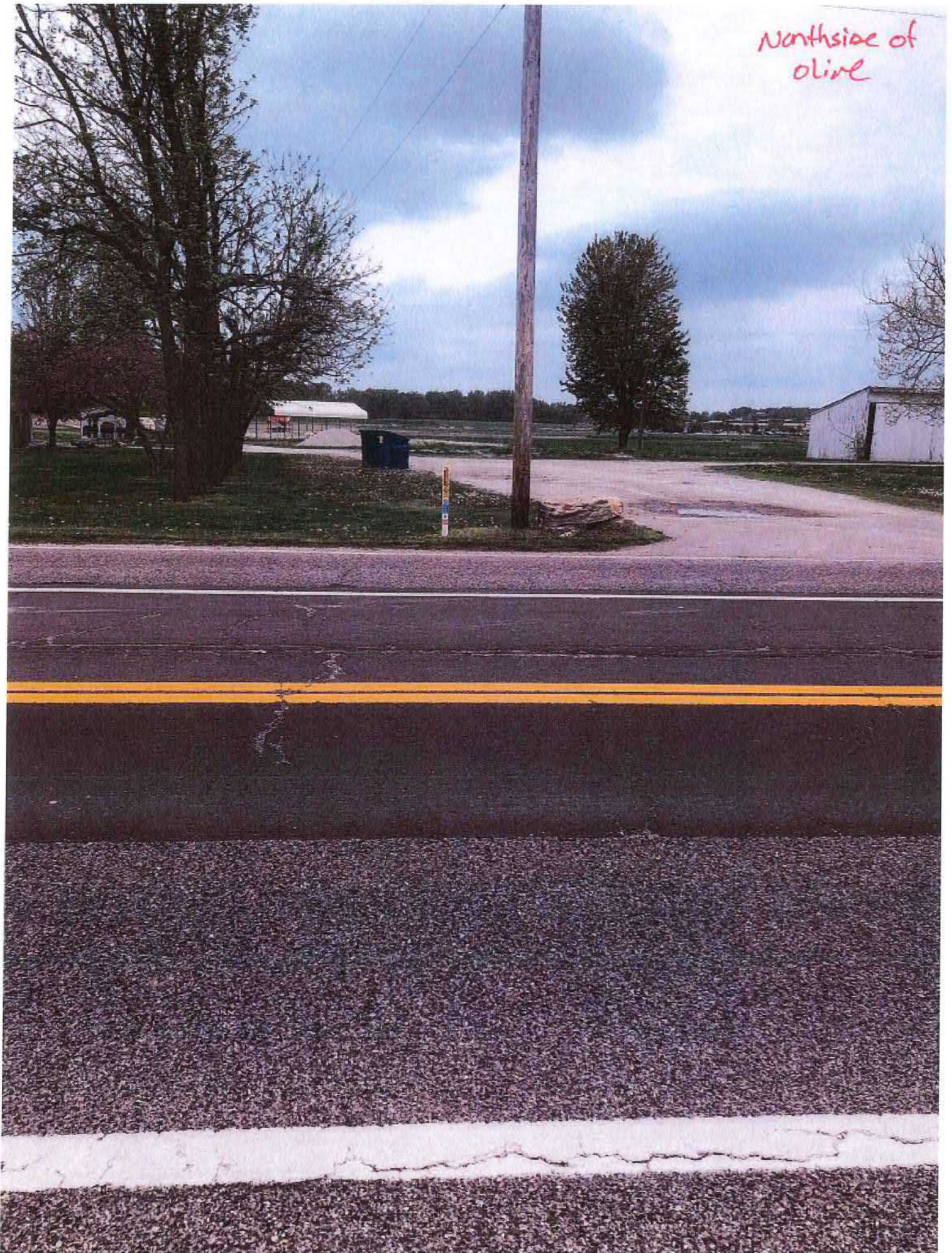
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SOUTHSIDE
OLIVE



Northside of
olive



NORTHSIDE of olive

SPN 6387 Field Date 5-14-19

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SPN 6387 Field Date 5-14-19

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SPN 6387 Field Date 5-14-19

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B.) BLUEVALLEY DEVELOPMENT
ORD. NO 2805
-PERMITTED USES
- HEIGHT
- CONCEPT PLAN
- PHOTOS

BLUE VALLEY

ORD.
2805

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. Administrative office for educational or religious facility
- b. Amusement park
- c. Animal grooming service
- d. Arena and stadium
- e. Art gallery
- f. Art studio
- g. Auditorium
- h. Automatic vending facility
- i. Automobile sales, new
- j. Automobile sales, used
- k. Automotive retail supply
- l. Bakery
- m. Bar
- n. Barber or beauty shop
- o. Botanical garden
- p. Bowling center
- q. Brewpub
- r. Broadcasting studio
- s. Cafeteria for employees and guests only
- t. Car wash
- u. Car wash, self service
- v. Cemetery
- w. Check cashing facility
- x. Church and other place of worship
- y. Club
- z. Coffee shop
- aa. Coffee shop, drive-thru
- bb. Commercial service facility

- cc. Community center
- dd. Day care center, adult
- ee. Day care center, child
- ff. Device for energy generation
- gg. Donation collection bin
- hh. Drug store and pharmacy
- ii. Drug store and pharmacy, drive-thru
- jj. Dry cleaning establishment
- kk. Dry cleaning establishment, drive-thru
- ll. Dwelling, employee
- mm. Education facility- specialized private schools
- nn. Education facility- vocational school
- oo. Educational facility- college/university
- pp. Educational facility- kindergarten or nursery school
- qq. Fairground
- rr. Farmers market
- ss. Filling station and convenience store with pump stations
- tt. Film drop-off and pick-up station
- uu. Film processing plant
- vv. Financial institution
- ww. Financial institution, drive-thru
- xx. Golf course
- yy. Grocery- community
- zz. Grocery- neighborhood
- aaa. Grocery- supercenter
- bbb. Gymnasium
- ccc. Heliport- public and private
- ddd. Hospice
- eee. Hospital
- fff. Hotel and motel
- ggg. Hotel and motel, extended stay
- hhh. Individual sewage treatment facility
- iii. Kennel, boarding
- jjj. Laundromat
- kkk. Library

lll.	Local public utility facility- over 60 feet in height
mmm.	Lodge
nnn.	Mortuary
ooo.	Museum
ppp.	Newspaper stand
qqq.	Nursing home
rrr.	Office, dental
sss.	Office, general
ttt.	Office, medical
uuu.	Oil change facility
vvv.	Park
www.	Parking area, including garages, for automobiles
xxx.	Professional and technical service facility
yyy.	Public safety facility
zzz.	Reading room
aaaa.	Recreation facility
bbbb.	Research facility
cccc.	Restaurant, fast food
dddd.	Restaurant, outdoor customer dining area
eeee.	Restaurant, sit down
fff.	Restaurant, take out
ggg.	Restaurant, with drive-thru window
hhh.	Retail sales establishment, community
iii.	Retail sales establishment, neighborhood
jjj.	Retail sales establishment, regional
kkk.	Retail sales, outdoor
lll.	Riding stable
mmm.	Sales yard operated by a church, school, or other not for profit organization
nnn.	Satellite dish
ooo.	Tackle and bait shop
ppp.	Tattoo parlör / body piercing studio
qqq.	Telecommunications structure
rrr.	Telecommunications tower or facility
sss.	Theater, indoor

tttt.	Theater, outdoor
uuuu.	Transit transfer station
vvvv.	Union halls and hiring halls
www.	Vehicle repair and services facility
xxxx.	Veterinary clinic
yyyy.	Zoological garden
zzzz.	Light Industrial Type Uses: Laboratory—Professional, scientific.

2. The above uses in the "PC" Planned Commercial District shall be restricted as follows:
 - a. Outdoor sales shall be limited to an aggregate area not to exceed twenty percent (20%) of the total development to be shown on all Site Plans and must not be visible from roadways exterior to the development.
 - b. A maximum of seven (7) drive-thru or drive-up facilities shall be permitted for this development with a maximum of two (2) such uses per building.
 - c. Review of the impact on traffic and site circulation by assembly-type uses, i.e. uses d., g., oo., and ssss., will be conducted prior to approval of any Site Development Plan or Site Development Section Plan for the site.
 - d. A maximum of two (2) lots in the development shall be developed with use ss.
3. Hours of Operation.
 - a. Hours of operation for this "PC" District shall not be restricted.
4. Ancillary uses for the above referenced permitted uses shall be as follows:
 - a. Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - b. Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
 - c. Cafeterias for employees and guests only.
 - d. Fishing tackle and bait shops. Open storage and display are prohibited.
5. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City of Chesterfield Unified Development Code Section 06.

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

1. Floor Area

- a. Total building floor area shall not exceed 1,400,000 square feet.

2. Height

- a. The maximum height of the buildings in this development shall be four (4) stories or sixty-five (65) feet as measured from existing grade, whichever is less; with the exception that three (3) parcels shall be permitted to maintain a maximum height of six (6) stories or seventy-five (75) feet as measured from existing grade, whichever is less.

3. Building Requirements

- a. A minimum of thirty percent (30%) open space is required for this development.

The developer shall construct a one half (1/2) acre park which shall be maintained and operated by the land developer. Said park is to be located in the southern portion of the site along Olive Street Road and shall include the forty seven (47) inch Pecan Tree as shown on the Tree Stand Delineation. Specifics regarding the park design shall be provided during site development plan review.

- b. This development shall have a maximum F.A.R. of 0.55.

C. SETBACKS

1. Structure Setbacks

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

- a. Fifty (50) feet from the right-of-way of Olive Street Road on the southern boundary of the "PC" Planned Commercial District.
- b. Structures which are six (6) stories in height shall be no closer than three hundred (300) feet from the right-of-way of Olive Street Road.
- c. One hundred (100) feet from the northern boundary of the "PC" District N34°00'30"E.
- d. Thirty (30) feet from the eastern boundary of the "PC" District.
- e. Twenty (20) feet from any interior road.
- f. Structures exceeding thirty (30) feet in height which adjoin "NU" Non-Urban, "PS" Park and Scenic or an "R" Residence District shall be set back an additional one (1) foot for every two (2) feet in height above thirty (30) feet.
- g. Structures which are six (6) stories in height shall be no closer than one hundred fifty (150) feet from the paved portion of I-64.

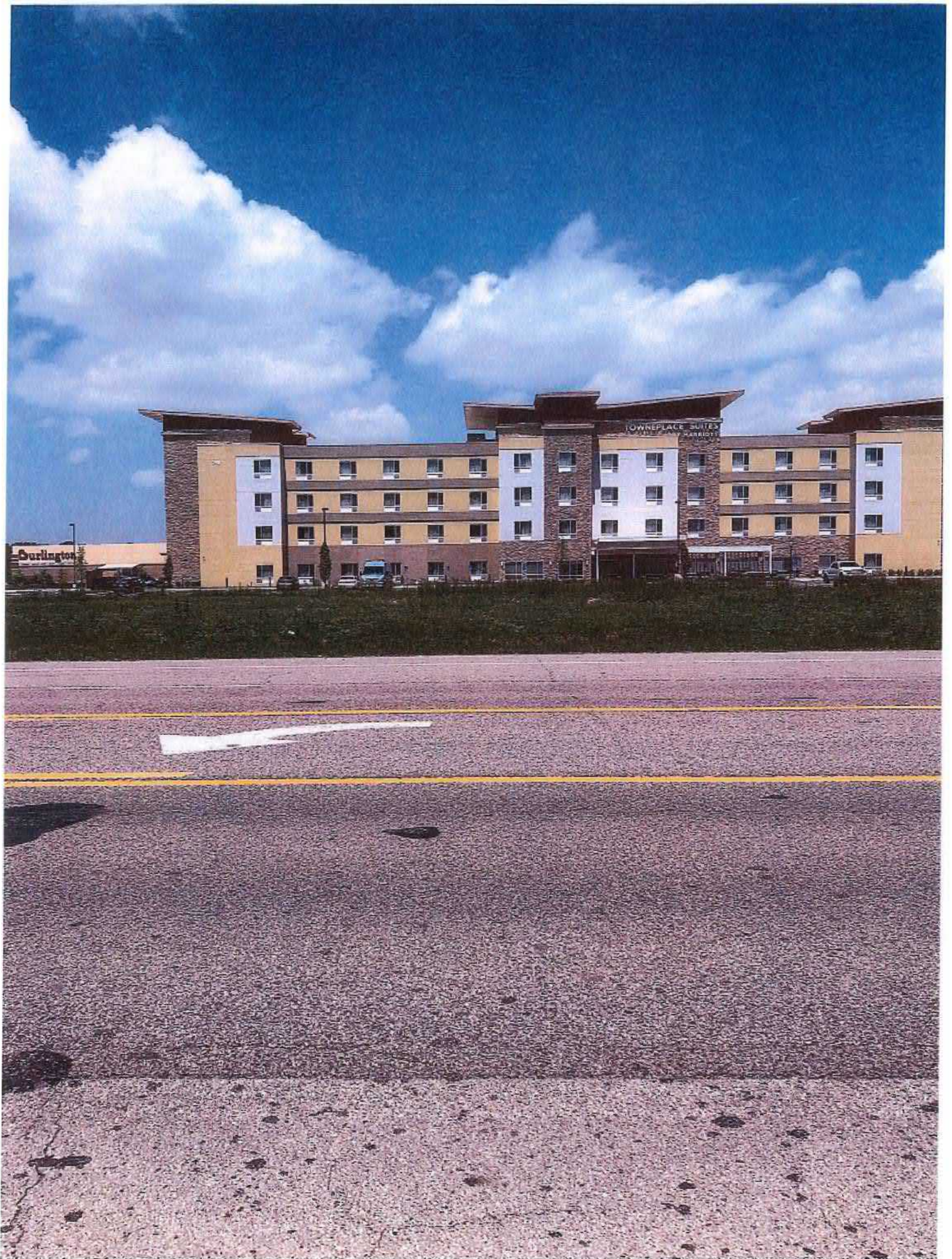












**C.) SIMON WOODS DEVELOPMENT
ORD. NO 2813
1826 OLIVE ST. ROAD
- PERMITTED USES
- HEIGHT
-PRELIMINARY PLAN**

ORD.
2813

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PI" District shall be:
 - a. Administrative office for educational or religious facility.
 - b. Animal grooming service.
 - c. Automatic vending facility.
 - d. Automotive detailing shop.
 - e. Automotive retail supply.
 - f. Bakery.
 - g. Bar.
 - h. Brewery.
 - i. Brewpub.
 - j. Broadcasting studio.
 - k. Car wash.
 - l. Car wash, industrial.
 - m. Car wash, self-service.
 - n. Check cashing facility.
 - o. Club.
 - p. Commercial service facility.
 - q. Cultivation and sale of plant crops, commercial vegetable and flower gardening as well as plant nurseries and greenhouses.
 - r. Day care center, adult.
 - s. Day care center, child.
 - t. Dry cleaning establishment.
 - u. Dry cleaning establishment, drive-thru.
 - v. Educational Facility - Specialized private schools.
 - w. Educational Facility - Vocational school.

- x. Educational Facility - Vocational school, outdoor training.
- y. Farmers market.
- z. Filling station and convenience store with pump stations.
- aa. Financial institution.
- bb. Financial institution, drive-thru.
- cc. Gymnasium.
- dd. Industrial sales, service, and storage.
- ee. Kennel, boarding.
- ff. Kennel, private.
- gg. Laboratories – professional, scientific.
- hh. Laundromat.
- ii. Local public utility facility.
- jj. Lodge.
- kk. Mail order sale warehouse.
- ll. Manufacturing, fabrication, assembly, processing, or packaging facility.
- mm. Office, dental.
- nn. Office, general.
- oo. Office, medical.
- pp. Oil change facility.
- qq. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility.
- rr. Professional and technical service facility.
- ss. Public safety facility.
- tt. Research facility.
- uu. Restaurant, fast food.
- vv. Restaurant, take out.
- ww. Self-storage facility.
- xx. Sheet metal shop.
- yy. Shooting range, indoor.
- zz. Substance abuse facilities-outpatient.
- aaa. Substance abuse facilities-inpatient.

- bbb. Trucks, trailers, construction equipment, agricultural equipment sales, rental, leasing, outdoor storage.
 - ccc. Vehicle repair and services facility.
 - ddd. Veterinary clinic.
 - eee. Warehouse, general.
- 2. All permitted uses in this "PI" District that include outdoor storage and/or outdoor activity shall be adequately screened as required by the City of Chesterfield.
 - 3. Hours of Operation
 - a. Hours of operation for all uses in this "PI" District shall be limited to 7:00 AM to 11:00 PM.
 - b. All deliveries and trash pick-ups shall be limited to 7:00 AM to 11:00 PM.

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

1. HEIGHT

- a. The maximum height of the buildings, exclusive of roof screening, shall not exceed forty (40) feet.

2. BUILDING REQUIREMENTS

- a. A minimum of thirty percent (30%) openspace will be required for this development.

C. SETBACKS

1. Structure Setbacks

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

- a. Fifty (50) feet from the right-of-way of Olive Street Road.
- b. Fifty (50) feet from the eastern boundary of this district.
- c. Fifty (50) feet from the southern boundary of this district.
- d. Twenty (20) feet from the western boundary of this district.

PRELIMINARY PLAN 18626 OLIVE STREET ROAD

Attachment B

A TRACT OF LAND BEING PARCELS 1 AND 2 AS RECORDED IN DEED BOOK 17777, PAGE 3324, EXCEPTING THEREFROM A TRACT OF LAND AS AS RECORDED IN DEED BOOK 17779, PAGE 4357, SAID TRACT BEING PART OF LOT 5 OF THE AMELIA BOSSJELIER ESTATE AS RECORDED IN PLAT BOOK 18 PAGE 27 AND PART OF A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 153 AND 368, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
EXISTING ZONING "NU" NON-URBAN
PROPOSED ZONING "I1" PLANNED INDUSTRIAL



SITE INFORMATION

ADDRESS = 18626 OLIVE STREET RD.
CHESTERFIELD, MO 63025
SITE AREA = 2.391 ACRES
OWNER = SIMON WOODMONT DEVELOPMENT LLC
CITY = CITY OF CHESTERFIELD
FLOOD MAP = 2916000120H
SEWER DISTRICT = MCO
WATERSHED = MISSOURI RIVER
FIRE DISTRICT = MONARCH CHESTERFIELD
SCHOOL DISTRICT = ROCKWOOD R-8
ELECTRIC SERVICE = AMEREN U.E.
GAS SERVICE = LAGLEDE GAS
PHONE SERVICE = SBC
WATER SERVICE = MO. AMERICAN WATER CO.
CABLE SERVICE = CHARTER COMMUNICATIONS

GENERAL NOTES

1. EXISTING AND PROPOSED SURVEY BY STICK AND ASSOCIATES CONSULTING ENGINEERS, INC. IS BASED ON INFORMATION RECEIVED FROM THE CITY OF CHESTERFIELD, MISSOURI.
2. EXISTING PROPERTY LINES WERE DETERMINED BY A SURVEY OF 1998 BY STICK AND ASSOCIATES CONSULTING ENGINEERS, INC. FOR THE CITY OF CHESTERFIELD, MISSOURI. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE MISSOURI SURVEYING ACT, CHAPTER 177, R.S.M.O. 177.010-177.030. THE SURVEY WAS CONDUCTED ON OR ABOUT 10/15/98 AND WAS RECORDED IN DEED BOOK 17777, PAGE 3324. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE MISSOURI SURVEYING ACT, CHAPTER 177, R.S.M.O. 177.010-177.030.
3. ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE SURVEYOR FROM AVAILABLE RECORDS. THE LOCATION OF UTILITIES IS BASED ON AVAILABLE RECORDS. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES.
4. THE CITY OF CHESTERFIELD, MISSOURI, HAS A DRAINAGE PLAN AND A SEWER MAP. THE CITY OF CHESTERFIELD, MISSOURI, HAS A DRAINAGE PLAN AND A SEWER MAP. THE CITY OF CHESTERFIELD, MISSOURI, HAS A DRAINAGE PLAN AND A SEWER MAP.
5. ALL PROPOSED UTILITIES SHALL BE CONFORMED TO THE CITY OF CHESTERFIELD, MISSOURI, DRAINAGE PLAN AND SEWER MAP.
6. ALL UTILITIES SHALL BE LOCATED IN ACCORDANCE WITH THE CITY OF CHESTERFIELD, MISSOURI, DRAINAGE PLAN AND SEWER MAP.
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LEGAL DESCRIPTION

UNION OLIVE STREET ROAD
A tract of land being Parcel 1 and 2 as described in a deed to Simon Woodmont Development, L.L.C. as recorded in Deed Book 17777, Page 3324 of the St. Louis County, Missouri Records, excepting therefrom a tract of land as described in a deed to the City of Chesterfield, Missouri, as recorded in Deed Book 17779, Page 4357 of the St. Louis County, Missouri Records, and being part of U.S. Survey 153 and 368, Township 45 North, Range 9 East of the 5th Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

BEING: All of the Southeast corner of Parcel 2 of a tract of land described in a deed to Simon Woodmont Development, L.L.C. as recorded in Deed Book 17777, Page 3324 of the St. Louis County, Missouri Records, excepting therefrom a tract of land as described in a deed to the City of Chesterfield, Missouri, as recorded in Deed Book 17779, Page 4357 of the St. Louis County, Missouri Records, and being part of U.S. Survey 153 and 368, Township 45 North, Range 9 East of the 5th Principal Meridian, City of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:



UTILITY NOTE

UNDERGROUND FACILITIES, EQUIPMENT AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE RECORDS AND FIELD SURVEY. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES.

STICK AND ASSOCIATES CONSULTING ENGINEERS, INC. AND THE SURVEYOR HAVE NO RESPONSIBILITY FOR THE LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES.

D.N.R. BENCHMARK

UNION OLIVE STREET ROAD BEING PARCELS 1 AND 2 AS RECORDED IN DEED BOOK 17777, PAGE 3324, EXCEPTING THEREFROM A TRACT OF LAND AS AS RECORDED IN DEED BOOK 17779, PAGE 4357, SAID TRACT BEING PART OF LOT 5 OF THE AMELIA BOSSJELIER ESTATE AS RECORDED IN PLAT BOOK 18 PAGE 27 AND PART OF A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 153 AND 368, TOWNSHIP 45 NORTH, RANGE 9 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

TEMPORARY SITE BENCHMARK

MARKING STICK IN FRONT PAGE ON THE SOUTH SIDE OF OLIVE STREET ROAD AND EAST SIDE OF ASPHALT DRIVE. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES. THE SURVEYOR HAS NO WAY OF KNOWING THE EXACT LOCATION OF UTILITIES.

ORD. NO.
2813

SHEET INDEX
C-P-1 PRELIMINARY PLAN
C-P-2 PRELIMINARY SITE SECTIONS

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT STICK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS PREPARED THIS PRELIMINARY PLAN FROM RECORD INFORMATION AND FIELD SURVEY. THE PRELIMINARY PLAN IS A CORRECT REPRESENTATION OF ALL UTILITIES AND PROPOSED LAND UTILITIES.

STICK AND ASSOCIATES CONSULTING ENGINEERS, INC.

DAVID BRIDGEMAN, MISSOURI LICENSE NO. 2255



PREPARED BY:

PRELIMINARY PLAN FOR

18626 OLIVE STREET ROAD
18626 OLIVE STREET ROAD
CITY OF CHESTERFIELD, MISSOURI

DATE:

07/31/14



REVISIONS:

1. PRELIMINARY LETTER DATED 07/31/14

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136. PRELIMINARY LETTER DATED 07/31/14

137. PRELIMINARY LETTER DATED 07/31/14

138. PRELIMINARY LETTER DATED 07/31/14

139. PRELIMINARY LETTER DATED 07/31/14

140. PRELIMINARY LETTER DATED 07/31/14

141. PRELIMINARY LETTER DATED 07/31/14

142. PRELIMINARY LETTER DATED 07/31/14

143. PRELIMINARY LETTER DATED 07/31/14

144. PRELIMINARY LETTER DATED 07/31/14

145. PRELIMINARY LETTER DATED 07/31/14

146. PRELIMINARY LETTER DATED 07/31/14

147. PRELIMINARY LETTER DATED 07/31/14

148. PRELIMINARY LETTER DATED 07/31/14

149. PRELIMINARY LETTER DATED 07/31/14

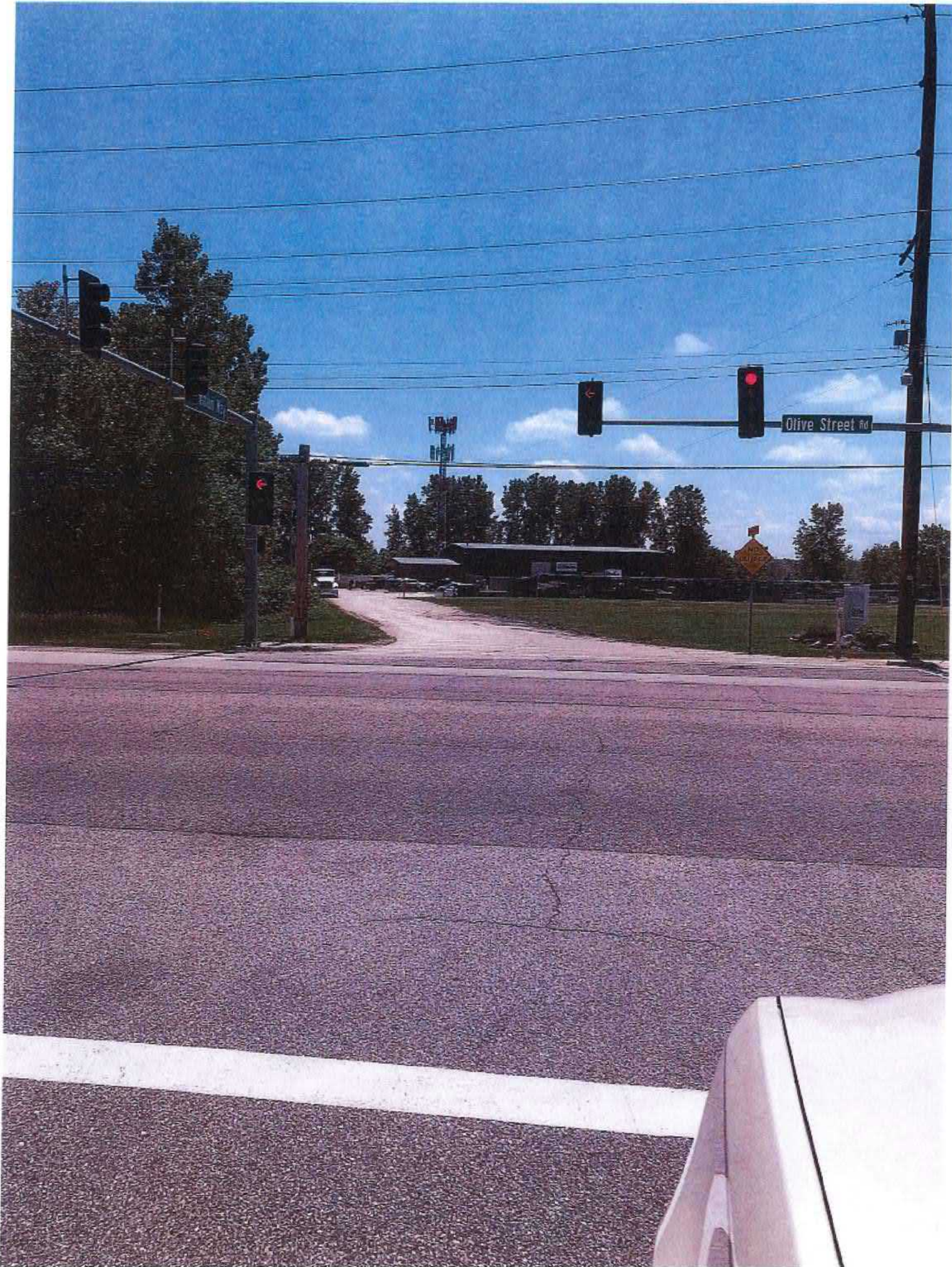
150. PRELIMINARY LETTER DATED 07/31/14

151. PRELIMINARY LETTER DATED 07/31/14

152. PRELIMINARY LETTER DATED 07/31/14

153. PRELIMINARY LETTER DATED 07/31/14

154. PRELIMINARY LETTER DATED 07/31/14



**D.) SPIRIT VALLEY BUSINESS PARK
ORD. NO 3002
- PERMITTED USES
- HEIGHT
- PRELIMINARY PLAN & CONCEPT
PLAN**

ATTACHMENT A

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

I. SPECIFIC CRITERIA

A. PERMITTED USES

1. The uses allowed in this "PI" District shall be:
 - a. Animal hospitals, veterinary clinics, and kennels.
 - b. Meat packing facilities.
 - c. Broadcasting studios for radio and television.
 - d. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
 - e. Business, professional, and technical training schools.
 - f. Business service establishments.
 - g. Cafeterias for employees and guests only.
 - h. Churches shall be allowed on tracts of land of at least one (1) acre in size.
 - i. Financial institutions.
 - j. Filling stations, including emergency towing and repair services.
 - k. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private).
 - l. Storage and charter of boats on land, repair facilities for boats, and sale of fuel and other supplies for marine use.
 - m. Highway department garages.
 - n. Hotels and motels.
 - o. Laundries and dry cleaning plants, not including personal and individual drop-off and pick-up service.
 - p. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground; or

(iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Planning and Development Services Division for review. No building permit or installation permit shall be issued until these plans have been approved by the Planning and Development Services Division.

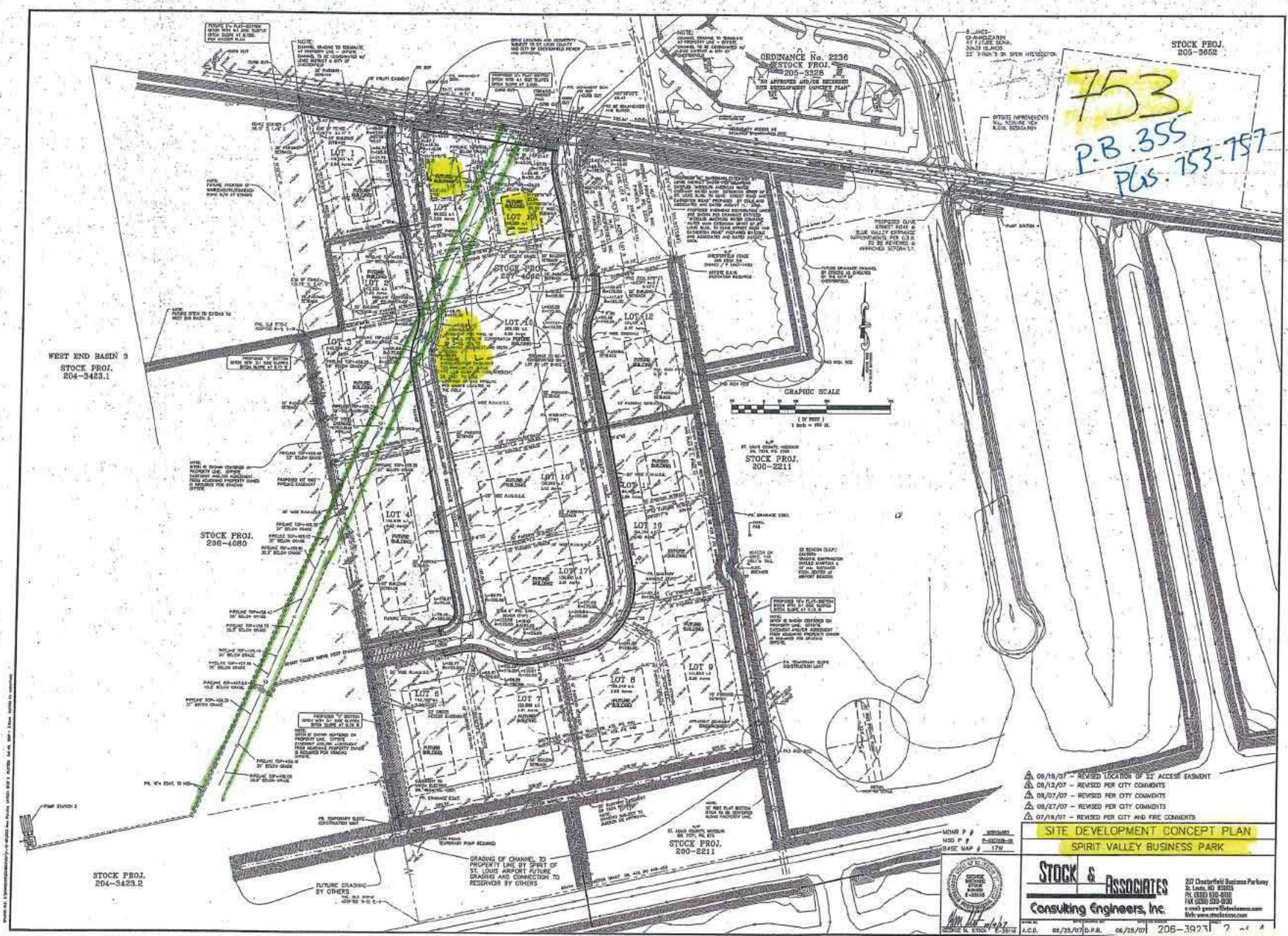
- q. Mail order sale warehouses.
- r. Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants; and
 - (iv) Steel mills, foundries, or smelters.
- s. Medical and dental offices.
- t. Office or office buildings.
- u. 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.
- v. Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- w. Police, fire, and postal stations.
- x. Printing and duplicating services.
- y. Public utility facilities.
- z. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- aa. Restaurants, fast food.
- bb. Restaurants, sit down.
- cc. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- dd. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.

- ee. 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. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
 - ff. Storage and repair garages for public mass transit vehicles.
 - gg. Storage yards for lumber, coal, and construction materials.
 - hh. Stores, shops, markets, service facilities, and automotive vending facilities in which goods or services of any kind, including sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
 - ii. Union halls and hiring halls.
 - jj. Vehicle repair facilities.
 - kk. Vehicle service centers.
 - ll. Welding, sheet metal, and blacksmith shops.
 - mm. Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.
 - nn. Warehousing, storage, or wholesaling of manufactured commodities.
2. The following Ancillary Uses shall be permitted:
- a. Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
3. Hours of Operation
- a. Hours of operation are unrestricted.

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

1. HEIGHT

- a. The maximum height of the hangars on Lots 8 & 9B shall not exceed sixty-five (65) feet.
- b. The maximum height of all other buildings, exclusive of roof screening, shall not exceed forty (40) feet.



- 09/18/07 - REVISED LOCATION OF ST ACCESS EASEMENT
- 08/12/07 - REVISED PER CITY COMMENTS
- 09/07/07 - REVISED PER CITY COMMENTS
- 09/27/07 - REVISED PER CITY COMMENTS
- 07/18/07 - REVISED PER CITY AND FIRE COMMENTS

SITE DEVELOPMENT CONCEPT PLAN
SPIRIT VALLEY BUSINESS PARK

STOCK & ASSOCIATES
Consulting Engineers, Inc.
207 Chestnutfield Parkway
St. Louis, MO 63103
PH (314) 432-2000
FX (314) 432-2000
email: gordon@stockassociates.com
www.stockassociates.com















SITE INFORMATION

ADDRESS = 18633 OLIVE STREET RD.
CHESTERFIELD, MO 63005

SITE AREA = 3.098 ACRES

OWNER = ROMBACH SCOTT TRUSTEE et al

CITY = CITY OF CHESTERFIELD

FLOOD MAP = 29189C0120H

SEWER DISTRICT = MSD

WATERSHED = MISSOURI RIVER

FIRE DISTRICT = MONARCH CHESTERFIELD

SCHOOL DISTRICT = ROCKWOOD R-6

ELECTRIC SERVICE = AMEREN U.E.

GAS SERVICE = LACLEDE GAS

PHONE SERVICE = SWBT

WATER SERVICE = MO. AMERICAN WATER CO.

CABLE SERVICE = CHARTER COMMUNICATIONS

GENERAL NOTES:

- BOUNDARY AND TOPOGRAPHICAL SURVEY BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. & RECORD INFORMATION (BASIS OF BEARINGS: MISSOURI STATE PLANE, GRID NORTH)
- SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X" (AREAS OF 100-YEAR FLOOD, AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM. FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI AND INCORPORATED AREAS PER MAP NO. 29189C0120 H WITH AN EFFECTIVE DATE OF AUGUST 2, 1985 AND REVISED TO REFLECT LOWER DATED APRIL 17, 2000. (APPROXIMATE 100 YR. EL. 460 PER CHESTERFIELD MASTER PLAN MODEL)
- ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED. SHOULD ANY CONFLICTS BE EVIDENT, THE CONTRACTOR SHALL NOTIFY THE OFFICE OF THE ENGINEER IMMEDIATELY.
- ON-SITE STORM WATER DRAINAGE REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE CHESTERFIELD VALLEY MASTER STORM WATER DRAINAGE PLAN AND AS DIRECTED BY THE CITY OF CHESTERFIELD AND MSD.
- ALL PROPOSED UTILITIES SHALL BE CONSTRUCTED TO THE CITY OF CHESTERFIELD STANDARDS.
- ALL GRADING AND DRAINAGE TO BE IN CONFORMANCE WITH THE CITY OF CHESTERFIELD AND MSD STANDARDS.
- STORM WATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
- 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.

PROPERTY DESCRIPTION

Part of Lot 1 of the AMELIA BOISSELIER ESTATE in U.S. Surveys 368, 1937 and 133, Township 45 North, Range 3 East, according to survey and subdivision thereof made by Richard Elbring Surveyor, recorded in Plat Book 16 Page 27 of the St. Louis County Records and described as: Beginning at a point in the North line of Olive Street Road, distant 140.0 feet North 82 degrees 44 minutes West from the Southeast corner of said Lot 1, thence North 11 degrees 43 minutes West 628 feet to a point, thence North 82 degrees 44 minutes West parallel with the North line of Olive Street Road 228 feet to a point 25 feet East from the center line of Shell Pipe Line Right-of-Way, thence South 11 degrees 43 minutes East from the center line of Shell Pipe Line Right-of-Way, passing an angle in said pipe line and continuing on the same course, South 11 degrees 43 minutes East 628 feet to the North line of Olive Street Road, thence along said line South 82 degrees 44 minutes East 228 feet to the place of beginning.

PROPOSED DEVELOPMENT STANDARDS

F.A.R. = 0.55 MAX.

PROPOSED BUILDING HT = 65' MAX.

PROPOSED SETBACKS:

PARKING/ACCESS DRIVES

- 30' FROM OLIVE STREET ROAD
- 15' FROM BLUE VALLEY AVENUE
- 10' FROM NORTH/SOUTH STREET
- 15' FROM WEST PROPERTY LINE

BUILDING

- 50' FROM OLIVE STREET ROAD
- 15' FROM BLUE VALLEY AVENUE
- 10' FROM NORTH/SOUTH STREET
- 15' FROM WEST PROPERTY LINE

OPENSOURCE

REQUIRED: 35% PER "PC" PLANNED COMMERCIAL DISTRICT

PROVIDED: 44.3%

TOTAL LOT AREA=134,965 S.F. = 3.098 AC.

BUILDING = 17,900 S.F.

PAVEMENT = 57,690 S.F.

GREENSPACE = 59,775 S.F.

BENCHMARK

D.N.R. BENCHMARK SL-40

ELEV.=486.55

SL-40: BRASS DISC STAMPED "SL-40, 1990" ON THE NORTH SIDE OF NORTH OUTER 40 RD OF HIGHWAY 64 AND THE EXTENDED CENTERLINE OF THE SPIRIT OF ST. LOUIS BOULEVARD; APPROXIMATELY 0.3 MILE NORTH OF CHESTERFIELD AIRPORT ROAD.

ALL PROJECT ELEVATIONS ARE BASED ON THE PUBLISHED D.N.R. VALUES FOR SL-40 UTILIZING GPS TECHNOLOGY. THE SAME BENCHMARK PUBLISHED BY ST. LOUIS COUNTY HIGHWAYS AND TRAFFIC BENCHMARK SYSTEM IS BM-11-08. TO CONVERT PROJECT ELEVATIONS FROM SL-40 TO THE ST. LOUIS COUNTY HIGHWAYS AND TRAFFIC BENCHMARK SYSTEM BM-11-08, ADD TWENTY SEVEN HUNDREDTHS OF A FOOT (0.27") TO OBTAIN A ST. LOUIS COUNTY HIGHWAYS AND TRAFFIC ELEVATION.

SITE BENCHMARK

ELEV.=464.77

R.R. SPIKE IN POWER POLE AS SHOWN HEREON.

UTILITY NOTE

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

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

PREPARED FOR:

GRIMES TAX FILINGS

2570 GLADIATOR DR.

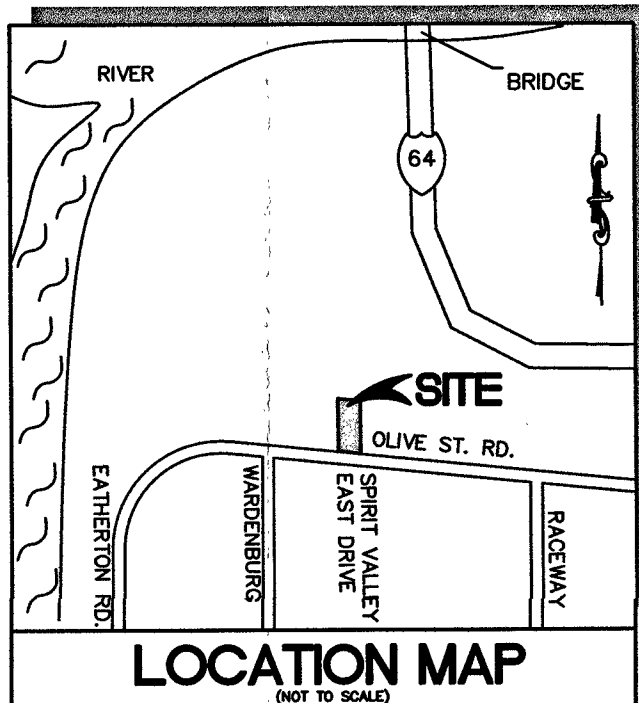
FENTON, MO. 63026

ATTN: MS. CONNIE GRIMES-ENROLLED AGENT



PRELIMINARY PLAN **18633 OLIVE STREET ROAD**

A TRACT OF LAND BEING AS RECORDED IN LOT 1 OF AMELIA BOISSELIER ESTATE AND BEING LOCATED IN U.S. SURVEYS 368, 1937 AND 133, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

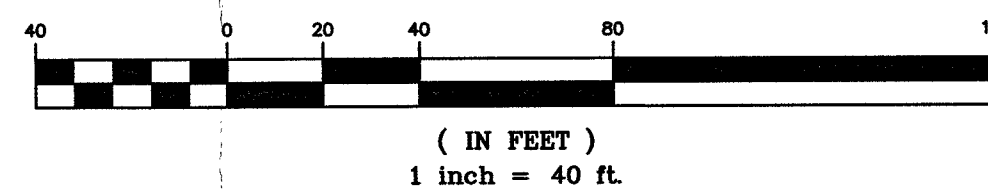


APPROXIMATELY 4100' WEST OF INTERSECTION OF OLIVE STREET RD. AND CHESTERFIELD AIRPORT RD.

N/E ENBRIDGE PIPELINES OZARK LLC
DB. 16338 PG. 1489
LOC. # 17W630134
#18635 OLIVE STREET RD.
ZONED NU

LOT 4C

GRAPHIC SCALE



CITY OF CHESTERFIELD
PLANNED DISTRICT ORDINANCE
ATTACHMENT B

POTENTIAL EXTENSION
BLUE VALLEY AVE (62'w)

LOT SPLIT, OF LOT 4 OF
CHESTERFIELD BLUE VALLEY
PLAT ONE BK 362, PG 531

ZONED PC

POTENTIAL EXTENSION
BLUE VALLEY AVE (62'w)
(NOT DEDICATED)

LOT 4A-B

ZONED PC
ORD. 2805
8/4/14
STOCK JN: 3652

ZONED NU

ZONED NU

ZONED NU

ZONED NU

OLIVE STREET ROAD (PUBLIC)

SPIRIT VALLEY BUSINESS PARK
BK 361, PG 333-336

ZONED PI
ORD 3002
5/7/18 LOT 13
STOCK JN:
3923/4080/6221

ZONED PI
ORD 2813
9/15/14
STOCK JN: 213-5262

SHEET INDEX

C-P-1 PRELIMINARY PLAN
C-P-2 PRELIMINARY SITE SECTIONS

SURVEYOR'S CERTIFICATION

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

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

By: WALTER J. PFLEGER, MISSOURI L.S. NO. 2008-000728

PREPARED BY:

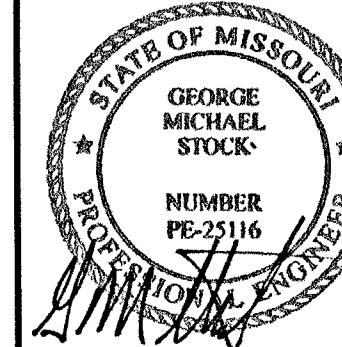
STOCK & ASSOCIATES
Consulting Engineers, Inc.

PRELIMINARY PLAN FOR:

18633 OLIVE STREET ROAD

18633 OLIVE STREET ROAD
CHESTERFIELD, MISSOURI

DATE: 6/13/19



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

REVISIONS:

- 11/05/18 REVISED PER CITY REVIEW 10/29/18
- 2/28/19 REVISED PER CITY LETTER 2/13/19
- 3/18/19 REVISED PER CITY LETTER 3/08/19
- 4/24/19 ADDED GAS PIPELINE LOCATIONS
- 5/15/19 ADDED GAS PIPELINE LOCATIONS
- 6/13/19 ELIMINATED INTERIM DRAINAGE CHANNEL

DRAWN BY: C.A.H. CHECKED BY: G.M.S.

DATE: 09/19/2018 JOB NO: 218-6387

FILE NO: P-XXXX-XX BASE MAP: XX-X

S.L.C. MAT: # MO-RAXXXXXX

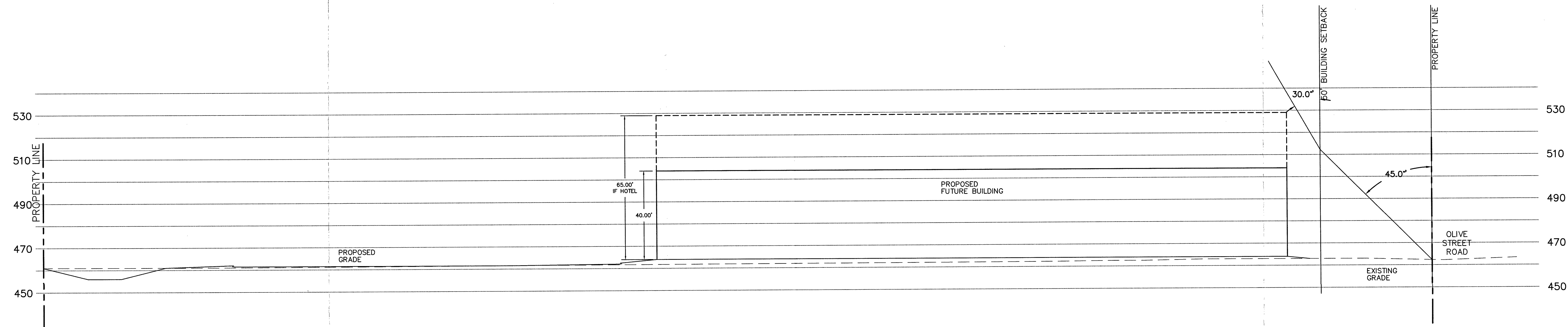
NO. 1: 2000 MAT SUP: # XX-XXX-XX

SHEET TITLE:

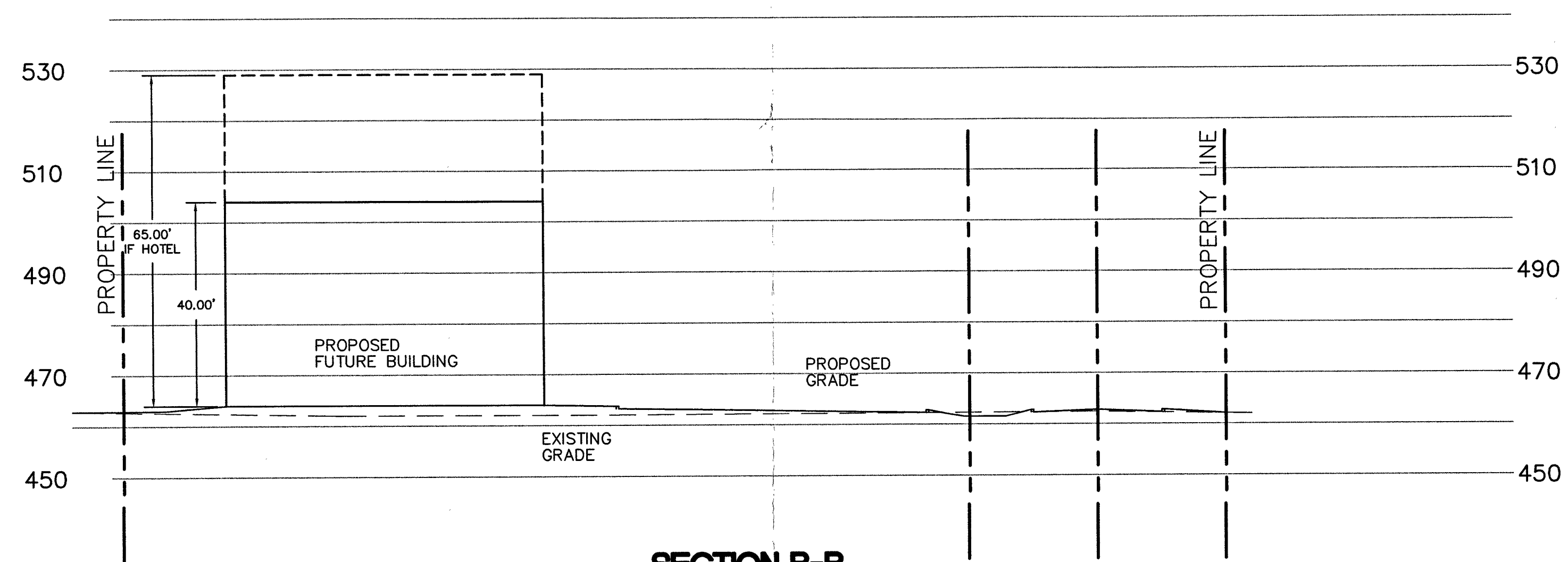
PRELIMINARY PLAN

SHEET NO: C-P-1

DRAWING FILE: C:\DRAWINGS\2019\18633 OLIVE STREET ROAD\18633 OLIVE STREET ROAD.dwg PLOT DATE: 06/13/19 PLOT BY: J. H. HARRIS



SECTION A-A
SCALE: 1"=20'



SECTION B-B
SCALE: 1"=20'

PREPARED BY:

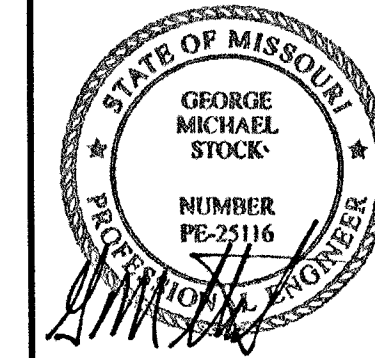
STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63105
PH: (636) 530-9000
FAX: (636) 530-9000
e-mail: general@stockassoc.com
Web: www.stockassoc.com

PRELIMINARY PLAN FOR:

18633 OLIVE STREET ROAD

18633 OLIVE STREET ROAD
CHESTERFIELD, MISSOURI

DATE: 6/13/19



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

REVISIONS:

- 11/05/18 REVISED PER CITY REVIEW 10/29/18
- 2/28/19 REVISED PER CITY LETTER 2/13/19
- 3/18/19 REVISED PER CITY LETTER 3/08/19
- 4/24/19 ADDED GAS PIPELINE LOCATIONS
- 5/15/19 ADDED GAS PIPELINE LOCATIONS
- 6/13/19 ELIMINATED INTERIM DRAINAGE CHANNEL

DRAWN BY: C.A.H.	CHECKED BY: G.M.S.
DATE: 06/19/2018	JOB NO: 218-6367
W.S.D. # P-XXXX-XX	BASE MAP # XX-X
S.L.C. PART # XXXX	PART SUP. # XX-XX-XX
M.D.N.R. # MO-RXXXXX	

**PRELIMINARY
SITE SECTIONS**

SHEET NO.:
C-P-2

City Council Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services

Date: July 22, 2019

CC Date: August 5, 2019

RE: **P.Z. 08-2019 City of Chesterfield (Unified Development Code—Article 4):** An ordinance amending Article 4 of the Unified Development Code to revise regulations pertaining to Sign Packages as established in Section 31-04-05 Sign Requirements.

The purpose of this petition is to amend the regulations pertaining to Sign Packages in Article 4, Section 31-04-05 Sign Requirements. Specifically, this amendment is to incorporate language to provide regulations and standards for consideration of electronic message centers (EMCs). This proposed amendment is in relation to direction received by the Planning and Public Works Committee to pursue updates to the UDC Sign Requirements.

On April 22, 2019, a discussion was initiated at the Ordinance Review Committee regarding ideas for regulating electronic messaging centers. Staff introduced draft language of standards for electronic messaging centers at the June 12, 2019 Planning Commission Work Session based on research and prior discussion. Commission members continued discussion based on the provided materials, and the addition of minimum resolution standards was requested.

A Public Hearing was held for this request at the June 24, 2019 Planning Commission meeting, and there were no speakers for this item. This project was also presented for vote at the same Planning Commission meeting, at which time the Planning Commission recommended approval with one amendment by a vote of 8-0. The amendment was to correct the language of item "*d.5.a(7) Malfunction and noncompliance*" as presented by Staff. Staff worked with sign vendors throughout this process which resulted in the revised language for this item based on the current technological capabilities of electronic message centers and their ability to comply with the proposed standards.

Additionally, there was discussion on the proposed ten-second minimum image display duration for electronic message centers. Staff explained these types of regulations are generally determined as a function of design speed of the roadway, sight distance, and setbacks. Utilizing design speeds, traffic studies, and sight distance at a number of locations, the results for each site had a recommended value between eight (8) and ten (10) seconds. Also, wave length as it pertains to brightness was also discussed.

Following the Planning Commission vote, this project was discussed at the July 18, 2019 Planning and Public Works Committee meeting, where a motion to forward the project to City Council with a recommendation of approval was passed by a vote of 3-1 with two amendments: 1) to include a provision that permanent freestanding signs beyond what the UDC allows for administrative approval shall be at least 2,000 feet from residential properties, and 2) to prohibit billboards from utilizing this section of code.

Attachments

1. Legislation
2. Green Sheet
3. Draft amendment to UDC Article 04

BILL NO. 3254

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 04-05 SIGN REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE {P.Z. 08-2019 CITY OF CHESTERFIELD (UNIFIED DEVELOPMENT CODE - ARTICLE 4)}.

WHEREAS, the City of Chesterfield Unified Development Code contains regulations and requirements pertaining to the development of land within the City; and,

WHEREAS, the Unified Development Code serves to promote the public health, safety, and general welfare of the citizens of the City of Chesterfield; and,

WHEREAS, the City of Chesterfield seeks to update the regulations and requirements pertaining to Sign Packages; and,

WHEREAS, a Public Hearing was held before the Planning Commission on June 24, 2019; and,

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

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning with two amendments; and,

WHEREAS, the City Council, having considered said request, voted to approve the updates to Article 04-05 Sign Requirements of the Unified Development Code pertaining to Sign Packages.

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 hereby approves the updates to Article 04-05 Sign Requirements of the Unified Development Code pertaining to Sign Packages as set out in Attachment “A” which is attached hereto and made part thereof.

Section 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as whole, or any part thereof.

Section 3. The provisions of the Ordinance may be amended in the future by the City Council of the City of Chesterfield.

Section 4. Where this Ordinance differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State, or Federal government, the more restrictive or protective of the City and the public shall apply.

Section 5. This Ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: <u>08/05/2019</u>

GREEN SHEET AMENDMENTS

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

AMENDMENT 1:

Section 31-04-05.D.5.(a)(1). Insert the following language and renumber subsequent sections as necessary:

5. Electronic Message Centers

- a. In addition to submittal requirements noted in sub-section 4., any request for an electronic message center shall comply with the following:

(1) Distance. Electronic message centers that exceed the size requirements eligible for administrative approval per the Unified Development Code (UDC) for permanent freestanding signs shall not be permitted within 2,000 feet of any property with a land use designation that permits residential uses as determined by the Comprehensive Land Use Plan.

The Planning and Public Works Committee recommended that the following change be made to Article 04-05 by a vote of 4-0:

AMENDMENT 2:

Section 31-04-05.D.5.(d). Insert the following language:

5. Electronic Message Centers

- d. Sign packages including electronic message centers shall only apply to on-site signage. Advertising signs (billboards) are prohibited.

ATTACHMENT A

Sec. 31-04-05.

D. Sign Package Submittals.

1. The purpose of a sign package is to provide comprehensive, complementary and unified signage throughout a single development or contiguous lots under common ownership. If a sign package exists for a multi-lot development or subdivision, then individual lots within that subdivision or development may not submit their own, separate sign package. In addition, developments of a certain size, quality, or mix of uses may require special signage consideration. Therefore, in order to encourage superior design, quality and character, comprehensive sign packages allow for specialized review of signs and flexibility from standard signage requirements.
2. When a sign package is requested for a proposed or existing development, the criteria for signs, as provided for in this Article, may no longer be applicable in its entirety or portions thereof. The reason for the requested modification is to provide for flexible sign criteria that promotes superior design and is tailored to a specific development which may vary from general ordinance provisions.
3. Consideration of flexibility in sign criteria is based on a number of review factors, including, but not limited to, the physical impact of the proposed comprehensive sign package, the quality of the proposed comprehensive sign package, and mitigation of unfavorable conditions such as excessive signs, light spillover from signs, height, and other related conditions and potentially negative impacts.
4. When a sign package is requested for a development, the following shall be submitted to the Department:
 - a. A narrative detailing the reasoning for the sign package request and why it will enhance the proposed development above what would be permitted through the City of Chesterfield UDC.
 - b. The maximum number of proposed signs.
 - c. Location, size, height, construction material, and placement of all proposed signs.
 - d. General elevations of all proposed freestanding, monument, wall, and any other sign that requires City of Chesterfield approval.
 - e. Illumination level, color and type. Illumination shall conform to the Section 31-04-03, Lighting standards, of this Article.
 - f. Dimensions, height, square footage of all existing signs or note that none exist for both freestanding and attached signs (submit picture of all existing signage).
 - g. Material specifications for proposed signs including sign materials and colors.
 - h. Landscaping of any freestanding or monument signs.

5. Electronic Message Centers.

- a. In addition to submittal requirements noted in sub-section 4., any request for an electronic message center shall comply with the following:
 - (1) Duration of image display. Each image displayed shall have a minimum duration of ten (10) seconds.
 - (2) Presentation. The image shall be a static display. No portion of the image shall flash, scintillate, fade in or fade out, scroll, twirl, change color, or in any manner imitate movement. No motion imagery, special effect to imitate movement, or presentation of graphics displayed in a progression of frames that give the illusion of motion shall be permitted.
 - (3) Transition. When the image or any portion thereof changes, the change sequence shall only be accomplished by means of instantaneous re-pixelization.
 - (4) Dimmer control. The electronic message center shall be equipped with an automatic dimmer control to automatically produce a distinct illumination change from a higher illumination level to a lower level according to ambient light conditions and for the time period between sundown and sunrise.
 - (5) Brightness. The electronic message center shall not exceed a maximum of seven thousand (7,000) nits (candelas per square meter) during daylight hours and a maximum illumination of six hundred (600) nits (candelas per square meter) between sundown and sunrise measured from the sign's face at maximum brightness.
 - (6) Fluctuating or flashing illumination. No portion of the electronic message center may fluctuate in light intensity or use intermittent, strobe or moving light or light that changes in intensity in sudden transitory bursts, streams, zooms, twinkles, sparkles or that in any manner creates the illusion of movement.
 - (7) Malfunction and noncompliance. In the case of malfunction, digitally-illuminated signs are required to contain a default design to freeze the sign message in one position.
 - (8) Resolution and pixel spacing. The electronic message center shall not have a pixel pitch larger than sixteen (16) millimeters (mm).
 - (9) Angle. When the interior angle formed by the faces of a V-shaped sign is less than one hundred eighty (180) degrees, both faces of the sign must display the same image.
- b. In considering a Sign Package that includes an Electronic Message Center, the Planning Commission shall consider the following additional items in their review:
 - (1) Proximity of the proposed Electronic Message Center to other similar signs;
 - (2) Proximity and impact on adjacent land uses with particular consideration given to residential properties and uses;

- (3) Impact of the total amount of signage on the site in conjunction with the use of the Electronic Message Center;
 - (4) Nature and character of the roadway on which the project is located;
 - (5) Nature of character of the proposed use and area within which the project is located;
 - (6) Size of the project and roadway frontage; and
 - (7) Resolution of proposed sign accounting for size of sign, roadway characteristics, and other relevant features.
- c. Any of the standards in sub-section 5.b. of this Section may be modified by a separate 2/3 vote of the Planning Commission.
6. Planning Commission Action. The Planning Commission may approve, approve with modifications, or deny the proposed sign package based on its conformance with this subsection, findings of the submittals furtherance of the purpose in Section 31-04-05.A., and consistency with the Comprehensive Plan.
7. Appeals. Appeals from any portion of this subsection, including the Planning Commission's decision on the electronic message center, shall be made to the City Council in accordance with the process and requirements in Section 31-02-19.

Memorandum

Department of Public Works



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

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

DATE: July 10, 2019

RE: Snow Removal on Driveway Aprons
within Public Right of Way

As you will recall, in 2014 City Council approved the implementation of a program whereby Public Works maintenance personnel will remove ice and snow from the driveway aprons of qualifying residents after any snow event with two or more inches of snow (Program). The Program was implemented on a trial basis in 2014, and was to be assessed annually so that City Council could determine whether the Program should continue on a permanent basis. To date 225 residences have signed up for the Program. In order to qualify for the Program, a resident must provide evidence of a medical condition which limits their ability to remove snow.

Fortunately, the 2015 through 2018 winter seasons were all relatively mild regarding snowfall. This Program was used four times during that period, but all events were four inches of snow or below. Prior to implementing the Program on a permanent basis, Public Works Staff wanted to experience providing this service during a larger snow event. Two such events occurred during the 2018/2019 winter season. The first was a five-inch snowfall on November 14, 2018. Public Works Staff spent 21 man-hours removing snow from the driveway aprons (within public right of way) of qualifying residents during that snow event. The second event was a nine-inch snowfall which began on January 11, 2019. After the snow was removed from the streets during that event, Public Works Staff spent 17 man-hours removing snow from driveway aprons within right of way.

In both cases, the number of man-hours exerted was less than I would have expected. In fact, the time spent removing snow from driveway aprons (within public right of way) after those two relatively large storms was actually less than that which was spent during prior smaller storms. The primary reason is that many of these residents are already contracting for the removal of snow from their driveways. During the larger events, it takes more time for Public Works maintenance personnel to remove the snow from the streets. This means it takes more time for Public Works

staff to begin to remove snow from the driveway aprons (within public right of way). During this time, many of the private contractors have serviced the residential driveways, including the driveway apron.

There have been some minor problems associated with the Program, including difficulties reading addresses during the night. However, I believe that overall this has been a successful Program, which has been well received by City residents. Further, because the Program is implemented only after snow has been removed from the streets, its impact has not affected snow removal service in a negative manner. Accordingly, it is my recommendation that the Program continue on a “permanent” basis, until modified or discontinued by City Council.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee for consideration. Should PPW concur with Staff’s recommendation, Policy PW 33 (attached) will be considered a “permanent” Policy of the City of Chesterfield, and will continue until modified or repealed by City Council.

Please forward to PPW for review and approval

 2019-7-10

CITY OF CHESTERFIELD POLICY STATEMENT

PUBLIC WORKS

NO. 33

SUBJECT Snow Removal for Private Driveways
within Public Right-of-Way

INDEX PW

**DATE
ISSUED** 8/4/2014

**DATE
REVISED** 5/1/2017

PURPOSE

The purpose of this policy is to establish procedures for the removal of snow windrows from residential driveway aprons resulting from City snow removal operations within the public right-of-way. Snow windrows can impede emergency access to private driveways whose owners are not capable of clearing their driveway approach.

POLICY

The City of Chesterfield will remove the snow accumulation from the driveway apron of a qualifying private residential driveway when the official snow accumulation exceeds two (2) inches during any single snow event. The snow accumulation will be measured at the City of Chesterfield City Hall in accordance with National Oceanic and Atmospheric Administration (NOAA) guidelines. The City of Chesterfield will begin snow removal operations on previously approved qualifying private residential driveways ONLY after completion of all snow and ice removal operations on public streets and at City facilities. Applications for this program must be received not less than fourteen (14) days prior to a storm event to allow for review, coordination and planning.

This program is only available to qualified resident owners with a certified medical need or disability.

QUALIFYING LOCATIONS

All private single family residential properties within the corporate limits of the City of Chesterfield in which the residents of the property have been diagnosed with a medical condition that limits their ability to remove snow.

PROGRAM REGISTRATION

All requests for driveway snow and ice removal service shall be submitted in writing to the City of Chesterfield. Residents may receive information and direction by contacting the City of Chesterfield Public Works Division, visiting City Hall, or accessing the forms on our website www.chesterfield.mo.us/forms and permits.

Memorandum

Department of Public Works



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

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

DATE: July 16, 2019

RE: Release of Special Cash Escrow 85 and 86

In 2007 the City of Chesterfield accepted Special Cash Escrow 85 (\$80,507) and Special Cash Escrow 86 (\$79,546) to ensure completion of the Master Plan Stormwater Channel connecting Wings Corporate Estates to the West End Reservoir. The construction of this Master Plan Stormwater Channel was recently completed, as detailed in the attached memorandum from Senior Civil Engineer Chris Krueger. The developer, D.F. Adams and Associates Incorporated, is requesting release of the escrows to partially offset the total construction cost of \$302,535.

Public Works staff has inspected the construction of the Master Plan Stormwater Channel and verified that the developer is eligible for release of these Special Cash Escrows. Accordingly, I recommend that Special Cash Escrow 85 and Special Cash Escrow 86 be released to D.F. Adams and Associates Incorporated in the amount of \$160,053.

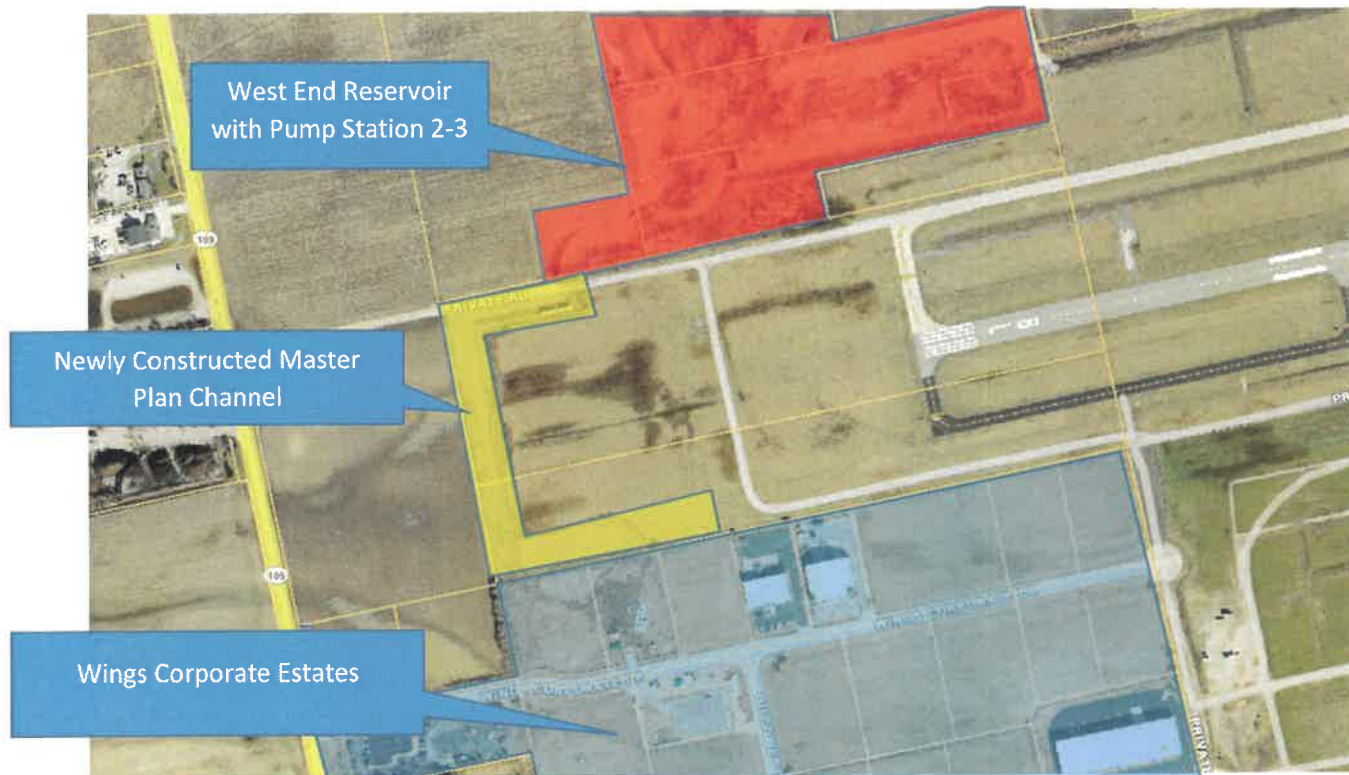
Action Recommended

This matter should be forwarded to the City Council for consideration. Should Council concur with Staff's recommendation, it should authorize the City Administrator to release Special Cash Escrow 85 and Special Cash Escrow 86 to D.F. Adams and Associates, Incorporated.

Forward to City Council for confirmation and approval. Release is compliant with established policy and procedures. Work guaranteed by special cash escrow was completed by others.

Michael O. Geisel 2019-7-16

Wings Corporate Estates Drainage Channel Exhibit



MEMORANDUM



DATE: July 11, 2019
TO: Jim Eckrich, Public Works Director/City Engineer
FROM: Chris Krueger, Senior Civil Engineer *ck*
RE: Wings Corporate Estates
Drainage Channel Special Cash Escrows Release Request

As you know, D.F. Adams & Associates, Inc. has completed construction of a master plan channel across Spirit Airport to connect the Wings Corporate Estates Commercial Subdivision to the West End Reservoir. Two Special Cash Escrows were deposited with the City in 2007, SCE #85 and #86, which guaranteed construction of this master plan channel. The total cash escrow is \$160,053, comprised of \$80,507 from SCE #85 and \$79,546 from SCE #86. The developer has requested reimbursement from these Special Cash Escrows. The attached final lien waiver and pay application from the Contractor indicate that the cost of the channel construction was \$302,535. Therefore, the total of amount of \$160,053 should be paid to the D.F. Adams & Associates, Inc.

I recommend providing reimbursement to D.F. Adams & Associates, Inc. in the amount of \$160,053 from SCE #85 and SCE #86.

CC: Zachary Wolff, Assistant City Engineer
Justin Wyse, Director of Planning & Development Services
File

Christopher Krueger

From: JR Willhite <jrwillhite@claytoneng.com>
Sent: Tuesday, June 18, 2019 11:02 AM
To: Christopher Krueger
Cc: 'Doug Adams'; 'Jenna Choate'; 'David Dial'; 'Tim Byrd'; 'Chris Hyams'; Eric Skelton PE
Subject: Wings Corporate Estates Storm Drainage Extension Lien Waiver
Attachments: 20190614161851781.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning, Mr. Krueger.

Please accept the attached final lien waiver associated with the Wings Corporate Estates Storm Drainage Extension as evidence that the project has been completed. Please close out the grading permit and reimburse the escrow covering this work.

Thanks,

JR Willhite, PE
Project Engineer
The Clayton Engineering Company, Inc.
2268 Welsch Industrial Ct | St. Louis, MO 63146
(314) 692-8888, ext. 139 | Direct (314) 341-9027 | Fax (314) 692-8688

FINAL

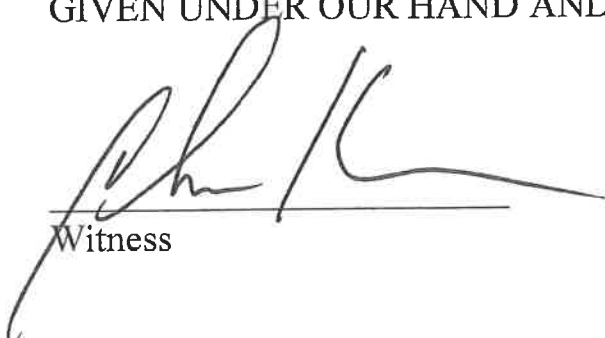
WAIVER OF LIEN

STATE OF MISSOURI
COUNTY OF ST. LOUIS

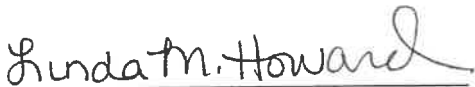
WHEREAS, the undersigned have been employed by D.F. ADAMS & ASSOCIATES INC. to furnish Labor and Material for the project known as WINGS OFF SITE STORM WATER EXTENSION – #1 CORPORATE ESTATES – CHESTERFIELD, MISSOURI.

NOW THEREFORE, the undersigned, for and in consideration of the sum of THREE HUNDRED TWO THOUSAND FIVE HUNDRED THIRTY FIVE DOLLARS NO CENTS (\$302,535.00) and other goods and valuable considerations, hereby waive and release any and all claim or right to lien on said above described building and premises under the Statutes of the State of Missouri, relating to Mechanic's Liens, on account of labor, materials or both, furnished by the undersigned up to and including June 14, 2019 for said building and premises only, but not for any furnished subsequent to said date.

GIVEN UNDER OUR HAND AND SEAL THIS 14th day of JUNE 2019.


Witness

**G. S. & S.
Construction**
2914 S. Brentwood Blvd
Brentwood, Missouri 63144


Notary (seal)

LINDA M. HOWARD
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: September 21, 2021
Commission Number: 13772168

Subscribed and sworn before me this 14th day of June 2019.

APPLICATION AND CERTIFICATION FOR PAYMENT

TO OWNER:

D. F. Adams & Associates, Inc.
262 Little Harbour Lane
Naples, FL 34102

FROM CONTRACTOR:

G. S. & S.

2914 S. Brentwood Blvd.

Brentwood, MO 63144

CONTRACT FOR:

PROJECT: Wings Storm Water Ext.
1 Wings Corporate Dr.
Chesterfield, MO 63005

VIA ARCHITECT:

AIA DOCUMENT G702

APPLICATION NO:

4

PAGE 1 OF 2

PERIOD TO:

4/30/2018

PROJECT NOS:

18-0344

CONTRACT DATE:

Invoice # 21418

Distribution to:

☐	OWNER
☐	ARCHITECT
☐	CONTRACTOR
☐	
☐	

SEE NOTICE TO OWNER
ON REVERSE SIDE

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

- | | | |
|---|----|-------------------|
| 1. ORIGINAL CONTRACT SUM | \$ | 276,100.00 |
| 2. Net change by Change Orders | \$ | 26,435.00 |
| 3. CONTRACT SUM TO DATE (Line 1 + 2) | \$ | 302,535.00 |
| 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) | \$ | 302,535.00 |
| 5. RETAINAGE: | | |
| a. % of Completed Work (Column D + E on G703) | \$ | |
| b. % of Stored Material (Column F on G703) | \$ | Included in above |
| Total Retainage (Lines 5a + 5b or Total in Column I of G703) | \$ | 0.00 |
| 6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) | \$ | 302,535.00 |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) | \$ | \$261,200.00 |
| 8. CURRENT PAYMENT DUE | \$ | \$41,335.00 |
| 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) | \$ | 0.00 |

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$26,435.00	
Total approved this Month		
TOTALS	\$26,435.00	
NET CHANGES by Change Order	\$26,435.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: CHyams, LLC d/b/a G. S. & S.

By:

Date:

4/30/2018

State of: Missouri County of: St. Louis
Subscribed and sworn to before me this 30th day of April 2018.
Notary Public: Linda M. Howard
My Commission expires: 9/21/2021

LINDA M. HOWARD
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: September 21, 2021
Commission Number: 13772168

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By:

Date:

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

AIA DOCUMENT G703

Page 2 of 2

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 4

APPLICATION DATE: 4/30/2018

PERIOD TO: 4/30/2018

PROJECT NO: 18-0344

A	B	C	D	E	F	G	H	I	J
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	Surveying	\$ 3,500.00	\$3,500.00			\$ 3,500.00	100.00%	\$ -	
2	Demolition	\$ 8,500.00	\$8,500.00			\$ 8,500.00	100.00%	\$ -	
3	Site Clearing/Excavation	\$ 130,000.00	\$130,000.00			\$ 130,000.00	100.00%	\$ -	
4	Site Storm	\$ 80,000.00	\$80,000.00			\$ 80,000.00	100.00%	\$ -	
5	Fencing	\$ 6,500.00	\$6,500.00			\$ 6,500.00	100.00%	\$ -	
6	Landscape	\$ 9,100.00		\$ 9,100.00		\$ 9,100.00	100.00%	\$ -	
7	Supervision	\$ 9,500.00	\$8,500.00	\$ 1,000.00		\$ 9,500.00	100.00%	\$ -	
8	General Labor	\$ 9,000.00	\$8,000.00	\$ 1,000.00		\$ 9,000.00	100.00%	\$ -	
9	General Conditions	\$ 10,000.00	\$8,300.00	\$ 1,700.00		\$ 10,000.00	100.00%	\$ -	
10	Overhead and Profit	\$ 10,000.00	\$7,900.00	\$ 2,100.00		\$ 10,000.00	100.00%	\$ -	
11	CO #1	\$ 26,435.00		\$ 26,435.00		\$ 26,435.00	100.00%	\$ -	
	TOTALS	\$ 302,535.00	\$ 261,200.00	\$ 41,335.00	\$ -	\$ 302,535.00		\$ -	\$ -

Users may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

**AGREEMENT GUARANTEEING IMPROVEMENT
(SPECIAL CASH ESCROW)**

THIS AGREEMENT made and entered into this 22 day of MARCH, 2007,
by Carmelo J. Natoli, hereinafter
referred to as "Owner" and the City of Chesterfield, Missouri, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, the preliminary plans have been approved for the development of Wings
Corporate Estates, (hereinafter referred to as "Improvement"), and

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

IT IS HEREBY MUTUALLY AGREED THAT:

1. Owner has deposited with the City of Chesterfield, in conjunction with this agreement, the cash sum of EIGHTY THOUSAND FIVE HUNDRED SEVEN DOLLARS (\$80,507.00) (hereinafter referred to as "Cash Sum"), to be held by the city for the purpose of payment for the construction of improvements (Chesterfield Valley Master Storm Water Channel) as shown on "Exhibit A", attached hereto and by this reference made a part hereof, and subject to any modifications determined by the City's Director of Public Works (hereinafter referred to as "Director") and the substitution of alternate improvements in an area other than that appearing on "Exhibit A" if so determined by the Director.
2. Execution of this Agreement will relieve the Owner of all future responsibility for said improvement and any additional costs shall be the responsibility of the City.
3. Owner shall provide required temporary slope construction licenses and dedicate to City necessary easements as shown on "Exhibit A".
4. City's Director of Finance and Administration hereby acknowledges receipt of the deposit of the cash sum which will be deposited in a special escrow/trust fund with the funds to be released or used as directed by the Director of Public Works.
5. City understands and agrees that performance by Owner in full accordance with all terms and conditions of this Agreement shall satisfy in full all participation in improvements required of Owner as prescribed herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 22 day of MARCH, 2007.

OWNER: Carmelo J. Natoli

BY: 

Printed Name: Carmelo J. Natoli

Title:

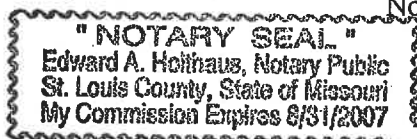
STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

On this 22 day of MARCH, 2007, before me appeared CARMELO J. NATOLI to me personally known to be the person described in and who executed the foregoing instrument and acknowledged that executed the same as free act and deed.

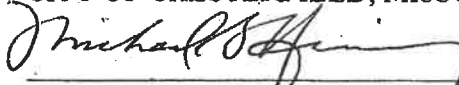
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My term expires: 8-31-07


Notary Public

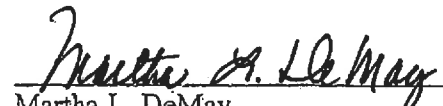


CITY OF CHESTERFIELD, MISSOURI



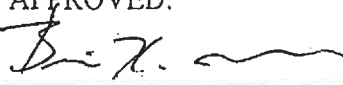
Michael G. Herring
City Administrator

ATTEST:



Martha L. DeMay
City Clerk

APPROVED:



For Michael O. Geisel
Director of Public Works/City Engineer

The undersigned, representing the Director of Finance and Administration of the City of Chesterfield, hereby certifies that CARMELO J. NATOLI has deposited the cash sum of \$ 80,507.00, EIGHTY THOUSAND FIVE HUNDRED AND
SEVEN dollars.


Jeremy Craig
Director of Finance and Administration

Natoli Engineering Co., Inc.

NET AMOUNT

SPECIAL CASH ESCROW WING'S CORPORATE ESTATES
CHESTERFIELD VALLEY STORM WATER CHANNEL
SUB CODE - 736
REC'D 3/23/07
TO FINANCE 3/23/07
ENTERED 3/23/07



NATOLI ENGINEERING COMPANY, INC.

28 RESEARCH PARK CIRCLE

ST. CHARLES MO 63304

636/926-8900

FAX: 636/926-8910

REGIONS BANK N.A.

701887810

94829

DATE _____

3/22/200

CONTROL NO

94820

AMOUNT

\$80,570.00

Eighty Thousand Five Hundred Seventy Dollars And 00 Cents

PAY CITY OF CHESTERFIELD
TO THE 922 ROOSEVELT PARKWAY
ORDER OF

CHESTERFIELD MO 63017

2. SIGNATURES REQUIRED IF AMOUNT IS \$10,000 OR MORE

PAYMENT DATE
03/23/2007
COLLECTION STATION
Amber

RECEIVED FROM
Natoli Engineering

DESCRIPTION
Special Cash Escrow Wings Corporate Estates

City of Chesterfield
690 Chesterfield Parkway
Chesterfield, MO 63017
www.chesterfield.mo.us

BATCH NO.
2007-00000348
RECEIPT NO.
2007-00001565
CASHIER
Amber Schroeter

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT														
Surety Deposit	Surety Deposit Special Cash Escrow Wings Corporate Estates	\$80,570.00														
	<table><tr><td>Total Cash</td><td>\$0.00</td></tr><tr><td>Total Check</td><td>\$80,570.00</td></tr><tr><td>Total Charge</td><td>\$0.00</td></tr><tr><td>Total Other</td><td>\$0.00</td></tr><tr><td>Total Remitted</td><td>\$80,570.00</td></tr><tr><td>Change</td><td>\$0.00</td></tr><tr><td>Total Received</td><td>\$80,570.00</td></tr></table>	Total Cash	\$0.00	Total Check	\$80,570.00	Total Charge	\$0.00	Total Other	\$0.00	Total Remitted	\$80,570.00	Change	\$0.00	Total Received	\$80,570.00	
Total Cash	\$0.00															
Total Check	\$80,570.00															
Total Charge	\$0.00															
Total Other	\$0.00															
Total Remitted	\$80,570.00															
Change	\$0.00															
Total Received	\$80,570.00															
Total Amount:		\$80,570.00														

**AGREEMENT GUARANTEEING IMPROVEMENT
(SPECIAL CASH ESCROW)**

THIS AGREEMENT made and entered into this 26 day of JANUARY, 2007,
by D.F. Adams & Associates, Inc., hereinafter
referred to as "Owner" and the City of Chesterfield, Missouri, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, the preliminary plans have been approved for the development of Wings
Corporate Estates, (hereinafter referred to as "Improvement"), and

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

IT IS HEREBY MUTUALLY AGREED THAT:

1. Owner has deposited with the City of Chesterfield, in conjunction with this agreement, the cash sum of SEVENTY NINE THOUSAND FIVE HUNDRED FORTY SIX DOLLARS (\$79,546.00) (hereinafter referred to as "Cash Sum"), to be held by the city for the purpose of payment for the construction of improvements (Chesterfield Valley Master Storm Water Channel) as shown on "Exhibit A", attached hereto and by this reference made a part hereof, and subject to any modifications determined by the City's Director of Public Works (hereinafter referred to as "Director") and the substitution of alternate improvements in an area other than that appearing on "Exhibit A" if so determined by the Director.
2. Execution of this Agreement will relieve the Owner of all future responsibility for said improvement and any additional costs shall be the responsibility of the City.
3. Owner shall provide required temporary slope construction licenses and dedicate to City necessary easements as shown on "Exhibit A".
4. City's Director of Finance and Administration hereby acknowledges receipt of the deposit of the cash sum which will be deposited in a special escrow/trust fund with the funds to be released or used as directed by the Director of Public Works.
5. City understands and agrees that performance by Owner in full accordance with all terms and conditions of this Agreement shall satisfy in full all participation in improvements required of Owner as prescribed herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 26 day of JANUARY, 2007.

OWNER: D. F. Adams & Associates, Inc.

~~BY.~~

Printed Name: Douglas F. Adams
Title: President

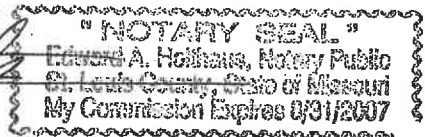
STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

On this 26 day of JANUARY, 2017 before me appeared DOUGLAS F. ADAMS, to me personally known, who being by me duly sworn, did say that he is the PRESIDENT of D. F. ADAMS AND ASSOCIATES INC a Corporation of the State of Missouri and the seal affixed to the foregoing instrument of said Corporation, by authority of its Board of Directors and said PRESIDENT acknowledged said instrument to be the free act and deed of said Corporation.

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

My term Expires: 8-31-07

Notary Public



CITY OF CHESTERFIELD, MISSOURI


Michael G. Herring
City Administrator

ATTEST:

Martha L. DeMay
City Clerk

APPROVED:

For 
Michael O. Geisel
Director of Public Works/City Engineer

The undersigned, representing the Director of Finance and Administration of the City of Chesterfield, hereby certifies that D.F. ADAMS & ASSOCIATES, INC. has deposited the cash sum of \$ 79,546.00, SEVENTY NINE THOUSAND FIVE HUNDRED AND FORTY SIX dollars.

Jeremy Craig
Director of Finance and Administration

DOUGLAS F. ADAMS
Realty Account
1940 Craigshire Road
St. Louis, MO 63116

COMMERCIAL BANK
ST. LOUIS, MO 63108
BOLTON 1/26/07

3005

1/26/2007

PAY TO THE ORDER OF City of Chesterfield

\$ 79,546.00

Seventy Nine Thousand Five Hundred Forty Six and 00/100

City of Chesterfield

MEMO Storm Water Channel - Wings Corporate Estates

110030051 10810062011 112159731

Douglas F. Adams - Realty Account
City of Chesterfield

1/26/2007
Storm Water Channel - Wings Corporate Estates

3005
79,546.00

SPECIAL CASH ESCROW
SUB CODE - 736
REC'D 3/23/07
ENTERED 3/23/07
TO FINANCE 3/23/07

Checking Storm Water Channel - Wings Corporate Estate

79,546.00

Douglas F. Adams - Realty Account
City of Chesterfield

1/26/2007
Storm Water Channel - Wings Corporate Estates

3005
79,546.00

PAYMENT
RECORD

Checking Storm Water Channel - Wings Corporate Estate

79,546.00

PAYMENT DATE
 03/23/2007
COLLECTION STATION
 Amber
RECEIVED FROM
 Douglas Adams
DESCRIPTION
 Special Cash Escrow Storm Water Channel Wings Corporate Estates

City of Chesterfield
 690 Chesterfield Parkway
 Chesterfield, MO 63017
www.chesterfield.mo.us

BATCH NO.
 2007-00000348
RECEIPT NO.
 2007-00001564
CASHIER
 Amber Schroeter

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT
Surety Deposit	Surety Deposit Special Cash Escrow Storm Water Channel Wings Corporate Estates Total Cash Total Check Total Charge Total Other Total Remitted Change Total Received \$0.00 \$79,546.00 \$0.00 \$0.00 \$79,546.00 \$0.00 \$79,546.00	\$79,546.00
Total Amount:		\$79,546.00

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember Moore

Vice-Chair: Councilmember Keathley

The next meeting of the Finance and Administration Committee is scheduled for Monday, August 12, at 5:30 pm.

If you have any questions or require additional information please contact Assistant Finance Director John Hughes or me prior to Monday's meeting.

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember DeCampi

Vice Chair: Councilmember Hurt

Budget amendments

At the end of 2018, staff recommended that the Department of Parks, Recreation and Arts bring the management and operation of the City's aquatic facility in-house. Prior to this, those functions were conducted on a contractual basis. When this was approved, as a cost neutral proposal, the budget document had already been substantially completed. Initially, a new budgetary division was created in the Parks Fund, to separate and track the revenues and expenditures of this facility. An initial transfer of funds was completed from the Parks and Recreation contractual division to the Aquatic Division to provide for the management of the facility.

At this time, it is necessary to transfer the existing budgeted funds for pool programs and staffing from the Parks and Recreation Division (084) to the Aquatic Division (086). There is no net budgetary impact, just a transfer of budgeted expenditures from one division to another division. Accordingly, the transfers consist of:

Moving \$22,420 from 084-5325 into two accounts: \$5,000 into 086-5313 Department Supplies and \$17,420 into 086-5112 Salaries part time / temporary in the amount of \$17,420.

This allows the expenses from the aquatic operation to be tracked and monitored separately from other parks and recreation expenses. **A roll call vote is required for approval.**

CVAC Baseball & Softball Fee Changes for 2020

The Parks, Recreation and Arts Committee affirmed Staff's recommendations to amend the baseball/ softball field usage fees. These user fees were last increased in 2009. If approved, the revised fee structure will go into effect in 2020. **A roll call vote is required for approval.**

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

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

MEMORANDUM

To: Mike Geisel, City Administrator
Thomas McCarthy, Director of Parks, Recreation & Arts

From: Kari Johnson, Superintendent of Recreation

Date: July 24, 2019

Subject: Budget Transfer

As you are aware, the management of the Aquatic Center was taken in house. An initial transfer of funds was completed at the end of the year for January 1 to an 086 account for the management of the facility, however; the pool program items and staffing for programs remained in the 084 account. Prior to this year, we paid for the swim programs and staffing of such by an invoice from the management company. With taking it in house, we hire our own staff for aquatic programs which comes out of the 086-5112 Salaries part time/temporary as these individuals are Lifeguards as well.

I recommend transferring \$22,420 out of the 084-5325 account and split funds into two accounts. 086-5313 Department Supplies in the amount of \$5,000 and 086-5112 Salaries part time / temporary in the amount of \$17,420. This will help with payroll and itemizing the aquatic center programs under the pool account.

If you have further questions or require additional information, please advise.

NO Budget Impact
Transfer between divisions
Please forward to Committee
for review & recommendation

me
7/24/2019

Transfer Request No. _____

Transfer No. _____

City of Chesterfield

Budgetary Transfer of Funds Request

Transfer From:

Account Number	Account Name	Amount
<u>084-5325</u>	<u>Miscellaneous Supplies</u>	<u>\$22,420</u>
_____	_____	_____
_____	_____	_____
TOTAL		<u>\$22,420</u>

Transfer TO:

Account Number	Account Name	Amount
<u>086-5313</u>	<u>Department Supplies</u>	<u>\$5,000</u>
<u>086-5112</u>	<u>Salaries part time/temporary</u>	<u>\$17,420</u>
_____	_____	_____
TOTAL		<u>\$22,420</u>

EXPLANATION:

This will help with payroll and itemizing the aquatic center programs under the pool account

APPROVALS:Requested By: AM StagochiDate: 7-24-19Department Head: DMDate: 7-24-19Finance Director: John Hughes (required)Date: 7-24-19

City Administrator: _____

Date: _____

Approved by City Council on

Date: _____

Transfers up to \$2,500 can be transferred (within object level) with approval of Director of Finance.
 Transfers up to \$5,000 can be transferred (within object level) with approval of the City Administrator.
 Transfers in excess of \$5,000 or between Departments or Funds require approval by City Council.

Memorandum

#4

To: Mike Geisel, City Administrator
From: Tom McCarthy
Director of Parks, Recreation & Arts
Date: 7/23/2019
Re: CVAC Baseball & Softball Fee Changes for 2020



I would like to add the recommendation from Kevin Schuh to the Parks, Recreation and Arts Committee of Council meeting regarding our baseball/softball field usage fees. Please keep in mind this is a marginal fee increase. The last time the fees were increased was in 2009. Fees would go into effect in 2020 if approved by the Committee and the Full Council.

With your approval I would like to move this forward to the Parks, Recreation & Arts Committee of Council at their meeting on July 29 and then on to the full Council in the next month.

*Please forward to
Parks-Recreation & Arts Committee
for review & action.
mcc
7/25/2019*

*mike, these fees were
approved last night at our
Parks Committee of Council
meeting with a 4-0 positive
vote to move on to full
Council for their approval.*

TD 7-30-19



Memorandum

To: Tom McCarthy, Director of Parks, Recreation & Arts

From: Kevin Schuh, Superintendent of Sports and Wellness

Date: July 23, 2019

Subject: CVAC Baseball and Softball Fee Changes 2020

I am writing this memo in order to recommend increasing our baseball/softball practice and CBSA rental fees for the Chesterfield Valley Athletic Complex for 2020.

The following changes are recommended:

Game rates for teams with less than 3,499 hrs of usage

	<u>Current</u>	<u>Proposed</u>
F5 and F6	Res \$15, Non Res \$20	Res \$20, Non Res \$25

Game rates for teams with more than 3,499 hrs of usage (CBSA)

F5, F6	Res \$14, Non Res \$17	Res \$17, Non Res \$20
D1-D4, E1-E4, F1-F4	Res \$27, Non Res \$34	Res \$30, Non Res \$40
C1-C4	Res \$37, Non Res \$46	Res \$39, Non Res \$49

Practice

P1-10, F5 and F6	Res \$11, Non Res \$14	Res \$14, Non Res \$17
D1-4, E1-4, F1-6	Res \$17, Non Res \$21	Res \$20, Non Res \$24
C1 - C4	Res \$27, Non Res \$34	Res \$30, Non Res \$37

These recommended changes comply with all long-term contracts along with the departmental fees and charges policy. A comprehensive comparison was done with other facilities both locally and nationally and I feel this recommendation allows the ability to stay competitive while accounting for increases in costs. I do anticipate a slight increase in overall field rental revenue due to these changes.

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember Monachella

Vice Chair:

The Public Health and Safety Committee met on Thursday, August 1st, 2019.

However, due to the notice requirements, time required to compile packets, meeting minutes, develop reports, there are no action items from the Committee for Monday's meeting. Any action items resulting from the PH&S Meeting on 8/1/2019, will be acted upon at council's next meeting on Monday 8/15/2019.

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

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

Bill No. 3255 - Conflict of Interest (First Reading)

An ordinance re-adopting the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials **(First Reading)** This is an annual re-adoption process which affirms the procedures set forth originally in Ordinance #605 as the appropriate procedure for disclosing of potential conflicts of interest. Once adopted, the City Clerk will send a certified copy of the ordinance to the Missouri Ethics Commission. The deadline for this submission is September 15, 2019.

Easement and Maintenance Agreement – Chesterfield Valley TDD & CHA

In conjunction with the construction of the Chesterfield Hockey Association's ice facility, a portion of the Olive Boulevard extension between Chesterfield Airport Road and Spirit Boulevard is being constructed. Ultimately, that roadway, when completed and connected will be a County arterial roadway. Until that time, however, the roadway segment is required to be maintained by a public entity. The proposed easement and maintenance agreement is intended to protect the City and allow the City to recover maintenance expenses, if any, from the Chesterfield Valley TDD. The Easement agreement was developed and recommended by our Special Development counsel, Armstrong Teasdale.

Proposed Resolution authorizing signers for Sterling Bank Deposits

As described in the memorandum from Acting Director of Finance John Hughes, the packet includes a proposed resolution authorizing Mr. Hughes and me as authorized signers for the deposits held by Sterling Bank. The Bank is requiring a resolution in order for Mr. Hughes to move the deposits. Once the resolution is authorized, it is our intent to move these funds to a different financial institution. As such, we have prepared a proposed resolution for Council's review and consideration.

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

BILL NO. 3255

ORDINANCE NO. _____

AN ORDINANCE RE-ADOPTING THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605 OF THE CITY OF CHESTERFIELD AS THE PROCEDURE FOR DISCLOSURE OF CONFLICTS FOR CERTAIN MUNICIPAL OFFICIALS.

WHEREAS, Missouri Statute 105.485 authorizes the City of Chesterfield to adopt an ordinance which establishes its own method of disclosing potential conflicts of interest; and,

WHEREAS, without such an ordinance, each official, officer or employee of the City, and each candidate for office shall be required to file a financial interest statement with the Missouri Ethics Commission, pursuant to subsection 2 of Section 105.485; and,

WHEREAS, the City Council originally adopted its own ordinance establishing a method of disclosing potential conflicts of interest with Ordinance No. 605, adopted August 19, 1991 and has renewed the ordinance at least biennially, and often annually, since 1991; and,

WHEREAS, the City Council finds it is in the best interest of the public to readopt Ordinance No. 605 as the procedure for disclosure of conflicts of interest for the City of Chesterfield;

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 hereby formally re-adopts the procedure set out in Ordinance No. 605 as the procedure for disclosure of potential conflicts of interest and substantial interests.

Section 2. All requirements as set out in Ordinance No. 605 are to remain in full force and effect.

Section 3. The City Clerk is directed to send a certified copy of this Ordinance to the Missouri Ethics Commission prior to September 15, 2019.

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

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: _____

BILL NO. 613

ORDINANCE NO. lfof'

AN ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS.

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

Section 1. Declaration of Policy. The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 2. Conflicts of Interest. All elected and appointed officials as well as employees of the City of Chesterfield must comply with Section 105.454 of the Missouri Revised Statutes and Ordinance 604 regarding conflicts of interest as well as any other state law governing official conduct. The Mayor and any members of the City Council who has a substantial personal or private interest as defined by state law and set out below in any bill shall disclose on the records of the City Council the nature of his or her interest and shall disqualify himself or herself from voting on any matters related to this interest.

Section 3. Substantial or Private Interest. Any member of the City Council as well as any appointed officials and employees shall have a substantial or private interest in any measure, bill or other ordinance proposed or pending before the City if that interest is an ownership by the individual, his or her spouse, or his or her dependent children, whether singularly or collectively, directly or indirectly of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 4. Disclosure Reports. Each elected official the City Administrator (as the chief administrative officer) and the Director of Finance (as the chief purchasing officer) and the general counsel (City Attorney) (if employed full-time) shall disclose the following information by May 1 if any such transactions were engaged in during the previous calendar year:

a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision; and

b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

c. The City Administrator as the chief administrative officer and the Director of Finance as the chief purchasing officer also shall disclose by May 1 for the previous calendar year the following information:

1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was receiving during the year covered by the statement;
2. The name and address of each sold proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 5. Filing of Reports. The reports, in the attached format (See Exhibit "A" & "B"), shall be filed with the City Clerk and with the Secretary of State prior to January 1, 1993, and thereafter with the Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 6. When Filed. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

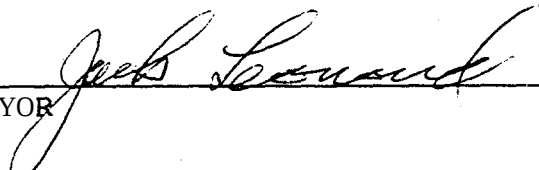
a. Each person appointed to office shall file the statement within thirty days of such appointment or employment;

b. Every other person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the City Council may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.

Section 7. Filing of Ordinance. The City Clerk is directed to send a certified copy of the Ordinance and any amendment that is adopted prior to January 1, 1993, to the Secretary of State's office within ten days of its adoption. The City Clerk shall send a certified copy of any Ordinance adopted on or after January 1, 1993, regarding this topic to the Missouri Ethics Commission within ten days of its adoption.

Section 8. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 19th day of AUGUST, 1991.


MAYOR

ATTEST:


CITY CLERK

Space Above for Recorder's Use Only

DOCUMENT COVER SHEET

TITLE OF DOCUMENT: Roadway Easement and Maintenance Agreement

DATE OF DOCUMENT: August __, 2019

GRANTOR: CHESTERFIELD HOCKEY ASSOCIATION, INC.

Mailing Address: P.O. Box 335
Chesterfield, Missouri 63006
Attn: Mark Kraus

GRANTEES: CHESTERFIELD VALLEY TRANSPORTATION
DEVELOPMENT DISTRICT

Mailing Address: 690 Chesterfield Parkway West
Chesterfield, Missouri 63017
Attn: Executive Director

CITY OF CHESTERFIELD, MISSOURI

Mailing Address: 690 Chesterfield Parkway West
Chesterfield, Missouri 63017
Attn: City Administrator

LEGAL DESCRIPTION: **Exhibit B** attached hereto and incorporated herein by reference

REFERENCE BOOK & PAGE: N/A

Upon Recording Return to:

Robert Klahr, Esq.
Armstrong Teasdale LLP
7700 Forsyth Boulevard, Suite 1800
St. Louis, Missouri 63105

ROADWAY EASEMENT AND MAINTENANCE AGREEMENT

This ROADWAY EASEMENT AND MAINTENANCE AGREEMENT (this “*Agreement*”) is made and entered into as of this ___ day of August, 2019 (the “*Effective Date*”) by and between CHESTERFIELD HOCKEY ASSOCIATION, INC., a Missouri nonprofit corporation (“*Grantor*”), the CHESTERFIELD VALLEY TRANSPORTATION DEVELOPMENT DISTRICT, a political subdivision of the State of Missouri (the “*District*”), and the CITY OF CHESTERFIELD, MISSOURI, a political subdivision of the State of Missouri (the “*City*” and together with the District, the “*Grantee*”).

RECITALS:

A. Grantor is the owner of certain real property located in the City of Chesterfield, County of St. Louis, and State of Missouri, as described on Exhibit A, attached hereto and incorporated herein by reference (“*Grantor’s Property*”), on which Grantor has constructed an ice and multi-sport facility (the “*Sportscomplex*”) and other improvements related thereto (together with the Sportscomplex, the “*Project*”); and

B. As part of the Project, Grantor has constructed or will construct certain transportation related improvements, including without limitation a roadway of approximately 60,851 square feet extending Olive Street Road northeast from its intersection with Chesterfield Airport Road, together with the accompanying grading, drainage, pavement, curb, gutter, sidewalk, storm water facilities, structures (including any architectural treatments related thereto), signing, striping, lighting, traffic signals, landscaping or other similar or related infrastructure or improvements in connection with such roadway (the “*Roadway*”), which Roadway is located on Grantor’s Property, as legally described on Exhibit B, attached hereto and incorporated herein by reference and depicted on Exhibit C, attached hereto and incorporated herein by reference; and

C. Grantor and District entered into that certain Transportation Development Agreement dated December 1, 2017 (the “*Development Agreement*”) referenced in that certain Memorandum of Covenants recorded on September 12, 2018, with the St. Louis County, Missouri Recorder of Deeds in Book 23192, Page 1704, wherein the Grantor and District agreed to certain terms, conditions, obligations, and requirements in connection with the construction and development of the Project; and

D. Pursuant to the Development Agreement and in consideration of the District’s financing of the Roadway, the parties agreed to enter into this Agreement whereby Grantor would grant an easement in and to the Roadway for the benefit of Grantee, and Grantee would accept said easement and the right and obligation to maintain the Roadway in exchange for the mutual promises and considerations provided herein and in the Development Agreement.

WITNESSETH:

NOW, THEREFORE, in consideration of the foregoing and other valuable consideration, Grantor, the District, and the City hereby agree as follows:

1. Easement. Grantor hereby grants, gives and conveys to Grantee a perpetual non-exclusive right, privilege and easement to use the Roadway from time to time as legally described on Exhibit B, attached hereto and incorporated herein by reference and depicted on Exhibit C, attached hereto and incorporated herein by reference (the “*Easement Area*”), for the purposes of ingress and egress, public travel of pedestrians and vehicles upon completion of construction of such Roadway (the “*Easement*”). Grantee’s Easement rights shall be shared in common with the general public, including

invitees, licensees, employees, contractors and guests of Grantor and its tenants of the Project. At such time as the future extension of Olive Street Road is completed and ready for dedication to St. Louis County, Missouri (the “**County**”) for inclusion in the County’s highway system, the Grantee may assign the Easement and transfer ownership and control of the Roadway and the Easement Area to St. Louis County, Missouri, which shall thereafter be responsible for all future maintenance, repair, and replacement costs and other obligations related to the Roadway.

2. **Maintenance by Grantee.** Upon Grantor’s completion of the Roadway pursuant to the Development Agreement, Grantee shall be solely responsible for any and all costs associated with the maintenance and replacement, if necessary, of the Easement Area and all improvements thereon, including all road paving, repair, snow and debris removal, and other necessary maintenance to make the Roadway safe and passable. As between the City and the District, the City shall be responsible in the first instance for such costs, subject to the right of the City to seek reimbursement from the District to the extent that the District has funds available to provide such reimbursement, upon receipt of the District of an invoice for the same.

3. **Indemnification.** Grantor shall indemnify, hold harmless and defend Grantee from and against any and all of the claims, actions, suits, crossclaims, counterclaims, third party actions, damages, liabilities, and expenses, including reasonable attorneys’ fees, sustained by Grantee or any third persons, in connection with loss of life, personal injury, bodily injury or damage to property, arising from or out of the negligence, willful misconduct, or violation of law by Grantor, its agents or contractors, and directly in connection with Grantor’s breach of its obligations pursuant to this Agreement. Grantee shall indemnify, hold harmless and defend Grantor from and against any and all of the claims, actions, suits, crossclaims, counterclaims, third party actions, damages, liabilities and expenses, including reasonable attorneys’ fees, sustained by Grantor or any third persons in connection with loss of life, personal injury, bodily injury or damage to property arising from or out of the negligence or willful misconduct of Grantee, its agents or contractors, only as it relates to activities in the Easement Area for purposes of maintenance by Grantee as may occur under this Agreement.

4. **Estoppel.** If requested by either Grantee or Grantor, the other party will within ten (10) days provide a written statement for the benefit of the other party and its assignee or lender stating that the Development Agreement and this Agreement, as either may be amended from time to time, is in full force and effect without modification or default, if the same be true, and such other reasonable provisions as may be requested.

5. **Notices.** All notices, consents, approvals and other communications which may be or are required to be given by either Grantor or Grantee under this Agreement shall be properly given only if made in writing and sent by (i) hand delivery, (ii) U.S. Certified Mail, Return Receipt Requested, or (iii) a nationally recognized overnight delivery service (such as Federal Express, UPS Next Day Air, Purolator Courier or Airborne Express), with all delivery charges paid by the sender and addressed to Grantor or Grantee, as applicable, as follows, or at such other address as each may request in writing. Such notices shall be deemed received on the date of delivery. The refusal to accept delivery shall constitute acceptance and, in such event, the date of delivery shall be the date on which delivery was refused. Said addresses for notices are to be as follows:

If to Grantor: Chesterfield Hockey Association, Inc.
P.O. Box 335
Chesterfield, Missouri 63006
Attn: Mark Kraus

With a copy to:

The Staenberg Group
2127 Innerbelt Business Center Drive, Suite 310
St. Louis, Missouri 63114
Attn: Tim Lowe

And a copy to:

Stinson LLP
7700 Forsyth Boulevard, Suite 1100
St. Louis, Missouri 63105
Attn: Thomas B. Smallwood

If to District: Chesterfield Valley Transportation Development District
690 Chesterfield Parkway West
Chesterfield, Missouri 63017
Attn: Executive Director

With a copy to:

Armstrong Teasdale LLP
7700 Forsyth Boulevard, Suite 1800
St. Louis, Missouri 63105
Attn: Robert Klahr

If to City: City of Chesterfield, Missouri
690 Chesterfield Parkway West
Chesterfield, Missouri 63017
Attn: City Administrator

6. **Attorneys' Fees.** If either party brings an action against the other based upon this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees, costs of litigation and court costs from the other party.

7. **Entire Agreement; Successor and Assigns.** This Agreement and any instruments to be delivered by the parties pursuant to the provisions hereof constitute the entire Agreement between the parties with respect to the subject matter hereof and shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors and permitted assigns. This Agreement, and the Easement granted herein, shall run with and bind Grantor's Property and shall run with and benefit the Easement Area, the Roadway thereon as an appurtenance thereto, and the real property adjacent thereto.

8. **Modification; Waiver.** This Agreement shall not be modified or amended except pursuant to an instrument in writing executed and delivered on behalf of each of the parties hereto (or their successors and assigns). The failure of a party to insist upon strict adherence to any term of this Agreement on any occasion shall not be considered a waiver thereof or deprive that party of the right thereafter to insist upon strict adherence to that term or any other term of this Agreement.

9. **Authorization**. The parties hereto represent and warrant that they have the authority and power to enter into this Agreement and to consummate the transaction provided for herein. This Agreement constitutes a legal binding, valid and enforceable obligation of the parties, and there are no claims or defenses, personal or otherwise, or offsets whatsoever to the enforceability or validity of this Agreement.

10. **Execution**. This Agreement may be executed in electronic format and in more than one counterpart, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

(The remainder of this page is intentionally left blank.)

-6-

GRANTEE:

CHESTERFIELD VALLEY TRANSPORTATION
DEVELOPMENT DISTRICT

By: _____
Michael Geisel, Chair

ATTEST:

Bob Nation, Secretary

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

On this _____ day of August, 2019, before me personally appeared Michael Geisel, the Chairman of the Chesterfield Valley Transportation Development District, known to me to be the person who executed the foregoing instrument, and did state that the seal affixed to the within instrument is the seal of said District and that said instrument was signed and sealed in behalf of said District by authority of its Board of Directors, and acknowledged to me that he executed the same for the purposes therein stated.

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

Notary Public

My Commission Expires: _____

GRANTEE:

CITY OF CHESTERFIELD, MISSOURI

By: _____
Bob Nation, Mayor

ATTEST:

By: _____
City Clerk

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

On this _____ day of August, 2019, before me personally appeared Bob Nation, the Mayor of the City of Chesterfield, Missouri, known to me to be the person who executed the foregoing instrument, and did state that the seal affixed to the within instrument is the seal of said City and that said instrument was signed and sealed in behalf of said City by authority of its governing authority, and acknowledged to me that he executed the same for the purposes therein stated.

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

Notary Public

My Commission Expires: _____

EXHIBIT A

Legal Description of Grantor's Property

A tract of land being part of Lot 3 of the Nicholas Mueller Estate, according to the plat thereof as recorded in Plat Book 2 Page 25 of the Saint Louis County Records located in U.S. Survey 371, Township 45 North, Range 3 East, City of Chesterfield, Saint Louis County, Missouri and being more particularly described as:

Beginning at a Stone found at the southwest corner of above said Lot 3, said point also being located on the south line of said U.S. Survey 371 ; thence Northwardly along the West line of said Lot 3, North 12 degrees 15 minutes 59 seconds West, 823.42 feet to the southern right-of-way line of State Highway 40 T.R. Relocation as described in Cause No. 290860 of the Circuit Court of Saint Louis County, Missouri, said point also being located on a non-tangential curve to the left having a radius of 3,014.79 feet; thence along said right-of-way line the following courses and distances: along said curve with an arc length of 682.52 feet and a chord which bears South 77 degrees 28 minutes 50 seconds East, 681.06 feet to a point of tangency; South 83 degrees 57 minutes 58 seconds East, 122.32 feet; North 12 degrees 11 minutes 22 seconds West, 10.53 feet and South 83 degrees 57 minutes 58 seconds East, 56.38 feet; thence departing said right-of-way line, South 12 degrees 09 minutes 00 seconds East, 493.92 feet to the south line of above said U.S. Survey 371, said point also being located on the north line of a tract of land as conveyed to Clayton Forsyth Realty, LLC, by instrument recorded in Book 20873, Page 197 of above said records; thence along the north line of said Clayton Forsyth Realty, LLC tract and the north line of a tract of land as conveyed to Downtown Partners, LLC, by instrument recorded in Book 18763, Page 2637 South 77 degrees 51 minutes 00 seconds West, 705.00 feet to the northwest corner of said Downtown Partners, LLC tract; thence along the west line of last said tract, South 12 degrees 06 minutes 25 seconds East, 259.87 feet to the northern right-of-way line of Chesterfield Airport Road, variable width, said point also being located on a non-tangential curve to the right having a radius of 3,901.54 feet; thence along said right-of-way line and along said curve with an arc length of 114.13 feet and a chord which bears North 58 degrees 00 minutes 03 seconds West, 114.12 feet to the southeast corner of a tract of land as conveyed to Winter Brothers Material Company, by instrument recorded in Book 22034, Page 3765 of above said records, thence along the east line of said Winter Brothers Material Company tract, North 12 degrees 7 minutes 26 seconds West, 180.38 feet to the POINT OF BEGINNING. Containing 517,635 square feet or 11.883 acres, more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on September 10, 2018.

EXHIBIT B

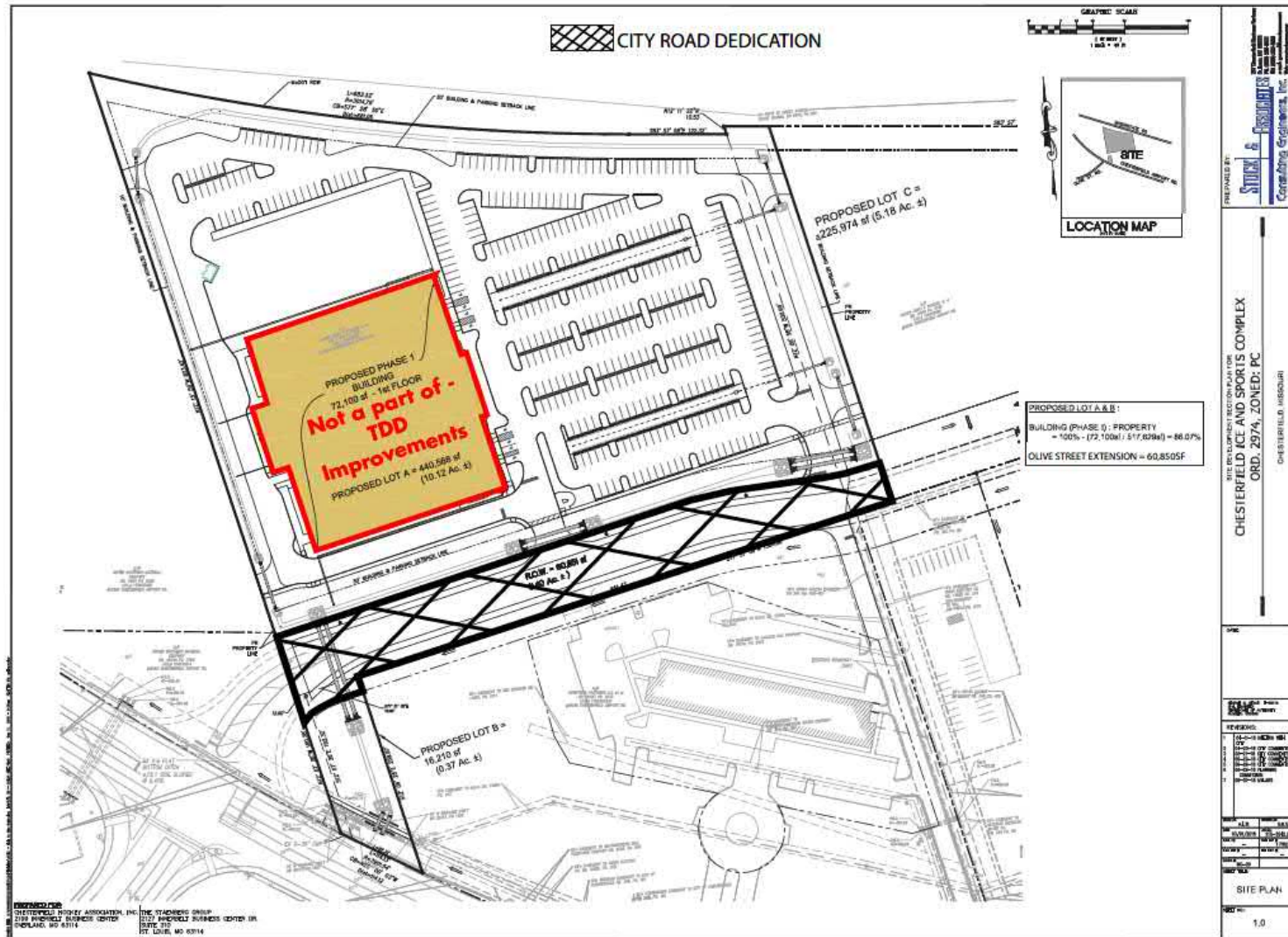
Right-of-way Dedication

Legal Description of Roadway

A tract of land being part of Lot 3 of the Nicholas Mueller Estate according to the plat thereof as recorded in Plat Book 2, Page 25 of the St. Louis County Records, located in U.S. Survey 371, Township 45 North, Range 3 East, City of Chesterfield, Saint Louis County, Missouri, being more particularly described as follows:

Beginning at a Stone found at the southwest corner of above said Lot 3, said point also being located on the south line of said U.S. Survey 371 ; thence Northwardly along the west line of said Lot 3, North 12 degrees 15 minutes 59 seconds West, 77.98 feet to the point of non-tangential curve to the right having a radius of 230.00 feet; thence departing said west line the following courses and distances: along said curve with an arc length of 30.48 feet and a chord which bears North 74 degrees 3 minutes 15 seconds East, 30.45 feet; North 77 degrees 51 minutes 00 seconds East, 504.60 feet to a point of curvature to the right having a radius of 425.00 feet; along said curve with an arc length of 76.18 feet and a chord which bears North 82 degrees 59 minutes 6 seconds East, 76.08 feet; North 88 degrees 07 minutes 12 seconds East, 100.87 feet to a point of curvature to the left having a radius of 325.00 feet ; along said curve with an arc length of 58.25 feet and a chord which bears North 82 degrees 59 minutes 06 seconds East, 58.18 feet; North 77 degrees 51 minutes 01 second East, 19.20 feet and South 12 degrees 09 minutes 00 seconds East, 50.00 feet line to the north line of a tract of land as conveyed to Downtown Partners, LLC by instrument recorded in Book 18763, Page 2637 of above said records; thence along said north line South 77 degrees 51 minutes 00 seconds West, 705.00 feet to the northwest corner thereof; thence along the west line of said Downtown Partners, LLC tract, South 12 degrees 06 minutes 25 seconds East, 20.00 feet; thence departing said west line the following: South 77 degrees 39 minutes 32 seconds West, 39.64 feet to the point of non-tangential curve to the left having a radius of 80.00 feet ; along said curve with an arc length of 45.36 feet and a chord which bears South 59 degrees 01 minute 15 seconds West, 44.76 feet; thence North 12 degrees 07 minutes 26 seconds West, 34.58 feet to the POINT OF BEGINNING. Containing 60,850 square feet or 1.397 acres, more or less.

EXHIBIT C **Map Depicting Roadway**



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ASSISTANT FINANCE DIRECTOR AND CITY ADMINISTRATOR AS THE AUTHORIZED ACCOUNT REPRESENTATIVES FOR CITY DEPOSITS HELD BY STERLING BANK.

WHEREAS, the City of Chesterfield has funds deposited with Sterling Bank; and

WHEREAS, the City employees who were originally identified to access said deposits are no longer employed by the City of Chesterfield; and

WHEREAS, the City desires to actively manage and access the public funds deposited with Sterling Bank; and

WHEREAS, the City of Chesterfield Code of Ordinances assign the responsibility for financial management of the City to the City Administrator and the Director of Finance

NOW, THEREFORE, BE IT RESOLVED that the City of Chesterfield hereby re-affirms that Mike Geisel, City Administrator, and John Hughes, Assistant Director of Finance are authorized signers for any and all deposits held by Sterling Bank.

BE IT FURTHER RESOLVED that Mr. Geisel and Mr. Hughes are authorized by the City of Chesterfield to manage said deposits in accordance with the City's approved investment policies.

PASSED THIS DAY, AUGUST 5th, 2019, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHESTERFIELD

Presiding Officer

Bob Nation, Mayor

Attest:

City Clerk – Vickie Hass

OTHER LEGISLATION

Bill No. 3256 - 84 Lumber, Lot 2 - Boundary Adjustment Plat

An ordinance providing for the approval of a Boundary Adjustment Plat for the consolidation of a tract of land in U.S. 125 and Lot 2 of 84 Lumber Subdivision totaling 13.02 acres, zoned "PC" Planned Commercial District, and located on the north side of Chesterfield Airport Road east of Long Road (17U510084).

(First & Second Readings) Department of Planning & Development Services recommends approval.

The purpose of the boundary adjustment is to consolidate a 10' wide strip of adjacent land into Lot 2 of the 84 Lumber subdivision.

If you have any questions, please contact Director of Planning and Development Services – Justin Wyse or me prior to Monday's meeting.

City Council Memorandum

Department of Planning & Development Services



To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning and Development Services **JW**

Date: July 12, 2019

CC Date: August 5, 2019

Re: **84 Lumber, Lot 2 (Boundary Adjustment Plat)**: A Boundary Adjustment Plat for a tract of land in U.S. 125 and Lot 2 of 84 Lumber Subdivision, zoned "PC" Planned Commercial District, located on the north side of Chesterfield Airport Road east of Long Road (17U510084).

Stock and Associates Consulting Engineers, Inc., on behalf of TSG Chesterfield Airport Road, LLC, has submitted for review and approval a Boundary Adjustment Plat for the consolidation of two parcels totaling 13.02 acres; a tract of land in U.S. 125 zoned "PC" Planned Commercial District and Lot 2 of 84 Lumber Subdivision zoned "PC" Planned Commercial District located at 17511 Chesterfield Airport Road.

The purpose of said Boundary Adjustment Plat is to consolidate a small tract of land located between the 84 Lumber Subdivision and Chesterfield Commons Seven with Lot 2 of 84 Lumber Subdivision, to be known as Adjusted Lot 2. This approximately ten foot wide strip of land comprises 0.17-acre and is currently included in City of Chesterfield Ordinance 2969 that governs the "PC" Planned Commercial District for Lot 2 of the 84 Lumber Subdivision.

Attached to the legislation, please find a copy of the Boundary Adjustment Plat.



Figure 1: Aerial Photograph

BILL NO. 3256

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR THE CONSOLIDATION OF A TRACT OF LAND IN U.S. 125 AND LOT 2 OF 84 LUMBER SUBDIVISION TOTALING 13.02 ACRES, ZONED "PC" PLANNED COMMERCIAL DISTRICT, AND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD EAST OF LONG ROAD (17U510084).

WHEREAS, Stock and Associates Consulting Engineers, Inc., on behalf of TSG Chesterfield Airport Road, LLC, has submitted for review and approval a Boundary Adjustment Plat for the consolidation of two parcels totaling 13.02 acres, zoned "PC" Planned Commercial District, and located at 17511 Chesterfield Airport Road; and,

WHEREAS, the purpose of said Boundary Adjustment Plat is to consolidate a tract of land in U.S. 125 and Lot 2 of 84 Lumber Subdivision into one parcel to be known as Adjusted Lot 2 of 84 Lumber Subdivision; and,

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

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

Section 1. The Boundary Adjustment Plat for a tract of land in U.S. 125 and Lot 2 of 84 Lumber Subdivision, which is made part hereof and attached hereto as Exhibit 1, is hereby approved; the owner is directed to record the plat with the St. Louis County Recorder of Deeds Office.

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

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

Passed and approved this _____ day of _____, 2019.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 08/05/2019

BOUNDARY ADJUSTMENT PLAT
OF A TRACT OF LAND IN U.S. 125 AND LOT 2 OF 84 LUMBER SUBDIVISION AS RECORDED IN PLAT
BOOK 339, PAGE 80 LOCATED IN, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL
MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

OWNERS CERTIFICATION

The undersigned, owner of the tract of land heretofore platted and further described in the surveyor's certificate set forth below, has caused the same to be surveyed and adjusted in the manner shown on this plat, which Boundary Adjustment Plat shall be known as:

"BOUNDARY ADJUSTMENT PLAT OF LOT 2 OF 84 LUMBER AND PART OF U.S. SURVEY 125"

It is hereby certified that all existing easements are shown on this plat as of the time and date of recording of this plat.

This subdivision is subject to the Tract Declaration of Covenants, Conditions and Restrictions and Grant of Easements for Lots Created by Boundary Adjustment Plat of Lot 2 of 84 Lumber and Part of U.S. Survey 125, which is recorded in Book _____ Page _____ of the St. Louis County Missouri real estate records.

Two (2) permanent monuments for each block created, and semi-permanent monuments at all lot corners will be set within twelve (12) months after the recording of this BOUNDARY ADJUSTMENT PLAT, in accordance with 20 CSR 2030-16 of the Department of Insurance, Financial Institutions and Professional Registration. In addition, other survey monuments indicated on this boundary adjustment plat, required by the Subdivision Ordinance of the City of Chesterfield, Missouri, will be set.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

TSG Chesterfield Airport Road, LLC

By: _____

Title: _____

STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this _____ day of _____, in the year _____, before me, _____, a Notary Public in and for said state, personally appeared _____, of _____, known to me to be the person who executed the foregoing instrument in behalf of said corporation and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Notary Public

My commission expires: _____

LENDER'S CERTIFICATION

The undersigned owner and holder of promissory note secured by Deed of Trust, Security Agreement and Fixture Filing, recorded in Book _____ Page _____, as amended in Book _____ Page _____ of the St. Louis County Records, does hereby join in and consent to the foregoing Boundary Adjustment Plat as shown hereon.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our corporate seal this _____ day of _____, 20____.

By: _____

Title: _____

STATE OF MISSOURI)
COUNTY OF _____) SS

On this _____ day of _____, 20____, before me appeared _____, personally known to me, who being by me duly sworn, did say that he/she is the _____ of _____, a national banking association, and acknowledged to me that he/she has the authority to bind said national banking association; and executed the foregoing Boundary Adjustment Plat as the free act and deed of said national banking association.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Notary Public

My commission expires: _____

STATE PLANE

STATEMENT OF STATE PLANE COORDINATE TIE:

STATION: SL-38
GRID FACTOR = 0.99991748
NORTH (Y) = 314628.240
EAST (X) = 239963.055

NOTE: 1 METER = 3.28083333 FEET
ALL STATE PLANE COORDINATES ARE IN METERS.

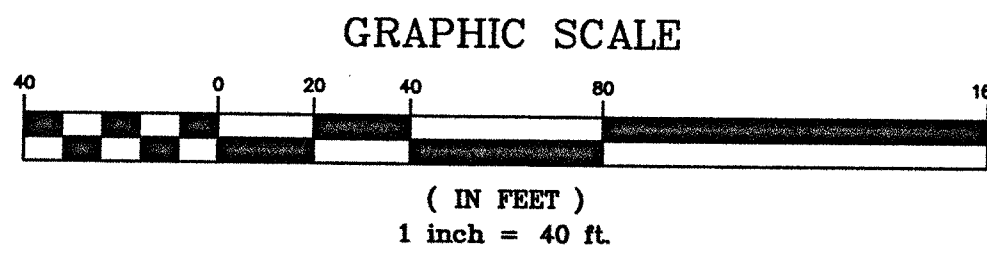
STATION: SL-38 ADJUSTED IN 2011

Station SL-38 to SL-38A grid Azimuth = 296 Degrees 49 Minutes 04 Seconds

The Missouri Coordinate System of 1983 East Zone Coordinate Values reported hereon were determined based upon a field traverse using Trimble GPS receivers and Total Stations, and that in my professional opinion, as a land surveyor registered in the State of Missouri, the reported State Plane Coordinates meet the current Missouri Standards for Property Boundary Surveys. The basis of bearings shown on this plat were adopted from Plat Book 339 Page 80. The grid bearing along the West line of Lot 2 on this plat is found to be North 00 degrees 54 minutes 34 seconds East. The measured bearing labeled along the same line is North 00 degrees 49 minutes 46 seconds East, 367.38 feet. The grid bearing from SL-38 to the Southwest corner on this plat is North 88 degrees 24 minutes 14 seconds East 105.284 meters with the scale factor applied.

PREPARED FOR
TSG Chesterfield Airport
Road LLC
c/o Stoenberg Group, Inc.
2129 Inner Belt Business
Center Dr 200
St. Louis MO 63114

ABBREVIATIONS
DB - DEED BOOK
FT - FEET
FND - FOUND
N/P - NOW OR FORMERLY
PL - PLAT BOOK
PG - PAGE
R.B. - RADIAL BEARING
S.D. - SQUARE
(86°W) - RIGHT-OF-WAY WIDTH



LEGEND
BENCH MARK
FOUND IRON ROD
FOUND IRON PIPE
RIGHT OF WAY MARKER

ORIGINAL PROPERTY DESCRIPTIONS

Original Parcel 1:

A tract of land being Lot 2 of 84 Lumber Subdivision as recorded in Plat Book 339 Page 80 of the St. Louis County Records, Located in Township 45 North, Range 4 East of the 5th Principal Meridian, city of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the southwest corner of Chesterfield Airport Road 17505 as recorded in Plat Book 365 Page 150 of the St. Louis County records, said point being on the north right of way line of Chesterfield Airport Road, 100 feet wide; thence South 89 degrees 31 minutes 27 seconds West, along the north right of way line of said Airport Road, 520.40 feet, to the southeast corner of Lot 1 of above said 84 Lumber Subdivision; thence the following courses and distance along the east and south lines of Lot 1 of said 84 Lumber Subdivision: North 00 degrees 49 minutes 46 seconds East, 367.38 feet; North 89 degrees 31 minutes 24 seconds East, 406.95 feet, and North 00 degrees 45 minutes 19 seconds East, 641.63 feet, to the south right of way line of Interstate 64, variable width; thence South 84 degrees 19 minutes 27 seconds East, along the south line of said Interstate 64, 456.50 feet, to the northeast corner of Lot 2 of said 84 Lumber Subdivision; thence South 00 degrees 28 minutes 48 seconds West, along the east line of said Lot 2, 753.53 feet to the northeast corner of Lot 2 of said Chesterfield Airport Road 17505; thence South 89 degrees 31 minutes 27 seconds West, along the north line of said Chesterfield Airport Road 17505, 385.35 feet, to the northwest corner of said Chesterfield Airport Road 17505; thence South 00 degrees 31 minutes 19 seconds West, along the West line of said Chesterfield Airport Road 17505, 200.58 feet, to the POINT OF BEGINNING. Containing 558,709 square feet or 12.849 acres, more or less, according to calculations performed by Stock & Associates Consulting Engineers, Inc. on May 3rd 2019.

Original Parcel 2:

A tract of land being part of U.S. Survey 125, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows: Commencing at the Northwest corner of "Chesterfield Commons Seven", a subdivision recorded in Plat Book 359 page 168 of the St. Louis County Records; thence, along the West line of said "Chesterfield Commons Seven", South 00 degrees 32 minutes 44 seconds West, a distance of 15.00 feet to the point of beginning of the herein described tract of land; thence continuing along said West line of "Chesterfield Commons Seven", South 00 degrees 32 minutes 44 seconds West, a distance of 753.73 feet to an iron pipe; thence, continuing along said West line, South 89 degrees 35 minutes 58 seconds West, a distance of 10.11 feet to a point in the East line of the "84 Lumber Subdivision", according to a record plat recorded in Plat Book 339 page 80 of the St. Louis County Records; thence departing said West line, along the East line of the aforementioned "84 Lumber Subdivision", North 00 degrees 32 minutes 44 seconds East, 406.95 feet, and North 00 degrees 45 minutes 19 seconds East, 641.63 feet, to the south right of way line of Interstate 64, variable width; thence South 84 degrees 19 minutes 27 seconds East, along the south line of said Interstate 64, 505.66 feet, to the west line of Chesterfield Commons Seven as recorded in Plat Book 359 Page 156 of the St. Louis County records; thence South 00 degrees 28 minutes 48 seconds West, along the west line of said Chesterfield Commons Seven, 754.45 feet, thence South 89 degrees 31 minutes 27 seconds West, along the north line of Outparcel 2 of said Chesterfield Commons Seven, and the north line of said Chesterfield Airport Road 17505, 385.35 feet, to the northwest corner of said Chesterfield Airport Road 17505; thence South 00 degrees 31 minutes 19 seconds West, along the West line of said Chesterfield Airport Road 17505, 200.58 feet, to the POINT OF BEGINNING. Containing 567,264 square feet or 13.023 acres, more or less, according to calculations performed by Stock & Associates Consulting Engineers, Inc. on May 3rd 2019.

ADJUSTED LOT 2

A tract of land being Lot 2 of 84 Lumber Subdivision as recorded in Plat Book 339 Page 80 of the St. Louis County Records, and part of U.S. Survey 125, located in Township 45 North, Range 4 East of the 5th Principal Meridian, city of Chesterfield, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the southwest corner of Chesterfield Airport Road 17505 as recorded in Plat Book 365 Page 150 of the St. Louis County records, said point being on the north right of way line of Chesterfield Airport Road, 100 feet wide; thence South 89 degrees 31 minutes 27 seconds West, along the north right of way line of said Airport Road, 520.40 feet, to the southeast corner of Lot 1 of above said 84 Lumber Subdivision; thence the following courses and distance along the east and south lines of Lot 1 of said 84 Lumber Subdivision: North 00 degrees 49 minutes 46 seconds East, 367.38 feet; North 89 degrees 31 minutes 24 seconds East, 406.95 feet, and North 00 degrees 45 minutes 19 seconds East, 641.63 feet, to the south right of way line of Interstate 64, variable width; thence South 84 degrees 19 minutes 27 seconds East, along the south line of said Interstate 64, 505.66 feet, to the west line of Chesterfield Commons Seven as recorded in Plat Book 359 Page 156 of the St. Louis County records; thence South 00 degrees 28 minutes 48 seconds West, along the west line of said Chesterfield Commons Seven, 754.45 feet, thence South 89 degrees 31 minutes 27 seconds West, along the north line of Outparcel 2 of said Chesterfield Commons Seven, and the north line of said Chesterfield Airport Road 17505, 385.35 feet, to the northwest corner of said Chesterfield Airport Road 17505; thence South 00 degrees 31 minutes 19 seconds West, along the West line of said Chesterfield Airport Road 17505, 200.58 feet, to the POINT OF BEGINNING. Containing 567,264 square feet or 13.023 acres, more or less, according to calculations performed by Stock & Associates Consulting Engineers, Inc. on May 3rd 2019.

LOT 1

N/P
MASE LLC
DB 18228, PG 1726
17519 CHESTERFIELD AIRPORT RD
17U510073

LOT 2

N/P
MASE LLC
DB 18228, PG 1726
17519 CHESTERFIELD AIRPORT RD
17U510073

LOT 1

N:314743.126
E:240070.075

FND. IRON ROD

(089° 36' 44"E 407.08')

N89° 31' 24"E 406.95'

FND. IRON PIPE

N:314743.985
E:240194.099

FND. IRON PIPE

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FND. IRON PIPE

(089° 36'

UNFINISHED BUSINESS

There are no unfinished action items on the agenda for this meeting.

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

NEW BUSINESS

There are no new business action items on the agenda for this meeting.

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