



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Monday, March 21, 2022
5:45 PM**

I. Appointments – Mayor Bob Nation

II. Council Committee Reports

A. Planning and Public Works Committee – Chairperson Mary Monachella,
Ward I

- 1. Bill No. 3385 - P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge)**
An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “NU” Non-Urban District and “E-1AC” Estate District to an “E-1/2AC” Estate District with a Wild Horse Creek Road Overlay District designation for a 26.8-acre tract of land located on the north side of Wild Horse Creek Road and across from Wildhorse Parkway Drive (P.Z. 08-2021 McBride Byrne LLC [Boones' Ridge] 18V520115, 18V520126, 18V520160, 18V520027, 18V510381). **First Reading – Planning Commission recommends approval with setback modification. Planning & Public Works Committee recommends approval with setback modification and landscape buffer modification. There are two proposed amendments, each of which requires separate, 2/3rds, majority vote for approval. Green Sheet Amendment recommended by Planning & Public Works Committee. Only one of the amendments is in the proposed green sheet.**
- 2. Bill No. 3386 - P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC)** – An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “LLR” Large Lot Residential District to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 11-2021 {McBride Berra Land Company, LLC.} 18V130099, 18V140065, & 18V140098). **First Reading – Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**
- 3. Bill No. 3387 - P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC)** – An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “E-1AC” Estate One Acre District to a “PUD” Planned Unit Development for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 12-2021 {McBride Berra Land Company, LLC} 18V130099, 18V140065, & 18V140098). **First**

Reading – Planning Commission recommends approval. Planning & Public Works Committee recommends approval.

4. Bill No. 3388 - P.Z. 17-2021 Legends at Schoettler Pointe (Stock and Associates) – An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “NU” Non-Urban District and “R-1” Residential District to an “E-1/2 AC” Estate District for a 9 acre tract of land located on the south side of Outer 40 Road and east side of Schoettler Road [P.Z. 17-2021 Legends at Schoettler Pointe, 19S640152 & 19S640657]. **First Reading – Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

5. Bill No. 3389 - P.Z. 18-2021 Legends at Schoettler Pointe (Stock and Associates) – An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “E-1/2 AC” Estate District to “PUD” Planned Unit Development for a 9-acre tract of land located on the south side of Outer 40 Road and east side of Schoettler Road [P.Z. 18-2021 Legends at Schoettler Pointe, 19S640152 & 19S640657]. **First Reading – Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

6. Bill No. 3390 - P.Z. 16-2021 City of Chesterfield (Unified Development Code – Article 4 and Article 10) – An ordinance amending Article 04, Section 405.04.050 Sign Requirements and Article 10 Section 405.10.040 Signage Terms of the Unified Development Code {P.Z. 16-2021 City of Chesterfield (Unified Development Code-Articles 4 and 10)}. **First Reading – Planning Commission recommends Approval. Planning & Public Works Committee recommends approval, as amended. Green Sheet Amendments recommended by Planning & Public Works Committee.**

7. Next Meeting – Thursday, May 05, 2022 (5:30pm)

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

1. Next Meeting – Not yet scheduled

C. Parks, Recreation and Arts Committee – Chairperson Mary Ann Mastorakos, Ward II

1. Central Park Pickleball Courts – Revised layout and cost estimates to provide for pickleball courts at Central Park.

2. Next Meeting – Not yet scheduled

D. Public Health and Safety Committee – Chairperson Tom DeCampi, Ward IV

- 1. Bill # 3383** – An ordinance of the City of Chesterfield amending municipal code chapter 605 regulating commercial solicitation. **(Second Reading) Public Health and Safety Committee recommends approval.**
- 2. Bill # 3384** – An ordinance of the City of Chesterfield amending the municipal code related to Vehicle Tampering by adding a new section to be known as Vehicle Prowling. **(Second Reading) Public Health and Safety Committee recommends approval.**
- 3. Next Meeting – Not yet scheduled**

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

IV. Other Legislation

V. Unfinished Business

VI. New Business

VII. Adjournment

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

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



AGENDA
CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Monday, March 21, 2022
7:00 PM

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. City Council Meeting Minutes** – March 07, 2022
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
 - A. Monday, March 28, 2022 – Planning Commission (7:00pm)**
 - B. Tuesday, April 05, 2022 – Election Day**
 - C. Tuesday, April 19, 2022 – City Council Meeting (7:00pm)**
- VII. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
 - A. Proclamation – P.E.O. 100th Anniversary**
- VIII. APPOINTMENTS** – Mayor Bob Nation
- IX. COUNCIL COMMITTEE REPORTS**

A. Planning and Public Works Committee – Chairperson Mary Monachella,
Ward I

1. Bill No. 3385 - P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge)

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– An ordinance amending the Unified Development Code of the City of Chesterfield by changing the boundaries of the “LLR” Large Lot Residential District to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 and 17831 Wild Horse Creek Road (P.Z. 11-2021 {McBride Berra Land Company, LLC.} 18V130099, 18V140065, & 18V140098). **First Reading – Planning Commission recommends approval. Planning & Public Works Committee recommends approval.**

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Reading – Planning Commission recommends approval. Planning & Public Works Committee recommends approval.

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

1. Next Meeting- Not yet scheduled

C. Parks, Recreation and Arts Committee – Chairperson Mary Ann Mastorakos, Ward II

1. Central Park Pickleball Courts – Revised layout and cost estimates to provide for pickleball courts at Central Park.

2. Next Meeting – Not yet scheduled

D. Public Health and Safety Committee – Chairperson Tom DeCampi, Ward IV

1. Bill # 3383 – An ordinance of the City of Chesterfield amending municipal code chapter 605 regulating commercial solicitation.

(Second Reading) Public Health and Safety Committee recommends approval.

- 2. Bill # 3384** – An ordinance of the City of Chesterfield amending the municipal code related to vehicle tampering by adding a new section to be known as Vehicle Prowling. **(Second Reading) Public Health and Safety Committee recommends approval.**

- 3. Next Meeting – Not yet scheduled**

X. REPORT FROM THE CITY ADMINISTRATOR – Mike Geisel

XI. OTHER LEGISLATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. ADJOURNMENT

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

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AGENDA REVIEW – MONDAY 03/21/2022 – 5:45 PM

An AGENDA REVIEW meeting has been scheduled to start at **5:45 PM, on Monday, March 21, 2022.**

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



RECORD OF PROCEEDING

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

MARCH 7, 2022

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

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

A roll call was taken with the following results:

PRESENT

ABSENT

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

APPROVAL OF MINUTES

The minutes of the February 22, 2022 City Council meeting were submitted for approval. Councilmember Moore made a motion, seconded by Councilmember Mastorakos, to approve the February 22, 2022 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the February 22, 2022 Executive Session were submitted for approval. Councilmember Moore made a motion, seconded by Councilmember Wahl, to approve the February 22, 2022 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced that the Citizen's Recognition Dinner is scheduled for Tuesday, March 15, at 6 pm.

Mayor Nation announced that the next meeting of City Council is scheduled for Monday, March 21, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mr. Jesse Jonas, Executive Director of the American Concrete Paving Association, presented Director of Public Works/City Engineer Jim Eckrich and the City of Chesterfield an award for the 2021 Best Municipal Concrete Paving Project.

Councilmember McGuinness and Councilmember Monachella announced that the Precision Holdings project in Maryland Heights has been withdrawn; and they expressed gratitude to City Council, staff and the public for their response to this project and the culture within the Chesterfield community.

APPOINTMENTS

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

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Councilmember Mary Monachella, Chairperson of the Planning/Public Works Committee, indicated that there were no action items scheduled on the agenda for this meeting, and the next meeting of this Committee is scheduled for Thursday, March 10, 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 Monachella, to approve and authorize the destruction of records in accordance with the Secretary of State's recommendations and Finance and Administration Policy No. 1, as recommended by the Finance and Administration Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Moore made a motion, seconded by Councilmember McGuinness, to abandon further consideration of the Lifetime Achievement Award, as recommended by the Finance and Administration Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Moore made a motion, seconded by Councilmember Monachella, to authorize funding of an informational mailer for Proposition U, funded by a transfer of up to \$7,500 from the General Fund – Fund Reserves, as recommended by the Finance and Administration Committee. A roll call vote was taken with the following results: Ayes – Wahl, Hurt, McGuinness, Mastorakos, Monachella, Budoor and Moore. Nays – DeCampi. Mayor Nation declared the motion passed.

Parks, Recreation & Arts Committee

Councilmember Mary Ann Mastorakos, Chairperson of the Parks, Recreation & Arts Committee, made a motion, seconded by Councilmember Budoor, to approve the artwork “Popsicle” from The Creative Arts Alliance draft, as recommended by the Parks, Recreation and Arts Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Mastorakos made a motion, seconded by Councilmember Monachella, to authorize a contingent contract for the purpose of identifying sponsorship opportunities, as recommended by the Parks, Recreation and Arts Committee. A roll call vote was taken with the following results: Ayes – Mastorakos, Moore, DeCampi, Monachella, Budoor, Wahl, Hurt and McGuinness. Nays – None. Mayor Nation declared the motion passed.

Public Health & Safety Committee

Bill No. 3383 Amends municipal code chapter 605 regulating commercial solicitation **Public Health and Safety Committee recommends approval (First Reading)**

Councilmember Tom DeCampi, Chairperson of the Public Health & Safety Committee, made a motion, seconded by Councilmember Wahl, for the first reading of Bill No. 3383. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3383 was read for the first time.

Bill No. 3384 Amends the municipal code related to vehicle tampering by adding a new section to be known as Vehicle Prowling **Public Health and Safety Committee recommends approval (First Reading)**

Councilmember DeCampi made a motion, seconded by Councilmember Budoor, for the first reading of Bill No. 3384. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3384 was read for the first time.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that Staff is recommending award of a contract for 2022 Construction and Inspection Testing Services. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending authorization for the City Administrator to execute an Agreement with Geotechnology Incorporated for construction testing and inspection services in an amount not to exceed \$110,000, funded by the Capital Projects Fund. Councilmember Moore made a motion, seconded by Councilmember Hurt, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Moore, McGuinness, Hurt, Mastorakos, Wahl, Monachella, Budoor and DeCampi. Nays – None. Whereupon Mayor Nation declared the motion passed.

OTHER LEGISLATION

There was no “Other Legislation” scheduled for this meeting.

UNFINISHED BUSINESS

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

NEW BUSINESS

There was no new business.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:42 p.m.

Mayor Bob Nation

ATTEST:

Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

A. Monday, March 28, 2022 – Planning Commission (7:00pm)

B. Tuesday, April 05, 2022 – Election Day

C. Tuesday, April 19, 2022 – City Council Meeting (7:00pm)

COMMUNICATIONS AND PETITIONS

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

APPOINTMENTS

There are no appointments scheduled for Monday's meeting.

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Monachella

Vice-Chair: Councilmember Hurt

Bill No. 3385 - P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge)

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First Reading – Planning Commission recommends approval with setback modification. Planning & Public Works Committee recommends approval with setback modification and landscape buffer modification. There are two proposed amendments, each of which requires separate, 2/3rds, majority vote for approval. Green Sheet Amendment recommended by Planning & Public Works Committee. Only one of the amendments is in the proposed green sheet.

Green sheet Amendment:

Amendment #1 Landscape Buffering, 2/3rds majority required
Perimeter buffer is to be allowed on Lots 1B and 2B instead, where buffers are normally not allowed within any individual lot, but must be on common ground.

Non-Green sheet Amendment (because this was approved by the PC):

Amendment #2 Structure Setback, 2/3rds majority required
Minimum side yard setback reduced to 10 foot (was 15 foot), but requires a minimum of 20 feet between structures.

Bill No. 3386 - P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC)

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recommends approval. Planning & Public Works Committee recommends approval.

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Amendment #1 Each image displayed shall have a minimum duration of 30 minutes. (amended from original version requiring 10 seconds)

Amendment #2 Remove the language, “for the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one (1) year.”

NEXT MEETING

The next meeting of the Planning and Public Works Committee is scheduled for Thursday, May 5th, 2022, at 5:30 pm.

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

MEMORANDUM

TO: Mike Geisel, City Administrator

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

SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, March 10, 2022



A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, March 10, 2022 in Conference Room 101.

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

Also in attendance were: Mayor Bob Nation; Chris Graville, City Attorney; Planning Commission Chair Merrell Hansen; Caryn Carlie, Planning Commissioner; Jim Eckrich, Director of Public Works/City Engineer; Justin Wyse, Director of Planning; Mike Knight, Assistant City Planner; Chris Dietz, Planner; Shilpi Bharti, Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:31 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 20, 2022 Committee Meeting Summary

Councilmember Mastorakos made a motion to approve the Meeting Summary of January 20, 2022. The motion was seconded by **Councilmember DeCampi** and **passed** by a voice vote of 4-0.

II. UNFINISHED BUSINESS – None.

III. NEW BUSINESS

- A. **P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge)**: A request for a zoning map amendment from a "NU" Non-Urban District and "E-1AC" Estate District to an "E-1/2AC" Estate District with a Wild Horse Creek Road Overlay District designation for a 26.8-acre tract of land located on the north side of Wild Horse Creek Road and across from Wildhorse Parkway Drive (18V520115, 18V520126, 18V520160, 18V520027, 18V510381). (Ward 4)

STAFF PRESENTATION

Mike Knight, Assistant City Planner, presented the request for a zoning map amendment for a 26.8-acre tract of land. McBride Byrne (McBride Homes and Claymont Development) are proposing to develop 36 single-family homes located on the north side of Wild Horse Creek Road across from Wildhorse Parkway Drive.

The Preliminary Plan depicts one access point off of Wild Horse Creek Road with internal circulation throughout the site. It connects to the west to the existing Bur Oaks development, which is the same zoning district, and provides for future connection to the east.

The site is located within the Wild Horse Creek Road Overlay District (Wild Horse Sub Area which is also known as *the Bow Tie*). Properties within the Sub-Area are required to zone in the Wild Horse Overlay District and may only rezone to an Estate District category. Thus, the development team is requesting a zoning map amendment to “E-1/2AC” Estate District with a Wild Horse Creek Road Overlay District.

The request also includes modifications to setbacks and landscaping.

Modification to Structure Setbacks

The minimum side yard setback required by the Unified Development Code (UDC) is 15 feet from the property line with a minimum setback between structures of 30 feet. The Applicant is requesting 10-foot side yard setbacks with 20 feet between structures. This modification will allow the developer to build homes with more than a 2-car garage.

Modification to Landscape Buffering

The specific development criteria states that the perimeter buffer shall not be located within any developed lot with a residential structure on it. The Applicant is requesting the buffer out of common ground and on the individual Lots 1B and 2B located on the eastern perimeter. This buffer will be within a landscape easement maintained by the homeowners’ association and will allow those two lots to be larger.

A Public Hearing was held on December 13, 2021 at which time the Planning Commission and general public raised several issues. Since the Public Hearing, the applicant has updated their proposal and has provided a formal response to each issue raised.

On February 14, 2022, the petition was brought back to the Planning Commission for consideration. At that time, the Planning Commission made a motion to approve the project as amended, however, the amendment only included approval of the setback modification and not the landscape modification request. The motion passed by a vote of 8-1.

The Applicant is continuing to move forward to City Council with both modification requests.

DISCUSSION

In response to Councilmember Mastorakos’ concern for the existing residence just east of the proposed development, Mr. Knight stated that the developer has met with the homeowners and it was agreed that temporary access will be established to their property throughout the construction process. Justin Wyse, Director of Planning, added that Street B will be a public street so once the street is in place, that resident will have public access through that means as well. It was also noted that the developer has offered to add additional landscaping between their property and the new development. Staff will solidify this during the Site Development Plan process.

Councilmember Hurt asked for clarification as to why the developer is requesting the two modifications.

Setback Modification

Jeremy Roth, Elite Development Services, stated that they are requesting 10-foot side yard setbacks with 20 feet between structures to allow for homes with three and four car garages. Half of the lots will be McBride lots and half will be Claymont lots. McBride intends to build three-car garages and Claymont intends to build four-car garages. However, there will still be several instances where there will be greater than 20 feet between structures.

Landscape Modification

There was considerable discussion regarding the placement of a landscape buffer on the eastern two individual lots, 1B and 2B, and who would be responsible for the maintenance of that buffer, the homeowner's association or the property owners.

Mr. Roth explained that Street B was configured to allow homes to front Wild Horse Creek Road. If the street was moved further north, the homes would then back up to Wild Horse Creek Road. He noted that due to the street geometry, they end up with that awkward piece of property. He stated that maintenance of the buffer could be included in the Deed Restrictions and Indentures to insure that the homeowners' association would be responsible for its maintenance. Stipulations would also restrict the homeowners from fencing that area.

Councilmember DeCampi made a motion to recommend approval of the side yard setback modification. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

Councilmember DeCampi made a motion to recommend approval of the requested landscape buffer modification with a deed restriction specifying that the homeowners' association would be responsible for maintenance. The motion was seconded by Councilmember Hurt.

Discussion after the Motion

In response to Councilmember Mastorakos' question, Mr. Wyse stated that if the setback modification was not approved, a 30-foot landscape buffer would be required on common ground only and not on an individual lot. The motion is to still allow the landscape buffer, but to allow it on Lots 1B and 2B with the homeowners' association being responsible to maintain the area.

Chris Graville, City Attorney, was of the opinion that the City could include requirements in the deed to specifically address maintenance and to make sure that if the homeowners' association was not keeping up with the maintenance, that the City could legally enforce it even though it is on private property. An easement would be established that would be dedicated to the homeowners' association so they would be able to access the area and maintain it. He will work out the details with Staff.

The above motion to approve the landscape buffer modification **passed by a voice vote of 4-0.**

Councilmember Hurt made a motion to forward P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge), 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 March 21, 2022 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge).]

- B. P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC):** A request for a change in zoning from a Large Lot Residential (LLR) District to E-1AC Estate District for 35.0 acres located at 17803, 17815 and 17831 Wild Horse Creek Road (18V130099, 18V140065, & 18V140098). (Ward 4)

STAFF PRESENTATION

Chris Dietz, Planner, presented the request to rezone three parcels from Large Lot Residential to E-1AC Estate for a 35-home single-family residential development. This petition is filed in conjunction with P.Z. 12-2021 for a Planned Unit Development (PUD) request.

No issues were raised at the October 25, 2021 Public Hearing and on February 14, 2022, the Planning Commission unanimously approved the request.

Councilmember DeCampi made a motion to forward P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC) to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the March 21, 2022 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC).]

C. P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC): A request for a change in zoning from E-1AC Estate District to a PUD-Planned Unit Development for 35.0 acres located at 17803, 17815 and 17831 Wild Horse Creek Road to permit 35 single-family homes (18V130099, 18V140065, & 18V140098). (Ward 4)

STAFF PRESENTATION

Chris Dietz, Planner, presented the request for a change in zoning from E-1AC Estate District to "PUD" Planned Unit Development for a single-family residential development consisting of 35 homes. This request was submitted along with the previous request for a zoning amendment, P.Z. 11-2021.

A Public Hearing was held on October 25, 2021 at which time the Planning Commission raised multiple issues regarding vehicular access to and from Wild Horse Creek Road, the preservation of Blake Mound and the nature of the PUD request itself. These issues, and the Applicant's response to each, were discussed at the February 14, 2022 Planning Commission meeting and the petition was unanimously approved.

The Preliminary Development Plan depicts the following:

- 35 single family homes
- 1 vehicular access from Wild Horse Creek Road
- Landscape buffers
- Cross-access to neighboring property
- Amenities throughout
-

DISCUSSION

In response to Councilmember Mastorakos' question, it was determined that the road into the development was in close proximity to the existing road and that the trees in that area would be preserved.

Councilmember Hurt expressed his concern that since Blake Mound was located at the rear of the development, visitors would have to drive past all the other homes before they reached the Mound which, he assumed, is a public area. Jeremy Roth, Elite Development Services, stated that the Mound would not be open to the public. They have consulted with the caretaker and have decided that it would be best if the Mound were not open to the public. It will be stipulated

that the Mound is owned and maintained by the homeowners' association and it is to be protected as common ground. However, upon request, there could be special exceptions for educational or archeological groups that wish to visit the site.

Councilmember DeCampi made a motion to forward P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC) to City Council with a recommendation to approve. The motion was seconded by Chair Monachella and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the March 21, 2022 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC).]

- D. P.Z. 17-2021 Legends at Schoettler Pointe (Stock and Associates):** A request for a zoning map amendment from the "NU" Non-Urban District and "R1" Residential District to an "E-1/2AC" Estate One-half Acre District for 9 acres located on the south side of Outer 40 Road and east side of Schoettler Road (19S640152 & 19S640657) (Ward 2)

STAFF PRESENTATION

Shilpi Bharti, Planner, presented the project request to rezone two parcels from "NU" Non-Urban District and "R1" Residential District to "E-1/2AC" Estate One-half Acre District to establish the density for a 13-home single-family residential development. The request is part of a two-step zoning process. The second step is to obtain a change in zoning to a "PUD" Planned Unit Development.

A Public Hearing was held on December 13, 2021 at which time no issues were raised and on February 28, 2022, the Planning Commission unanimously approved the petition.

Councilmember Mastorakos made a motion to forward P.Z. 17-2021 Legends at Schoettler Pointe (Stock and Associates) 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 Commission, will be needed for the March 21, 2022 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 17-2021 Legends at Schoettler Pointe (Stock and Associates).]

- E. P.Z. 18-2021 Legends at Schoettler Pointe (Stock and Associates):** A request for a zoning map amendment from an "E-1/2AC" Estate One-half Acre District to a "PUD" Planned Unit Development for 9 acres located on the south side of Outer 40 Road and east side of Schoettler Road (19S640152 & 19S640657). (Ward 2)

STAFF PRESENTATION

Shilpi Bharti, Planner, presented the request for a change in zoning from "E-1/2AC" Estate One-half Acre District to "PUD" Planned Unit Development District. This request was submitted along with the previous request for a zoning amendment, P.Z. 17-2021.

A Public Hearing was held on December 13, 2021 at which time the Planning Commission raised multiple issues regarding the following:

- Side setback request
- Topography of the site
- Proposed amenities on the site
- Additional 15' landscape buffer along the eastern property line

These issues, and the Applicant's response to each, were discussed at the February 28, 2022 Planning Commission meeting and the request was unanimously approved.

The Preliminary Plan depicts the following:

- 13 single-family homes
- Four amenities
- One vehicular access point from Schoettler Road
- A 30' landscape buffer and an additional 15' landscape buffer from the eastern property line
- Two stormwater basins
- Retaining walls

DISCUSSION

Chair Monachella inquired as to what amenities would be included. Ms. Shilpi stated that there are two amenities located at the front of the site, which include a gazebo with benches and a couples' swing. Near the cul-de-sac, there will be a lookout point, and a firepit with benches will be located within the cul-de-sac.

With regard to the Planning Commission's topography concerns, Justin Wyse, Director of Planning, stated that the site design utilizes retaining walls varying in height with the tallest being 20 feet high. The Committee then discussed the location of the retaining walls and their visibility.

Councilmember Mastorakos stated that the adjoining residents and the minister at the Church of the Resurrection were informed of the proposed development. The developer also met several times with the group, Preserve Schoettler, and they fully support the project.

Councilmember DeCampi made a motion to forward P.Z. 18-2021 Legends at Schoettler Pointe (Stock and Associates) to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the March 21, 2022 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 18-2021 Legends at Schoettler Pointe (Stock and Associates).]

F. P.Z. 16-2021 City of Chesterfield (Unified Development Code – Article 4 and Article 10): An ordinance amending Article 4 and Article 10 of the Unified Development Code pertaining to signs.

STAFF PRESENTATION

Mike Knight, Assistant City Planner, stated that the purpose of this petition is to discuss and potentially revise the City's Sign Code, (Article 4 and Article 10) due to continued rulings of relevant court cases.

The goal is to implement a “content neutral” sign code to bring the City’s Sign Code into conformance with the rulings of recent court cases. It is not our intent to create a new Sign Code with new regulations, but rather to update the City’s existing Code. Overall, the proposed changes do not have a substantial impact on the current Sign Code with the exception to regulations for temporary signs.

Examples of conflict within the current City Code:

- Regulations on specific wording - name, price and insignia on signs
- Different calculation of signage if a logo is used
- Allows movement for time, temperature, and stock symbol
- Differing regulations for non-commercial speech – different size and duration for public information and political signs

A Public Hearing was held on November 8, 2021, at which time Staff discussed possible issues as they relate to content neutrality, and identified potential resolutions and methodology to address the identified issues. There was a general consensus from the Planning Commission to move forward with the methodology created by Staff.

On January 10, 2022, the petition was brought back to the Planning Commission for review only. At that meeting, Staff provided clarification for the discussion items raised at the Public Hearing. Staff also presented how the methodology would be implemented into Article 4 including a description of the areas of Code least and most affected by the implementation.

On February 14, 2022 the petition was brought back to the Planning Commission where it was unanimously approved.

The petition is now being presented to the Planning and Public Works Committee for approval.

DISCUSSION

There was considerable discussion regarding commercial signage in a residential district, the City’s ability to regulate on-premise and off-premise signage, the size of non-commercial signs, and the quantity of commercial and non-commercial signs.

City Attorney Chris Graville explained that the City must remain completely content neutral and cannot limit the quantity of non-commercial signs in a residential district. Limiting the number of non-commercial messages is a restriction of the First Amendment. He further stated that all municipal entities are going through this same process and whether they are wanted or not, changes have to be made. The Supreme Court is limiting municipalities’ ability to regulate signs and messages. However, neighborhood associations can be more restrictive than the City so at the next Trustee Symposium, this topic will be discussed.

Since the Sign Code is being revised, Chair Monachella suggested removing Section G.1.b in the Code which states;

“For the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one year.”

She does not want to put a timeframe on the use of a temporary sign. Mr. Graville stated he and Mr. Wyse both agree that this would be a helpful change because one year is a descriptive term and suggests that it is permissible for a temporary sign to be posted for a year and it would be difficult to enforce.

Chair Monachella suggested another revision to the minimum duration of image display for electronic sign messages. Currently the minimum is 10 seconds but there have been instances in the recent past where Council restricted the duration to 30 minutes. Councilmember Hurt concurred and stated that an exception was also made for the duration of The District's electronic sign due to its location. It would be easier to increase the duration and to consider exceptions on a case-by-case basis.

Councilmember Hurt made a motion to revise Section D.5.a.3 of Article 4 of the Unified Development Code to allow a minimum duration of 30 minutes, for which City Council may address on a case-by-case basis. The motion was seconded by Chair Monachella and **passed** by a voice vote of 4-0.

Chair Monachella made a motion to remove Section G.1.b from Article 4 of the Unified Development Code. The motion was seconded by Councilmember Mastorakos and **passed** by a voice vote of 4-0.

Councilmember Mastorakos made a motion to forward P.Z. 16-2021 City of Chesterfield (Unified Development Code – Article 4 and Article 10), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt 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 March 21, 2022 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 16-2021 City of Chesterfield (Unified Development Code – Article 4 and Article 10.)]

G. Eatherton Road & Wildhorse Creek Road Roundabout

STAFF PRESENTATION

Jim Eckrich, Director of Public Works, stated that the Missouri Department of Transportation (MoDOT) plans to construct a roundabout at the intersection of Eatherton Road (Route 109) and Wild Horse Creek Road. The southwest corner of the City of Chesterfield is the southwest corner of this intersection. Wildwood is located to the south and west.

The City of Wildwood has inquired as to whether Chesterfield has plans to beautify this roundabout. Wildwood has beautified three other roundabouts on Route 109 and may consider beautification of this roundabout if Chesterfield chooses not to.

In discussions with MoDOT, they would agree to beautify the island if all construction and maintenance costs were funded by the City of Chesterfield and/or the City of Wildwood. A review of the MoDOT plans indicates that the new roundabout will be located approximately 80% in Chesterfield and 20% in Wildwood.

Mr. Eckrich stated that he wanted to inform the Council of this and ask for direction. If the Council is interested in beautifying the roundabout, he will create a proposal with a cost estimate.

DISCUSSION

In response to questions, Mr. Eckrich stated that if Chesterfield does not beautify the roundabout, MoDOT will either place a grassy island in the middle, which they will maintain, or Wildwood may beautify the roundabout in a similar manner as other roundabouts on Route 109. If Wildwood

does beautify the roundabout, they may ask the City of Chesterfield to pay for a portion of the construction and/or maintenance. The City could consider such a request at a later date based upon a request from Wildwood.

Mr. Eckrich stated that a decision can wait until after the roundabout is constructed, however, if there is a desire to stamp or tint the concrete, that would have to be done as part of the construction project. Landscaping could also wait; however, it will be more expensive to irrigate the island after the fact. MoDOT will probably not irrigate the area, however, Wildwood may do so. Wildwood is waiting for the City of Chesterfield to make a determination before they decide.

Ultimately the Committee decided not to pursue the beautification of the roundabout at this time. However, if Wildwood proceeds with the beautification and asks the City for help with maintenance, Mr. Eckrich was given authorization to negotiate with Wildwood.

IV. OTHER –None.

V. ADJOURNMENT

The meeting adjourned at 7:15 p.m.

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: March 21, 2022

RE: **P.Z. 08-2021 McBride Byrne, LLC (Boone's Ridge)**

A request for a zoning map amendment from a "NU" Non-Urban District and "E-1AC" Estate District to an "E-1/2AC" Estate District with a Wild Horse Creek Road Overlay District designation for a 26.8-acre tract of land located on the north side of Wild Horse Creek Road and across from Wildhorse Parkway Drive (18V520115, 18V520126, 18V520160, 18V520027, 18V510381).

Summary

McBride Homes, along with Claymont Development LLC, acting together as McBride Byrne, LLC are proposing to develop approximately 26.8 acres of land along Wild Horse Creek Road. The development project would construct 36 single family residential homes.

The subject site is located within the Wild Horse Study Sub Area (also known as "the Bow Tie") and is required to zone into the Wild Horse Creek Road (WH) Overlay District prior to any redevelopment of the site. Properties located within this sub area may only seek a zoning map amendment to one of the Estate District categories and they do not qualify for a "PUD" Planned Unit Development Zoning. Thus, the development team's request is a zoning map amendment to an "E-1/2 AC" Estate District with Wild Horse Creek Road Overlay District for the 26.8 acres.

The WH Overlay District has specific development criteria requirements stated in the City's Unified Development Code. The specific development criteria includes building height, structure setbacks, landscape buffering, the protection of the Wild Horse Creek Road character, and common ground. The applicant is requesting two modifications to the specific development criteria requirements for the overlay district.

Modification Request 1 (Structure Setbacks)

The minimum side yard setback required by the UDC is 15 feet from the property line with the minimum setback between structures at 30 feet. The applicant is requesting 10 foot side yard setbacks with 20 feet between structures.

Modification Request 2 (Landscape Buffering)

The specific development criteria states that the perimeter buffer shall not be located within any developed lot with a residential structure on it. The applicant is requesting



the buffer out of common ground and on the individual Lots 1B and 2B located on the eastern perimeter.

A Public Hearing was held on December 13, 2021 at which time the Planning Commission and general public raised several issues. Since the Public Hearing, the applicant has updated their proposal and provided a formal response to each issue raised at the Public Hearing.

On February 14, 2022 the petition was brought back to the Planning Commission for consideration. At that meeting the Planning Commission made a motion to approve the project as amended. The motion passed by a vote of (8-1). This amendment included the approval of the setback modification request, but did not include the landscape modification request.

The applicant is continuing to move forward to City Council with both modification requests. Each modification request to the required specific development criteria shall require a separate, super majority [two-thirds (2/3)] vote by the City Council for approval. Approval of the zoning request by the Planning Commission is conditional upon approval by the City Council.

This project was reviewed by the Planning and Public Works Committee on March 10th, 2022. At this meeting the Committee made a motion to recommend approval of the setback modification as requested by the applicant. This motion passed by a vote of (4-0). The Committee voted to recommend approval of the landscape buffer modification as requested by the applicant. This motion passed by a vote of (4-0). This motion is embodied as a Green Sheet Amendment as Planning Commission did not approve the landscape buffer modification request. A motion was made by the Committee to recommend approval of P.Z. 08-2021 as presented by the applicant including both modification requests. This motion passed by a vote of (4-0).

As previously stated, each modification request to the required specific development criteria shall require a separate, super majority [two-thirds (2/3)] vote by the City Council for approval.

Attached, please find a copy of the Legislation, Green Sheet Amendment, Attachment A, Preliminary Development Plan, and the applicant's Modification Request. Also attached is a Landscape Plan for the development. This is a supplementary exhibit to identify the proposed plantings that are intended at this time. It should be noted that the Landscape Plan is not approved in conjunction with this zoning request but will be submitted in the subsequent Site Development Plan submission.

Attachments: Legislation
Green Sheet Amendment
Attachment A
Attachment B - Preliminary Development Plan
Modification Request
Landscape Plan (Supplementary Exhibit)



Figure 1: Subject Site Aerial

BILL NO. 3385

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON-URBAN DISTRICT AND “E-1AC” ESTATE DISTRICT TO AN “E-1/2AC” ESTATE DISTRICT WITH A WILD HORSE CREEK ROAD OVERLAY DISTRICT DESIGNATION FOR A 26.8-ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF WILD HORSE CREEK ROAD AND ACROSS FROM WILDHORSE PARKWAY DRIVE (P.Z. 08-2021 MCBRIDE BYRNE, LLC [BOONE’S RIDGE] 18V520115, 18V520126, 18V520160, 18V520027, 18V510381).

WHEREAS, the petitioner, McBride Byrne, LLC has requested a change in zoning from “NU” Non-Urban District and “E-1AC” Estate District to an “E-1/2AC” Estate District with a Wild Horse Creek Road Overlay District designation for 26.8 acres located on the north side of Wild Horse Creek Road and across from Wildhorse Parkway Drive; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 13, 2021; and,

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

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning and recommended approval for both the setback and landscape modification requests; and,

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

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

Section 1. City of Chesterfield Unified Development Code and the Official Zoning District Map, which are part thereof, are hereby amended by establishing an “E-1/2AC” Estate District with a Wild Horse Creek Road Overlay District designation for 26.8 acres located on the north side of Wild Horse Creek Road and across from Wildhorse Parkway Drive and as described as follows:

FIVE PARCELS OF LAND BEING PART OF LOTS 2, 3, 4, 5, 6, AND 7 OF “MARY SCHAEFFER ESTATE SUBDIVISION”, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 4 OF THE ST. LOUIS

COUNTY, MISSOURI RECORDS, AND LOCATED IN PART OF U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF BUR OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 364, PAGES 48 AND 49 OF THE ABOVE-MENTIONED ST. LOUIS COUNTY RECORDS AND THE SOUTH RIGHT-OF-WAY LINE OF PROGRESSIVE RAIL, INC. (AKA CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD); THENCE LEAVING SAID CORNER ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES AND CURVE: NORTH 75°05'58" EAST, 405.43 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,445.92 FEET, A CHORD WHICH BEARS NORTH 75°42'53" EAST, 228.33 FEET AND AN ARC DISTANCE OF 228.33 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 77°16'54" EAST, 884.41 FEET TO A POINT OF NON-TANGENCY AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO LAURA M. AND ANTHONY GRAMOLINO, AS RECORDED IN DEED BOOK 16260, PAGE 2520 OF SAID RECORDS, WHERE A FOUND IRON PIPE BEARS, SOUTH 77°16'54" WEST, 53.93 FEET AND BEING THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO LISA ANN ALABACH, AS RECORDED IN DEED BOOK 22097 PAGE 877 OF SAID RECORDS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE ALONG THE WEST AND SOUTH LINE OF SAID GRAMOLINO PROPERTY, SOUTH 26°41'41" EAST, 326.03 FEET TO A FOUND IRON PIPE; THENCE NORTH 53°36'48" EAST, 93.88 FEET TO A FOUND IRON PIPE, AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO ROLFE EQUESTRIAN, LLC, AS RECORDED IN DEED BOOK 22792, PAGE 333 OF SAID RECORDS; THENCE ALONG THE WEST LINE OF SAID ROLFE PROPERTY, SOUTH 12°15'02" EAST, 281.85 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK (VARIABLE WIDTH) ROAD, WHERE A FOUND IRON PIPE BEARS, NORTH 14°59' EAST 0.30 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 55°37'14" WEST, 1,184.06 FEET TO A POINT OF NON-TANGENCY, WHERE A FOUND IRON PIPE BEARS, SOUTH 75°59' EAST 0.21 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE EAST LINE OF LOT "A" OF A BOUNDARY ADJUSTMENT PLAT OF WILDHORSE-SCHAEFFER SUBDIVISION, AS RECORDED IN PLAT BOOK 361, PAGE 36 OF SAID RECORDS, NORTH 12°15'02" WEST, 534.08 FEET TO A FOUND IRON ROD; THENCE LEAVING SAID EAST LINE AND CONTINUING ALONG THE NORTH LINE OF SAID LOT "A" THE

FOLLOWING COURSES AND DISTANCES AND CURVE: SOUTH 77°44'58" WEST, 60.00 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 12°15'02" EAST, 7.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CHORD WHICH BEARS, SOUTH 28°24'34" WEST, 32.60 FEET AND AN ARC DISTANCE OF 35.51 FEET TO A POINT OF TANGENCY; THENCE SOUTH 69°07'58" WEST, 40.48 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 20°52'02" EAST, 60.00 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 69°07'58" WEST, 106.80 FEET TO A FOUND IRON ROD WITH CAP (MARLER LS-347D), WHICH BEARS NORTH 86°06' EAST 0.11 FEET; THENCE SOUTH 53°11'58" WEST, 406.59 FEET TO A POINT OF NON-TANGENCY ON THE EAST LINE OF THE ABOVE-MENTIONED BUR OAKS SUBDIVISION WHERE A FOUND IRON PIPE BEARS, SOUTH 77°59' WEST 0.14 FEET; THENCE ALONG SAID EAST LINE, NORTH 12°15'02" WEST, 719.49 FEET TO THE POINT OF BEGINNING AND CONTAINS 1,166,626 SQUARE FEET OR 26.782 ACRES, MORE OR LESS ACCORDING TO PROPERTY BOUNDARY SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF JUNE, 2021 UNDER ORDER NUMBER 17-05-107.

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 Development Plan indicated as "Attachment B" which is attached hereto as and made part of.

Section 3. The City Council, pursuant to the petition filed by McBride Byrne, LLC in P.Z. 08-2021, requesting amendments 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 13th day of December 2021, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2022

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: ____03/21/2022____

GREEN SHEET AMENDMENT

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: (Red-line Page 2 of 9)

Section I. Specific Criteria, F.2b.

Revise the following language:

Landscape Buffer Requirements:

- The required Landscape Buffer shall be outside of any developed lot and shall be dedicated as Common Open Space or Common Ground as identified on the Preliminary Development Plan, **except for Lots 1B and 2B in which the landscape buffer will be on the individual lots and the homeowners association will be responsible for maintenance.**

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 "E-1/2 AC" Estate District with a Wild Horse Creek Road "WH" Overlay District shall be:
 - a. Dwellings, Single Family Detached.

B. DENSITY REQUIREMENTS

1. The total number of single family residential units shall not exceed thirty-six (36) units.

C. SETBACKS

1. Structure setbacks shall be as follows:
 - a. Twenty-five (25) foot minimum from the internal ROW.
 - b. Ten (10) foot minimum side yard setback for all lots.
 - c. Twenty (20) foot minimum setback between structures shall be maintained for all lots.
2. No building or structure, other than: a freestanding project identification/ornamental entrance monument sign, light standards, retaining walls or flag poles shall be located within the above listed setbacks.
3. Lot Setbacks shall be as follows:
 - a. All developed lots must be setback at least fifty (50) feet from the Wild Horse Creek Road right-of-way.

D. DEVELOPMENT STANDARDS

1. Minimum lot size for this development shall be 15,000 square feet.
2. Maximum height of all structures shall be fifty (50) feet.
3. A minimum of thirty percent (30.0%) Common Open Space shall be required for this district.

E. PARKING AND LOADING REQUIREMENTS

1. 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.
2. 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 on to the pavement causing hazardous roadway and driving conditions.
3. Parking and loading requirements for this development will be as required in the City of Chesterfield Code.

F. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Landscape Buffer requirements:
 - a. A thirty (30) foot Landscape Buffer shall be required along the entire perimeter of the district as identified on the Preliminary Development Plan attached hereto and marked as Attachment B except for the southern border. A fifty (50) foot landscape buffer shall be required along the southern border adjacent to Wild Horse Creek Road after right-of-way dedication.
 - b. The required Landscape Buffer shall be outside of any developed lot and shall be dedicated as Common Open Space or Common Ground as identified on the Preliminary Development Plan.
3. A minimum of thirty-five (35.0%) tree preservation shall be required for this district.

G. SIGN REQUIREMENTS

1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.
2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield and the Missouri Department of Transportation for sight distance considerations prior to installation or construction.

H. LIGHT REQUIREMENTS

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

I. ARCHITECTURAL

1. The development shall adhere to the Architectural Review Standards and the “WH” Overlay District of the City of Chesterfield Code.

J. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be shown on the Preliminary Development Plan attached hereto and marked as Attachment B, and adequate sight distance shall be provided as directed by the Missouri Department of Transportation and City of Chesterfield as applicable.
2. 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.
6. No lot of this development shall be allowed direct access to Wild Horse Creek Road.
7. Provide a 30’ wide (minimum) access easement along the southern property line, north of 17701, 17707, 17673, and 17667 Wild Horse Creek Road as shown on the Preliminary Development Plan that would allow those properties to access an internal drive in the future, if necessary.
8. Provide approval and/or easements necessary to ensure access is retained for properties that currently have driveways on the subject tract but are not included as part of this development. Existing access easement or driveway agreements must be vacated.
9. The future extension of Street “B” is required to meet all city code requirements.

K. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the agency in control of the right of way off of which the entrance is constructed. No gate installation will be permitted on public right of way.
2. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.
3. Provide street connections to the adjoining properties as shown on the

- Preliminary Development Plan and as directed by the City of Chesterfield. Stub street signage, in conformance with Section 405.04.090 of City Code of the City of Chesterfield, shall be posted within 30 days of the street pavement being placed.
4. All roadway and related improvements in each plat or phase of the development shall be constructed prior to issuance of building permits exceeding 60% for that plat or phase. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 60%.
 5. Provide a 5-foot wide sidewalk, conforming to ADA standards, along Wild Horse Creek Road as approved by MoDOT and the City of Chesterfield. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk should be located within MoDOT right-of-way, if permitted by MoDOT, or on private property within a 6-foot-wide sidewalk, maintenance and utility easement dedicated for public use.
 6. Provide ADA compliant sidewalk along both sides of all internal roadways.
 7. Construct a temporary turn-around, as shown on the Preliminary Development Plan, for the eastern terminus of Street "B". Provide a Special Cash Escrow, as necessary, for future removal of the temporary turn-around and all work necessary to extend Street "B" and the associated sidewalk to the eastern property line. A permanent cul-de-sac or eye-brow type turn around may also be considered in lieu of a temporary turn-around.
 8. Obtain approvals from the City of Chesterfield and the Missouri Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
 9. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation and the City of Chesterfield.

L. TRAFFIC STUDY

1. A traffic study may be required as directed by the City of Chesterfield and/or MoDOT. 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. If a traffic study is required, a scoping meeting with the City of Chesterfield and Missouri Department of Transportation is required to discuss what type of traffic analysis will be needed to determine the necessary roadway improvements.

M. POWER OF REVIEW

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

N. 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. The adequacy and condition of the existing downstream system(s) shall be verified and upgraded as necessary.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield and the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to issuance of building permits exceeding sixty (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on all Site Development Plans.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.
6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.

O. SANITARY SEWER

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

2. The receiving sanitary sewer system(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts to the existing system(s).

P. GEOTECHNICAL REPORT

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

Q. MISCELLANEOUS

1. Existing overhead electric lines and poles serving these properties shall be removed and all new utilities shall be installed underground
2. 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 outboundaries 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.
3. The retaining walls, guardrail, and fence along the temporary turn-around shall be private and remain private forever and shall be located such that it is not necessary to support any public improvements.
4. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
5. Community amenities, including but not limited to a pickle ball court shall be provided for this development as shown on the Preliminary Development Plan, attached hereto and marked as Attachment B.

II. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include all items as required by City Code and the following items:

1. Provide the DNL line on the Site Development Plan
2. Provide mail delivery locations.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for ADA designed.
5. Provide open space percentage for overall development.
6. A note indicating all utilities will be installed underground.
7. A note stating all above ground utility facilities larger than 2 feet in height or covering in excess of 4 square feet in size shall be screened from public view. If screening is completed by landscape material, a landscape plan identifying the size location and species shall be submitted and approved by the city prior to installation of any facility.
8. Specific structure and parking setbacks along all roadways and property lines.
9. Floodplain boundaries.
10. 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.
11. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
12. Address trees and landscaping in accordance with the City of Chesterfield Unified Development Code.
13. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Unified Development Code.
14. 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.

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

III. TRUST FUND CONTRIBUTION

- A.** The developer shall contribute a Traffic Generation Assessment (TGA) to the Eatherton – Kehrs Mill Road Trust Fund (No. 552). 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>
Single Family Dwelling	\$1,271.72/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 St. 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.

1. 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.
2. 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 St. Louis County Department of Transportation or prior to 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 issuance of building permits for each phase of development. Funds shall be payable to Treasurer, St. Louis County.

3. The amount of these required contributions, if not submitted by January 1, 2022 shall be adjusted on that date and on the first day of January in each year succeeding year thereafter in accordance with the construction cost index as determined by the St. Louis County Department of Transportation.
- B.** Prior to Special Use Permit issuance by the St. Louis County Department of Transportation, a special cash escrow or special escrow supported an Irrevocable Letter of Credit, must be established with the St. Louis County Department of Transportation to guarantee completion of the required roadway improvements.
- C.** 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 pavement causing hazardous roadway and driving conditions.

IV. RECORDING

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

V. ENFORCEMENT

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

GENERAL NOTES:

- THIS SITE IS IN THE FOLLOWING DISTRICTS:
METROPOLITAN ST. LOUIS SEWER DISTRICT
MONARCH FIRE PROTECTION DISTRICT
ROCKWOOD SCHOOL DISTRICT
- THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:
MISSOURI AMERICAN WATER COMPANY
AMEREN UE
AT&T
LACLEDE GAS COMPANY
CHARTER COMMUNICATIONS
- SANITARY SEWER CONSTRUCTION AND CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWERS AND DRAINAGE FACILITIES.
- STORM WATER SYSTEM SHALL BE DESIGNED PURSUANT TO THE CITY OF CHESTERFIELD AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT.
- NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT WHICH HAS BEEN ACCEPTED/APPROVED BY THE CITY OF CHESTERFIELD. APPROVAL OF THIS PLAN DOES NOT CONSTITUTE APPROVAL OF SLOPES IN EXCESS OF 3:1. STEEP SLOPES ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF CHESTERFIELD. REVIEW OF THE PROPOSED STEEP SLOPE WILL BE CONCURRENT WITH THE REVIEW OF THE GRADING PERMIT OR IMPROVEMENT PLANS FOR THE PROJECT.
- THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATION SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.
- GRADING SHALL BE PER CITY OF CHESTERFIELD STANDARDS. SOURCE OF TOPOGRAPHY LIDAR.
- STREET TREES AND STREET LIGHTS (UNLESS OTHERWISE DEPICTED) SHALL BE PER CITY OF CHESTERFIELD STANDARDS.
- NEAREST MAJOR INTERSECTION IS WILDHORSE CREEK ROAD AND LONG ROAD.
- ALL SIDEWALKS SHALL BE CONSTRUCTED TO ADA AND THE CITY OF CHESTERFIELD STANDARDS.
- EXISTING OWNERS: KIRCHOFF WILLIAM S. REVOCABLE TRUST ET AL.
17627 WILD HORSE CREEK RD.
CHESTERFIELD, MO 63005

OWNER UNDER CONTRACT: MCBRIDE BYRNE, LLC
17415 N OUTER 40 ROAD
CHESTERFIELD, MO 63005

- SITE TO CONFORM TO THE CITY OF CHESTERFIELD TREE REQUIREMENTS.
- MAXIMUM HEIGHT OF THE RESIDENCES WILL NOT EXCEED 50 FEET.
- SITE PLAN WILL MEET ALL CITY OF CHESTERFIELD REQUIREMENTS.
- LANDSCAPE EASEMENTS ARE ESTABLISHED AS A PROTECTED AREA FOR VEGETATIVE LANDSCAPING ONLY. STRUCTURES OF ANY SIZE, WHETHER TEMPORARY OR PERMANENT, ARE NOT PERMITTED WITHIN LANDSCAPE EASEMENTS. TRAILS SHALL BE ALLOWED WITHIN THE LANDSCAPE EASEMENTS. LANDSCAPING AS APPROVED BY THE CITY OF CHESTERFIELD DURING SITE PLAN REVIEW IS REQUIRED TO BE MAINTAINED AND PRESERVED INDEFINITELY BY THE RESIDENT OR A HOME OWNERS ASSOCIATION. FAILURE TO MAINTAIN OR PRESERVE LANDSCAPE EASEMENTS MAY RESULT IN INSPECTION AND ISSUANCE OF FINES BY THE CITY OF CHESTERFIELD. THIS LANGUAGE SHALL BE INCLUDED ON ALL PLANS, PLATS, ORDINANCES, SUBDIVISION INDENTURES, AND OTHER APPROPRIATE (WRITTEN) DOCUMENTS FOR THIS DEVELOPMENT.
- THIS PROJECT IS APPROXIMATELY 2,000 FEET AWAY FROM SPIRIT'S RUNWAY 26L AND THEREFORE AIRCRAFT NOISE WILL BE NOTICEABLE AT THE SITE ON A DAILY BASIS.
- ALL PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
- ANY MONUMENT SIGNS PROPOSED FOR THE DEVELOPMENT REQUIRES A SEPARATE APPROVAL PROCESS THRU THE CITY.
- ALL SIDEWALKS LOCATED WITHIN COMMON GROUND SHALL BE MAINTAINED BY THE SUBDIVISION HOMEOWNERS ASSOCIATION.

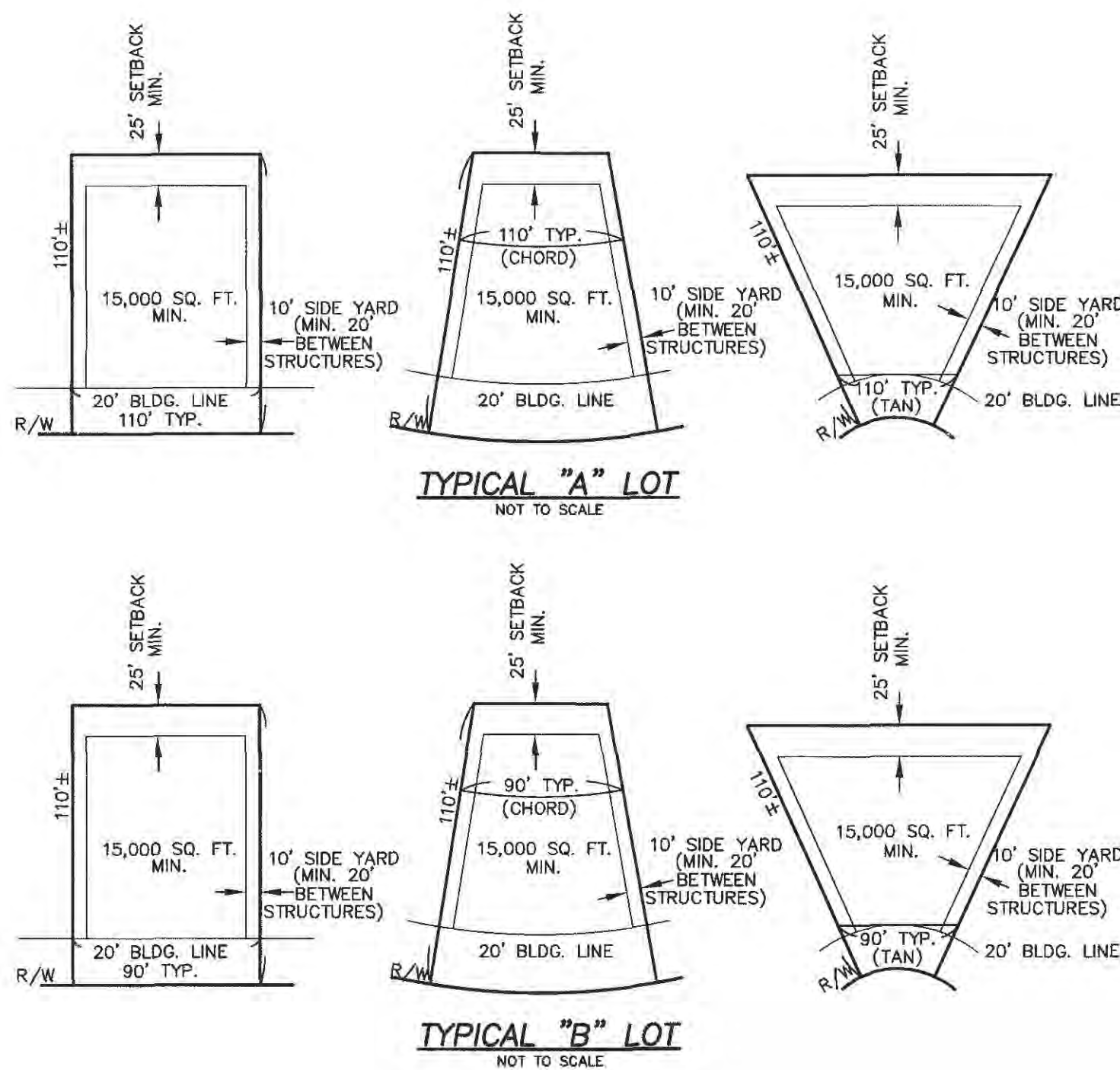
DEVELOPMENT NOTES:

LOCATOR NUMBERS: 18V520027, 18V510381, 18V520115, 18V520126, 18V520160
SITE ADDRESS: 17655, 17635, 17627, 17603 & 17571 WILD HORSE CREEK RD.
EXISTING ZONING: E-1 & ALL
PROPOSED ZONING: E-1/2 ACRE W/ "W.H." WILD HORSE CREEK OVERLAY
GROSS AREA OF SITE: 26.78 ACRES
WILDHORSE CREEK ROAD DEDICATION STRIP: 0.27 ACRES
NET AREA: 26.51 ACRES
DENSITY CALCULATIONS: 26.51 AC X 43,360 S.F./AC. = 52 LOTS ALLOWED
(22,000 S.F./LOT)

MAXIMUM NUMBER OF UNITS ALLOWED: 52
NUMBER OF UNITS PROPOSED: 36
LOT DEVELOPMENT REQUIREMENTS:
FRONT YARD SETBACK 20'
SIDE YARD SETBACK 10'
REAR YARD SETBACK 25'
MIN. LOTS SIZE: 15,222 S.F.
AVERAGE LOT SIZE: 17,250 S.F.
LARGEST LOT SIZE: 22,942 S.F.
NUMBER OF PARKING SPACES REQUIRED: TWO PER UNIT = 72 SPACES
NUMBER OF PARKING SPACES PROVIDED: 72
PROPOSED STREETS SHALL BE PUBLIC 40'W. R.O.W. WITH 26'W. P.V.M. AND BUILT TO THE CITY OF CHESTERFIELD STANDARDS.
RIGHT OF WAY AREA = 3.05 ACRES
DEDICATION = 0.28 ACRES
COMMON GROUND = 9.0 ACRES (33% OF GROSS AREA)
TOTAL EX TREE AREA = 14.4 ACRES
TOTAL TREE AREA TO REMAIN = 5.0 ACRES (35%)

U.S.P.S. NOTE:

THE U.S.P.S. MAIL DELIVERY UNITS WILL BE CONFIRMED ON THE SITE DEVELOPMENT PLAN.



LOT/UNIT TOTALS:
"A" 110'W. ~ 18 LOTS
"B" 90'W. ~ 18 LOTS
TOTAL LOTS ~ 36 LOTS

PROPERTY DESCRIPTION - AS SURVEYED:

FIVE PARCELS OF LAND BEING PART OF LOTS 2, 3, 4, 5, 6, AND 7 OF "MARY SCHAEFFER ESTATE SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 4 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND LOCATED IN PART OF U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EAST LINE OF BUR OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 364, PAGES 48 AND 49 OF THE ABOVEMENTIONED ST. LOUIS COUNTY RECORDS AND THE SOUTH RIGHT-OF-WAY LINE OF PROGRESSIVE RAIL, INC. (AKA CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD); THENCE LEAVING SAID CORNER ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES AND CURVE: NORTH 70°05'58" EAST, 408.43 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,440.92 FEET, A CHORD WHICH BEARS NORTH 75°42'53" EAST, 228.33 FEET AND AN ARC DISTANCE OF 228.33 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 77°16'54" EAST, 884.41 FEET TO A POINT OF NON-TANGENCY AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO LAURA M. AND ANTHONY GRIMOLINO, AS RECORDED IN DEED BOOK 10290, PAGE 2520 OF SAID RECORDS, WHERE A FOUND IRON PIPE BEARS, SOUTH 77°16'54" WEST, 63.83 FEET AND BEING THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO LISA ANN ALABACH, AS RECORDED IN DEED BOOK 22097 PAGE 877 OF SAID RECORDS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE ALONG THE WEST AND SOUTH LINE OF SAID GRIMOLINO PROPERTY, SOUTH 26°41'41" EAST, 326.03 FEET TO A FOUND IRON PIPE; THENCE NORTH 52°30'49" EAST, 63.88 FEET TO A FOUND IRON PIPE, AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO ROULE EQUESTRIAN, LLC, AS RECORDED IN DEED BOOK 22762, PAGE 333 OF SAID RECORDS; THENCE ALONG THE WEST LINE OF SAID ROULE PROPERTY, SOUTH 12°15'02" EAST, 281.85 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK (VARIABLE WIDTH) ROAD, WHERE A FOUND IRON PIPE BEARS, NORTH 14°39' EAST 0.30 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 80°37'14" WEST, 1,184.06 FEET TO A POINT OF NON-TANGENCY, WHERE A FOUND IRON PIPE BEARS, SOUTH 75°50' EAST 0.21 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE EAST LINE OF LOT "A" OF A BOUNDARY ADJUSTMENT PLAT OF WILDHORSE-SCHAEFFER SUBDIVISION, AS RECORDED IN PLAT BOOK 361, PAGE 36 OF SAID RECORDS, NORTH 12°15'02" WEST, 534.08 FEET TO A FOUND IRON PIPE; THENCE LEAVING SAID EAST LINE AND CONTINUING ALONG THE NORTH LINE OF SAID LOT "A" THE FOLLOWING COURSES AND DISTANCES AND CURVE: SOUTH 77°44'58" WEST, 60.00 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 12°15'02" EAST, 7.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CHORD WHICH BEARS, SOUTH 28°24'34" WEST, 32.60 FEET AND AN ARC DISTANCE OF 35.51 FEET TO A POINT OF TANGENCY; THENCE SOUTH 60°07'58" WEST, 40.48 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 20°02'02" EAST, 60.00 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 60°07'58" WEST, 106.80 FEET TO A FOUND IRON PIPE WITH CAP (MARLER LS-347D), WHICH BEARS NORTH 86°09' EAST 0.11 FEET; THENCE SOUTH 53°11'58" WEST, 406.58 FEET TO A POINT OF NON-TANGENCY ON THE EAST LINE OF THE ABOVEMENTIONED BUR OAKS SUBDIVISION WHERE A FOUND IRON PIPE BEARS, SOUTH 77°16' WEST 0.14 FEET; THENCE ALONG SAID EAST LINE, NORTH 12°15'02" WEST, 716.49 FEET TO THE POINT OF BEGINNING AND CONTAINS 1,186.00 SQUARE FEET OR 26.782 ACRES, MORE OR LESS ACCORDING TO PROPERTY BOUNDARY SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF JUNE, 2021 UNDER ORDER NUMBER 17-05-107.

SHEET INDEX

- COVER SHEET
- DEMOLITION PLAN
- SITE / GRADING PLAN
- SITE PLAN
- NATURAL RESOURCES MAP
- CROSS SECTIONS
- SITE DISTANCE

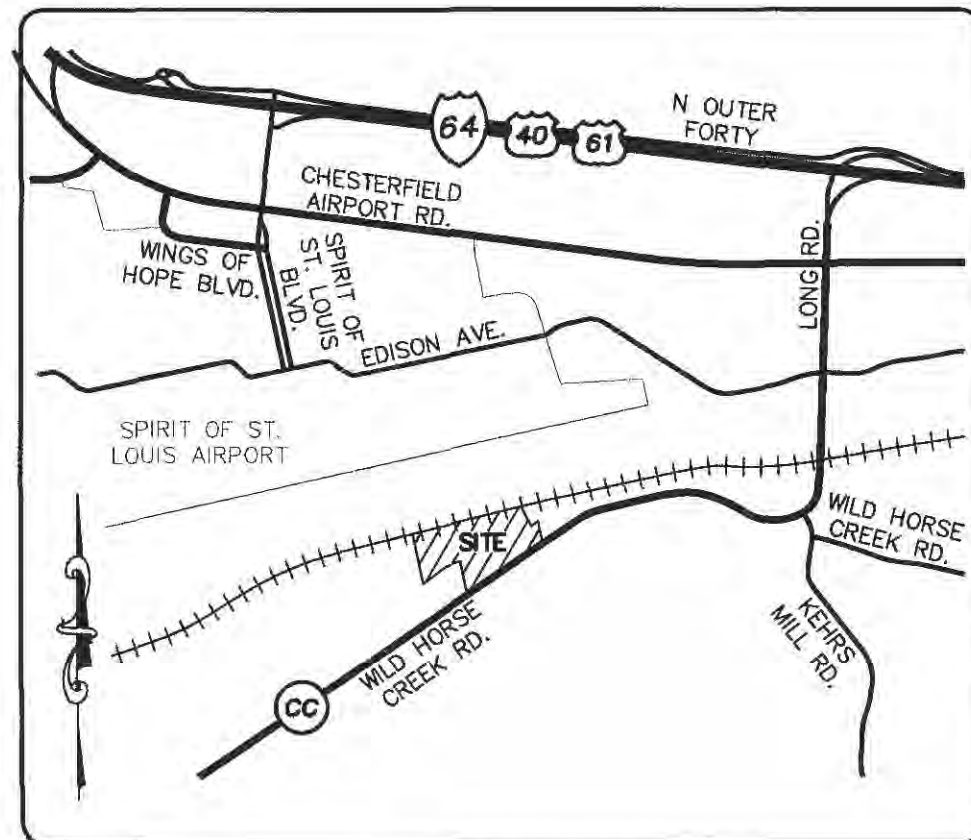
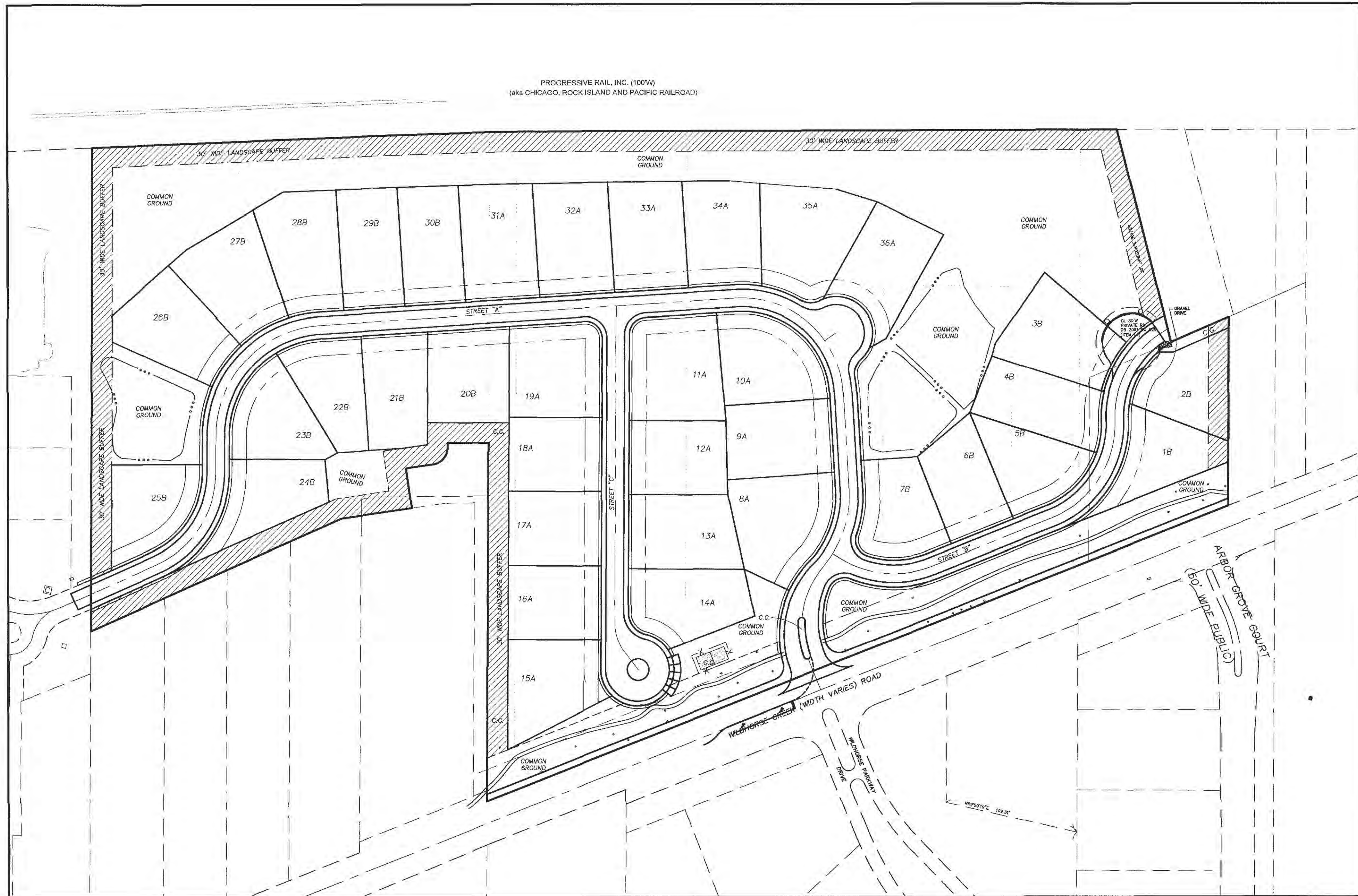
PROPERTY DESCRIPTION - AS SURVEYED:

FIVE PARCELS OF LAND BEING PART OF LOTS 2, 3, 4, 5, 6, AND 7 OF "MARY SCHAEFFER ESTATE SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 4 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND LOCATED IN PART OF U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EAST LINE OF BUR OAKS SUBDIVISION, AS RECORDED IN PLAT BOOK 364, PAGES 48 AND 49 OF THE ABOVEMENTIONED ST. LOUIS COUNTY RECORDS AND THE SOUTH RIGHT-OF-WAY LINE OF PROGRESSIVE RAIL, INC. (AKA CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD); THENCE LEAVING SAID CORNER ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES AND CURVE: NORTH 70°05'58" EAST, 408.43 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,440.92 FEET, A CHORD WHICH BEARS NORTH 75°42'53" EAST, 228.33 FEET AND AN ARC DISTANCE OF 228.33 FEET TO A POINT OF NON-TANGENCY; THENCE NORTH 77°16'54" EAST, 884.41 FEET TO A POINT OF NON-TANGENCY AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO LAURA M. AND ANTHONY GRIMOLINO, AS RECORDED IN DEED BOOK 10290, PAGE 2520 OF SAID RECORDS, WHERE A FOUND IRON PIPE BEARS, SOUTH 77°16'54" WEST, 63.83 FEET AND BEING THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO LISA ANN ALABACH, AS RECORDED IN DEED BOOK 22097 PAGE 877 OF SAID RECORDS; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE ALONG THE WEST AND SOUTH LINE OF SAID GRIMOLINO PROPERTY, SOUTH 26°41'41" EAST, 326.03 FEET TO A FOUND IRON PIPE; THENCE NORTH 52°30'49" EAST, 63.88 FEET TO A FOUND IRON PIPE, AT THE NORTHWEST CORNER OF PROPERTY NOW OR FORMERLY TO ROULE EQUESTRIAN, LLC, AS RECORDED IN DEED BOOK 22762, PAGE 333 OF SAID RECORDS; THENCE ALONG THE WEST LINE OF SAID ROULE PROPERTY, SOUTH 12°15'02" EAST, 281.85 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK (VARIABLE WIDTH) ROAD, WHERE A FOUND IRON PIPE BEARS, NORTH 14°39' EAST 0.30 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, SOUTH 80°37'14" WEST, 1,184.06 FEET TO A POINT OF NON-TANGENCY, WHERE A FOUND IRON PIPE BEARS, SOUTH 75°50' EAST 0.21 FEET; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE EAST LINE OF LOT "A" OF A BOUNDARY ADJUSTMENT PLAT OF WILDHORSE-SCHAEFFER SUBDIVISION, AS RECORDED IN PLAT BOOK 361, PAGE 36 OF SAID RECORDS, NORTH 12°15'02" WEST, 534.08 FEET TO A FOUND IRON PIPE; THENCE LEAVING SAID EAST LINE AND CONTINUING ALONG THE NORTH LINE OF SAID LOT "A" THE FOLLOWING COURSES AND DISTANCES AND CURVE: SOUTH 77°44'58" WEST, 60.00 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 12°15'02" EAST, 7.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CHORD WHICH BEARS, SOUTH 28°24'34" WEST, 32.60 FEET AND AN ARC DISTANCE OF 35.51 FEET TO A POINT OF TANGENCY; THENCE SOUTH 60°07'58" WEST, 40.48 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 20°02'02" EAST, 60.00 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 60°07'58" WEST, 106.80 FEET TO A FOUND IRON PIPE WITH CAP (MARLER LS-347D), WHICH BEARS NORTH 86°09' EAST 0.11 FEET; THENCE SOUTH 53°11'58" WEST, 406.58 FEET TO A POINT OF NON-TANGENCY ON THE EAST LINE OF THE ABOVEMENTIONED BUR OAKS SUBDIVISION WHERE A FOUND IRON PIPE BEARS, SOUTH 77°16' WEST 0.14 FEET; THENCE ALONG SAID EAST LINE, NORTH 12°15'02" WEST, 716.49 FEET TO THE POINT OF BEGINNING AND CONTAINS 1,186.00 SQUARE FEET OR 26.782 ACRES, MORE OR LESS ACCORDING TO PROPERTY BOUNDARY SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF JUNE, 2021 UNDER ORDER NUMBER 17-05-107.

Boone's Ridge

FIVE PARCELS OF LAND BEING PART OF LOTS 2, 3, 4, 5, 6, AND 7 OF "MARY SCHAEFFER ESTATE SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 4 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND LOCATED IN PART OF U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI

Preliminary Plan



LOCATION MAP
N.T.S.

PROJECT ZIP CODE 63005

EXISTING	LEGEND	PROPOSED
542 X536	CONTOURS SPOT ELEVATIONS	(100') 536.0
	CENTER LINE	
	BUILDINGS, ETC.	
X	FENCE	
	STORM SEWERS	
	SANITARY SEWERS	
	CATCH BASIN	
	AREA INLET	
	GRATED INLET	
	STORM MANHOLE	
	SANITARY MANHOLE	
	FLARED END SECTION	
	CLEANOUT	
	LATERAL CONNECTION	
	UTILITY OR POWER POLE	
	FIRE HYDRANT	
	TEST HOLE	
	PAVEMENT	
2"Ø	GAS MAIN & SIZE	(2"Ø)
6"Ø	WATER MAIN & SIZE	(6"Ø)
T	TELEPHONE	(T)
E	ELECTRIC (U) UNDERGROUND	(E)
ØHW	ELECTRIC (Ø) OVERHEAD	(ØHW)
FL	FLOW LINE	FL
TC	TO BE REMOVED	TBR
	TOP OF CURB	(TC)
	SWALE	
	LIGHT STANDARD	
	STREET SIGN	
P.S.	PARKING STALLS	P.S.
	YARD LIGHT	

MCBRIDE BYRNE, LLC
17415 N OUTER 40 ROAD
CHESTERFIELD, MO 63005

THE STERLING CO.
ENGINEERS & SURVEYORS
5955 New Baumgardner Road
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www.sterling-eng-survey.com
Corporate Certificate of Publicity #001948

Boone's Ridge
CHESTERFIELD, MISSOURI
PRELIMINARY PLAN
COVER SHEET

FLOOD NOTE:

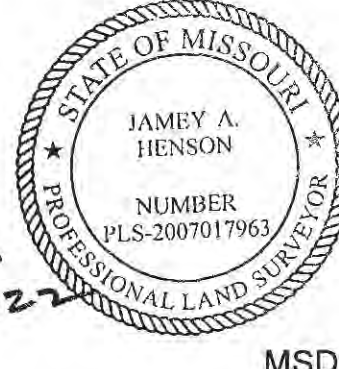
ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29180C0295K AND 29189C0313K, DATED FEBRUARY 4, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF JANUARY, 2022, AT THE REQUEST OF MCBRIDE BYRNE LAND COMPANY, LLC, PREPARED A PRELIMINARY PLAN OF "BOONE'S RIDGE", FIVE PARCELS OF LAND BEING PART OF LOTS 2, 3, 4, 5, 6, AND 7 OF "MARY SCHAEFFER ESTATE SUBDIVISION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 4 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND LOCATED IN PART OF U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. THIS PLAN IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN EFFECT AT THE DATE OF THIS PLAN.

THE STERLING COMPANY

JAMIE A. HENSON, PLS
MO REG. PLS #2007017963

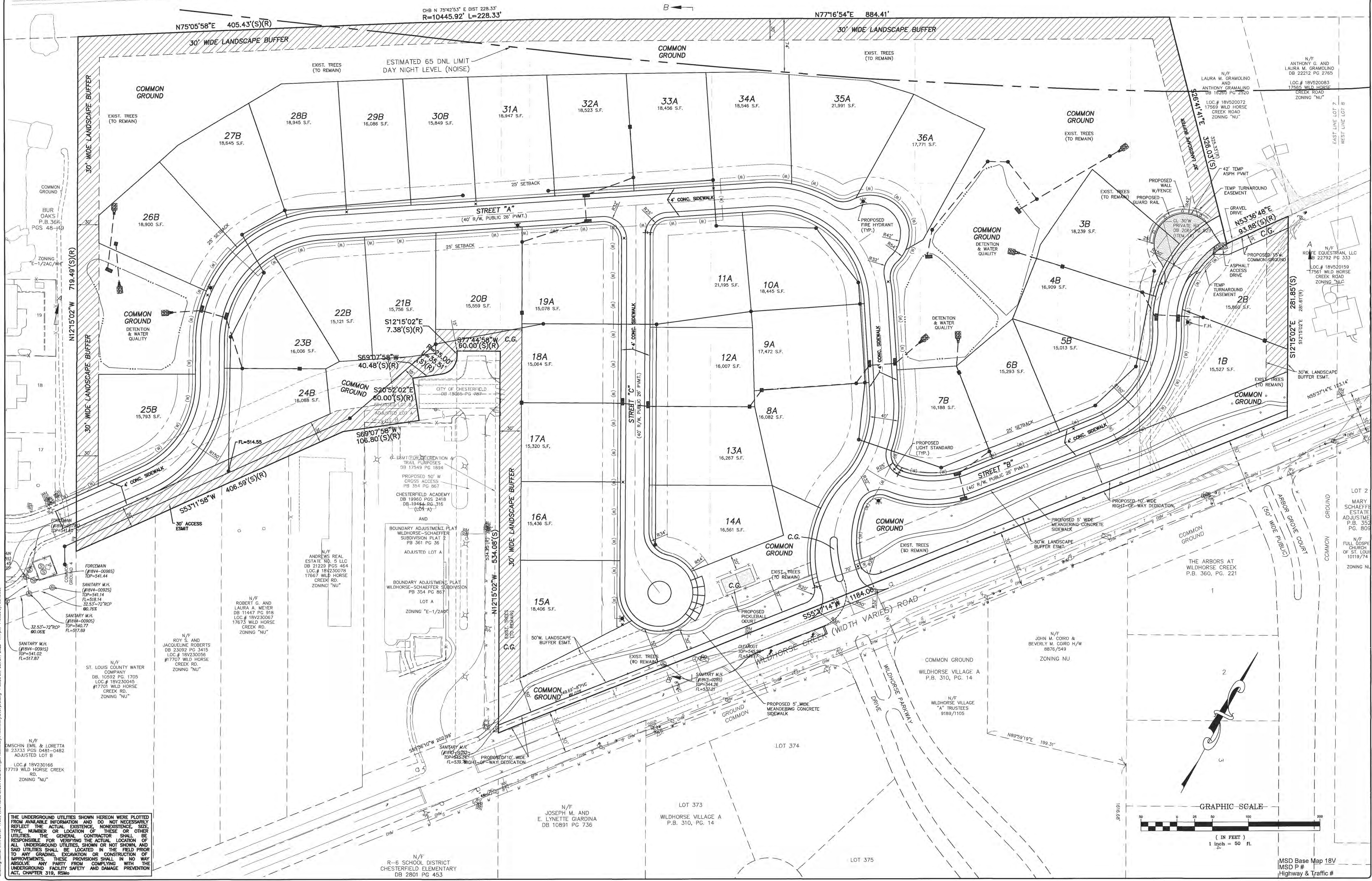


MSD Base Map 18V
MSD P #
Highway & Traffic #

Date: 1-27-2022
MICHAEL G. BOERDING
License No. MO E-26843
Civil Engineer

Job Number: 17-05-107
Date: Jan. 27, 2022
Designed: MF Sheet
Drawn: EA 1.1
Checked: PRE

PROGRESSIVE RAIL, INC. (100'W)
(aka CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD)



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

ISSUE	REMARKS/DATE
1	5-23-2021, INITIAL SUBMITTAL
2	11-17-2021, CITY COMMENTS
3	1-5-2022, CITY COMMENTS
4	1-27-2022, CITY COMMENTS

MCBRIDE BYRNE, LLC
17415 N OUTER 40 ROAD
CHESTERFIELD, MO 63005

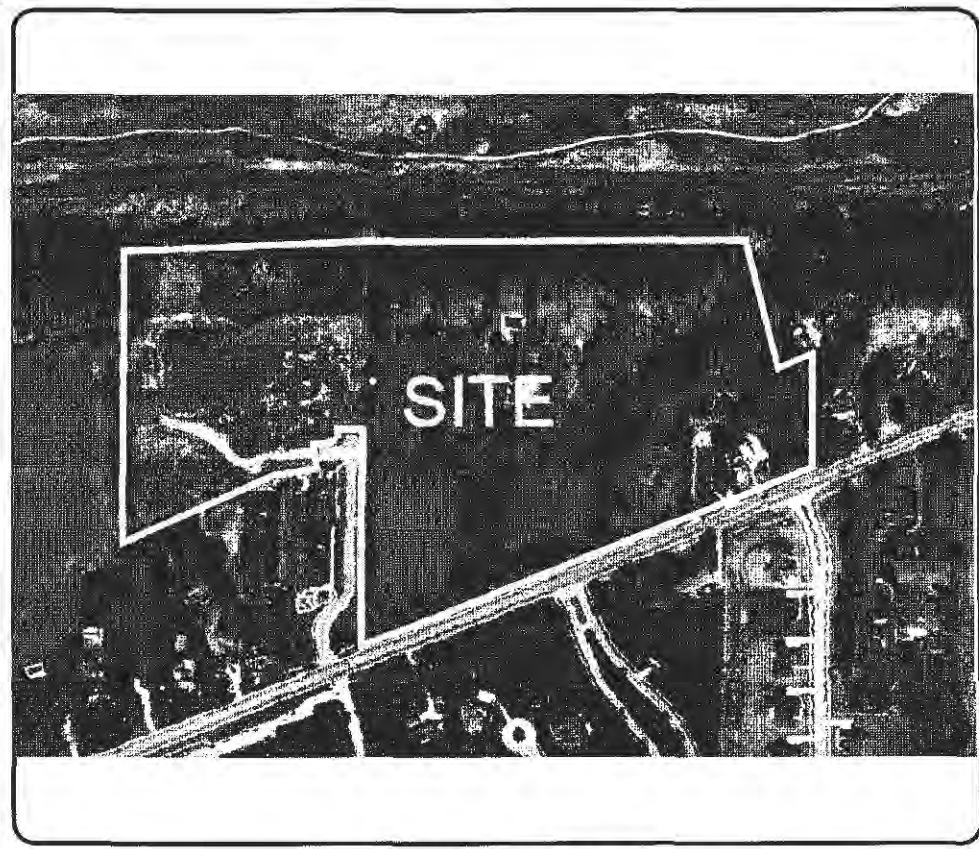
THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
Ph. 314-487-0240 Fax 314-487-8944
www.sterling-eng-srv.com
Corporate Certificate of Authority #001348

Boone's Ridge
CHESTERFIELD, MISSOURI
PRELIMINARY PLAN
SITE PLAN

Date: 1-27-2022
MICHAEL G. BOERDING
License No. MO E-28643
Civil Engineer

Job Number: 17-05-107
Date: Jan. 27, 2022
Designed: MF
Drawn: EA
Checked: PRE

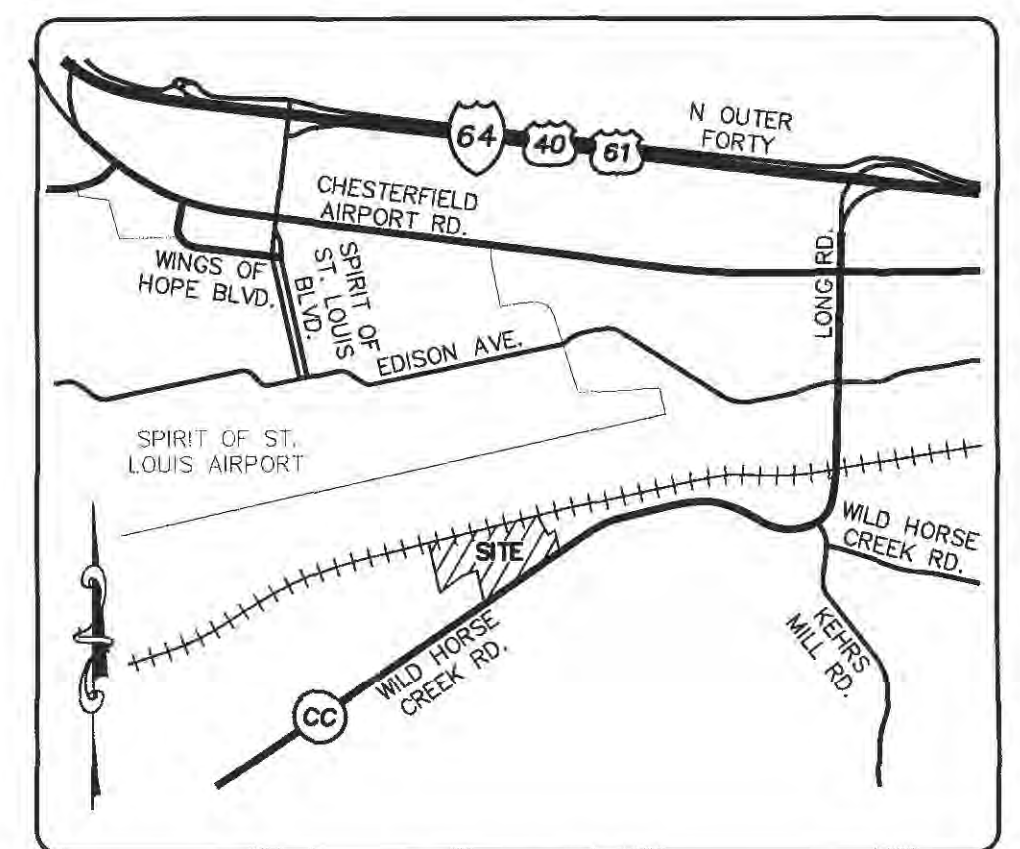
MSD Base Map 18V
MSD P #
Highway & Traffic #



AERIAL PHOTO
N.T.S.

Boone's Ridge

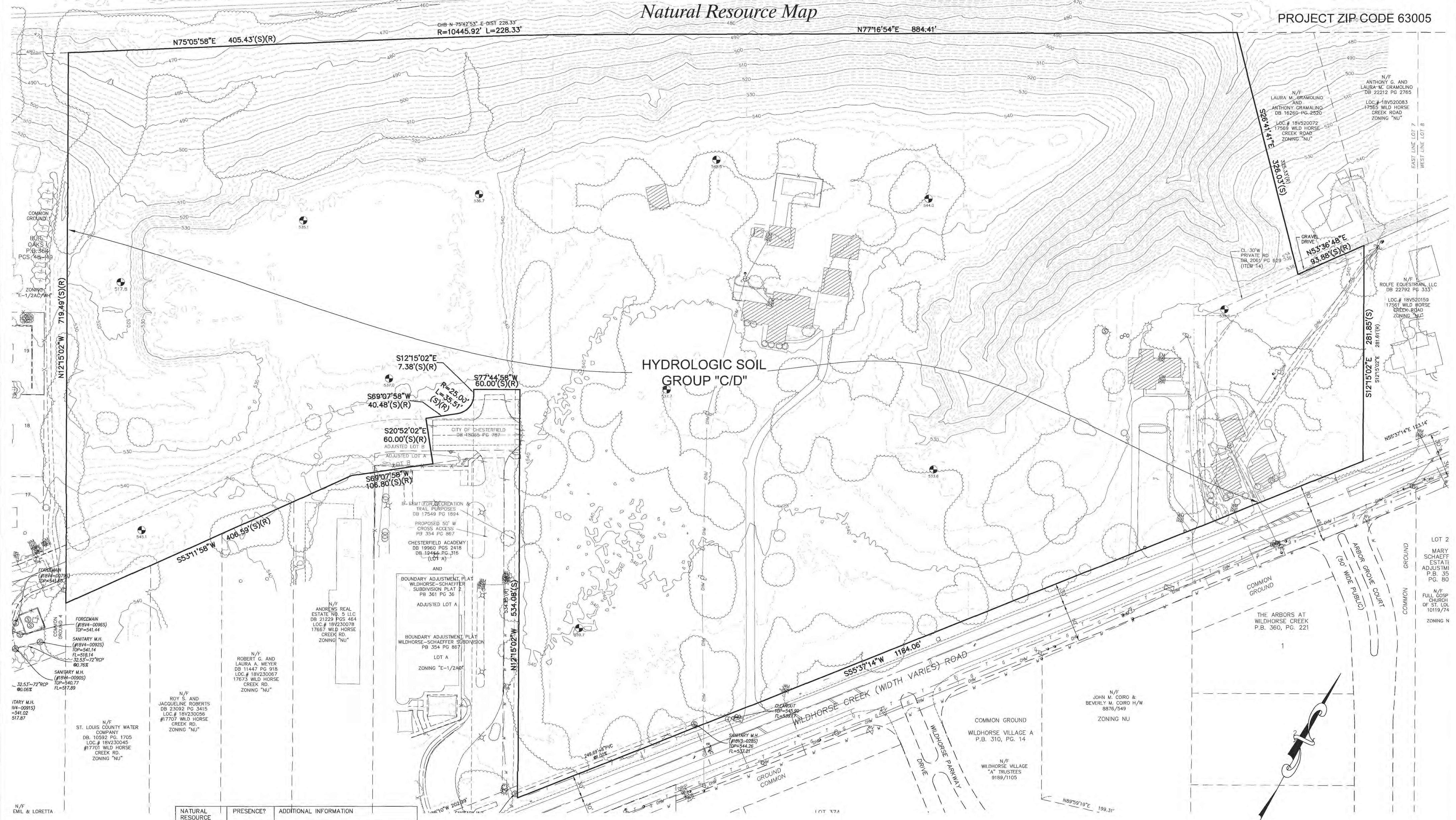
FIVE PARCELS OF LAND BEING PART OF
LOTS 2, 3, 4, 5, 6, AND 7 OF "MARY SCHAEFFER ESTATE SUBDIVISION",
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17
PAGE 4 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS, AND
LOCATED IN PART OF U.S. SURVEYS 122 AND 150, TOWNSHIP 45
NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



LOCATION MAP
N.T.S.

Natural Resource Map

PROJECT ZIP CODE 63005

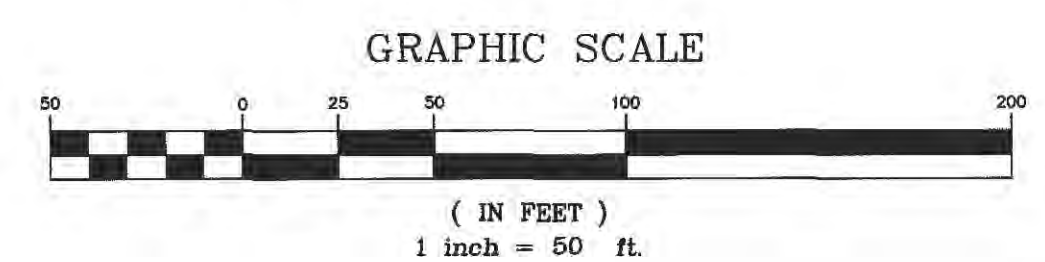


NATURAL RESOURCE	PRESENCE?	ADDITIONAL INFORMATION
Wetlands	No	None identified per Aerial photo.
Streams and Floodplains	No	No floodplain exists per FEMA Map No. 29189C0295K AND 29189C0313K, Dated February 4, 2015. No Streams were identified.
Karst	No	None identified per Aerial photo.
Ponds	No	None identified per Aerial photo.

	Hydrologic Group B Soils
	Hydrologic Group C/D Soils
	Existing Tree Mass
	Regulated Waters

FLOOD NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0295K AND 29189C0313K, DATED FEBRUARY 4, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.



MSD Base Map 18V
MSD P #
Highway & Traffic #

ISSUE	REMARKS/DATE
1	9-23-2021, INITIAL SUBMITTAL
2	11-17-2021, CITY COMMENTS
3	1-5-2022, CITY COMMENTS
4	1-27-2022, CITY COMMENTS

MCBRIDE BYRNE, LLC
17415 N OUTER 40 ROAD
CHESTERFIELD, MO 63005

THE STERLING CO.
ENGINEERS & SURVEYORS
5665 New Banister Road
St. Louis, Missouri 63129
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www.sterling-engineers.com
Corporate Certificate of Authority #001548

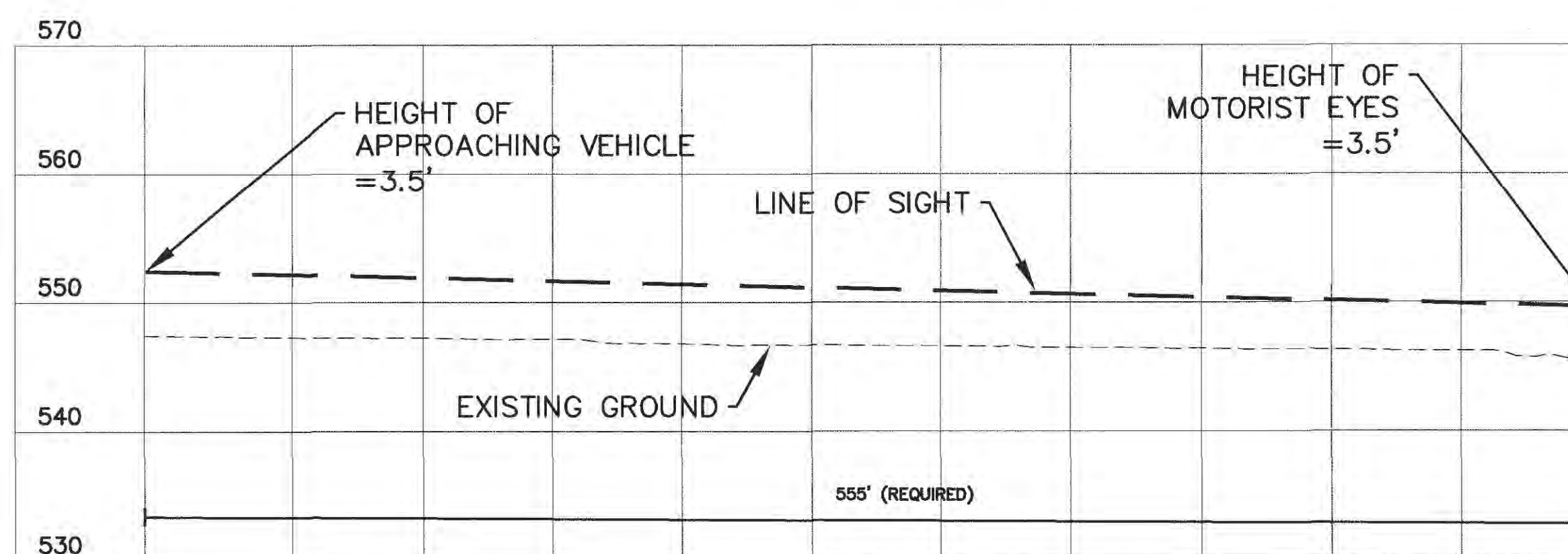
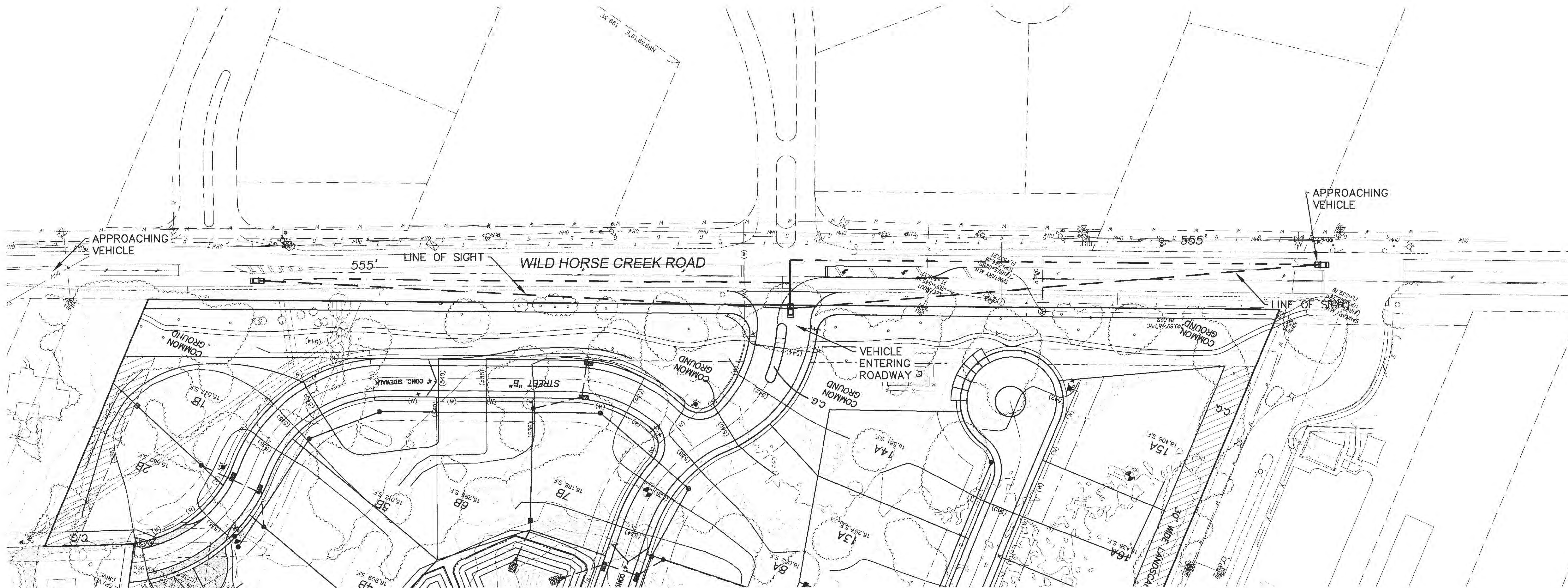
Boone's Ridge
CHESTERFIELD, MISSOURI

PRELIMINARY PLAN
NATURAL RESOURCE MAP

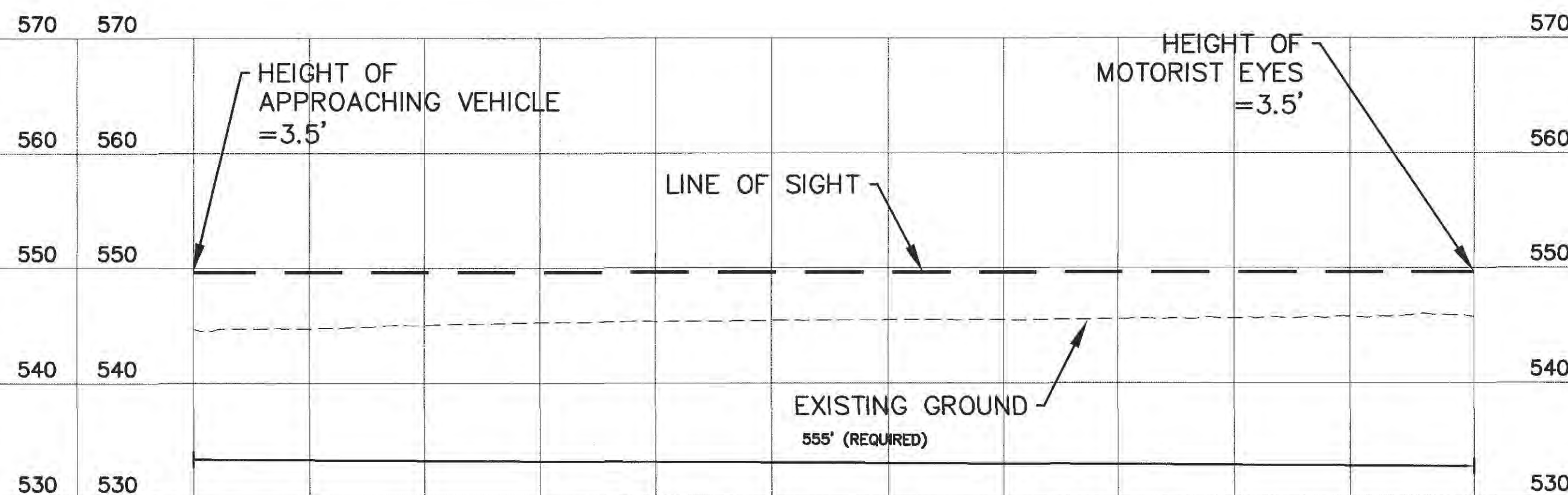
Date: 1-27-2022
MICHAEL G. BOERDING
License No. MO E-28843
Civil Engineer

Job Number	17-05-107
Date	Jan. 27, 2022
Designed MF	Sheet
Drawn: EA	5.1
Checked	PRE

Drawing Name: V:\1725107\1725107-01\1725107-01.dwg Plotted on: Jan 27, 2022 1:17pm Plotted by: skweiss



LINE OF SIGHT (LEFT)



LINE OF SIGHT (RIGHT)

ISSUE	REMARKS/DATE
1	9-23-2021, INITIAL SUBMITTAL
2	11-17-2021, CITY COMMENTS
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MCBRIDE BYRNE, LLC
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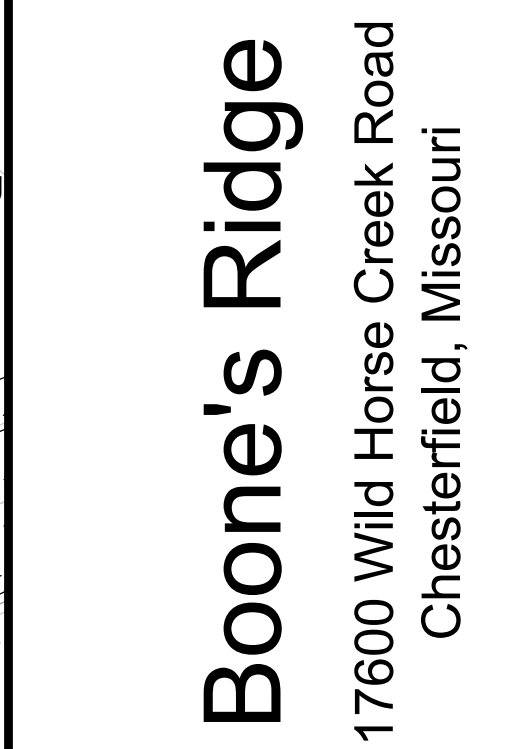
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Boone's Ridge
CHESTERFIELD, MISSOURI
PRELIMINARY PLAN
SIGHT DISTANCE STUDY

The undersigned Engineer's seal and signature reflect that the engineer accepts full responsibility for the preparation and content of this drawing and that the engineer is not providing any other services in connection with this project. The engineer's seal and signature are required by the Missouri State Board of Engineering and Surveying. The engineer's seal and signature are required by the Missouri State Board of Engineering and Surveying. The engineer's seal and signature are required by the Missouri State Board of Engineering and Surveying.

Date: 1-27-2022
MICHAEL G. BOERDING
License No. MO E-28643
Civil Engineer

Job Number	17-05-107
Date	Jan. 27, 2022
Designed: MF	Sheet
Drawn: EA	7.1
Checked:	PRE



This project site comprises a total of 27 acres and has a total of 12 acres of tree canopy. The Tree Stand Delineation map was completed by field inspection. The woodland area is mainly along the Northern property line. It is composed primarily of Elm, Oak, Ash, Maple, Hackberry, Locust, Sycamore, and Sassafras trees. The trees are in fair to good condition and vary in size ranging from 8"-12" DBH. There is some low Honeysuckle understorey at the Northwest corner of the property. There are no state champion or rare trees found onsite.

Tree Condition Rating	
Excellent	4
Good	3
Fair	2
Poor	1
Dead	0

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

Tree inventory					
ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
31	Pine	15	15	4	
32	Pine	8	15	4	
33	Spruce	3	6	2	
34	Cottonwood	18	25	2	
35	Maple	24	30	2	
36	Ash	12	30	1	
37	Maple	14	40	1	
38	Red Oak	20	35	2	
39	Ash	30	50	2	Deadwood
40	Bald Cypress	20	35	2	Power lines (significant impact)
41	Maple	30	45	2	Deadwood
42	Sweetgum	28	40	2	Power lines (significant impact)
43	Maple	14	35	1	Power lines (significant impact)
44	Spruce	18	30	3	
45	Red Oak	26	40	2	Power lines
46	Red Oak	20	50	2	Power lines
47	Sweetgum	18	30	3	
48	Sweetgum	24	30	2	Power lines
49	Sweetgum	24	30	2	Power lines
50	Oak	20	40	2	Power lines
51	Ash	12	25	2	
52	Maple	20	35	2	
53	Maple	14	25	3	
54	Maple	10	20	2	
55	Maple	32	60	2	
56	Sweetgum	24	35	2	
57	Ash	18	35	2	
58	Ash	16	35	2	
59	Ash	15	25	3	

Tree inventory						Comment
ID	Tree Name	DBH	Canopy Diam.	Condition Rating		
91	Redbud	10	25	2		
92	Redbud	14	25	3		
93	Maple	30	50	2		
94	Dogwood	5	12	2		
95	Maple	14	30	2		
96	Ash	14	25	2		
97	Sweetgum	18	30	2		
98	Redbud	8	20	3		
99	Ash	14	30	3		
100	Cottonwood	18	35	3		
101	Maple	12	30	3		
102	Sweetgum	14	35	3		
103	Crabapple	16	20	2		
104	Persimmon	12	25	3		
105	Maple	26	50	3		
106	Maple	30	60	2		
107	Ash	12	30	3		
108	Maple	30	60	3		
109	Sweetgum	18	35	2		
110	Sweetgum	24	50	3		
111	Maple	24	50	3		
112	Maple	10	25	3		
113	Oak	16	30	3		
114	Maple	20	30	3		
115	Maple	14	30	4		
116	Maple	14	30	4		
117	Cottonwood	12	25	3		
118	Maple	6	10	3		
119	Maple	24	40	2		Basal decay

Tree inventory					
ID	Tree Name	DBH	Canopy	Condition	Comment
151	Maple	14	35	4	
152	Maple	14	35	3	
153	Maple	14	35	4	
154	Spruce	8	10	2	
155	Spruce	6	10	2	
156	Spruce	8	10	2	
157	Spruce	6	10	2	
158	Spruce	12	15	1	
159	Spruce	8	10	3	
160	Spruce	26	30	3	
161	Pine	18	30	3	
162	Redbud	14	30	3	
163	Pine	24	30	2	Near easement
164	Pine	18	30	2	Near easement
165	Spruce	10	20	2	Near easement
166	Pine	12	12	1	In easement
167	Pine	16	25	2	
168	Pine	16	25	2	
169	Spruce	16	25	2	
170	Spruce	12	25	2	
171	Spruce	6	15	2	
172	Spruce	10	20	2	Near easement
173	Elm	30	50	1	Near easement
174	Pine	14	20	2	
175	Walnut	18	20	1	Power lines
176	Maple	36	40	2	Power lines, Near easement
177	Pine	20	20	2	Near easement
178	Maple	24	30	1	Near easement
179	Pine	18	25	2	

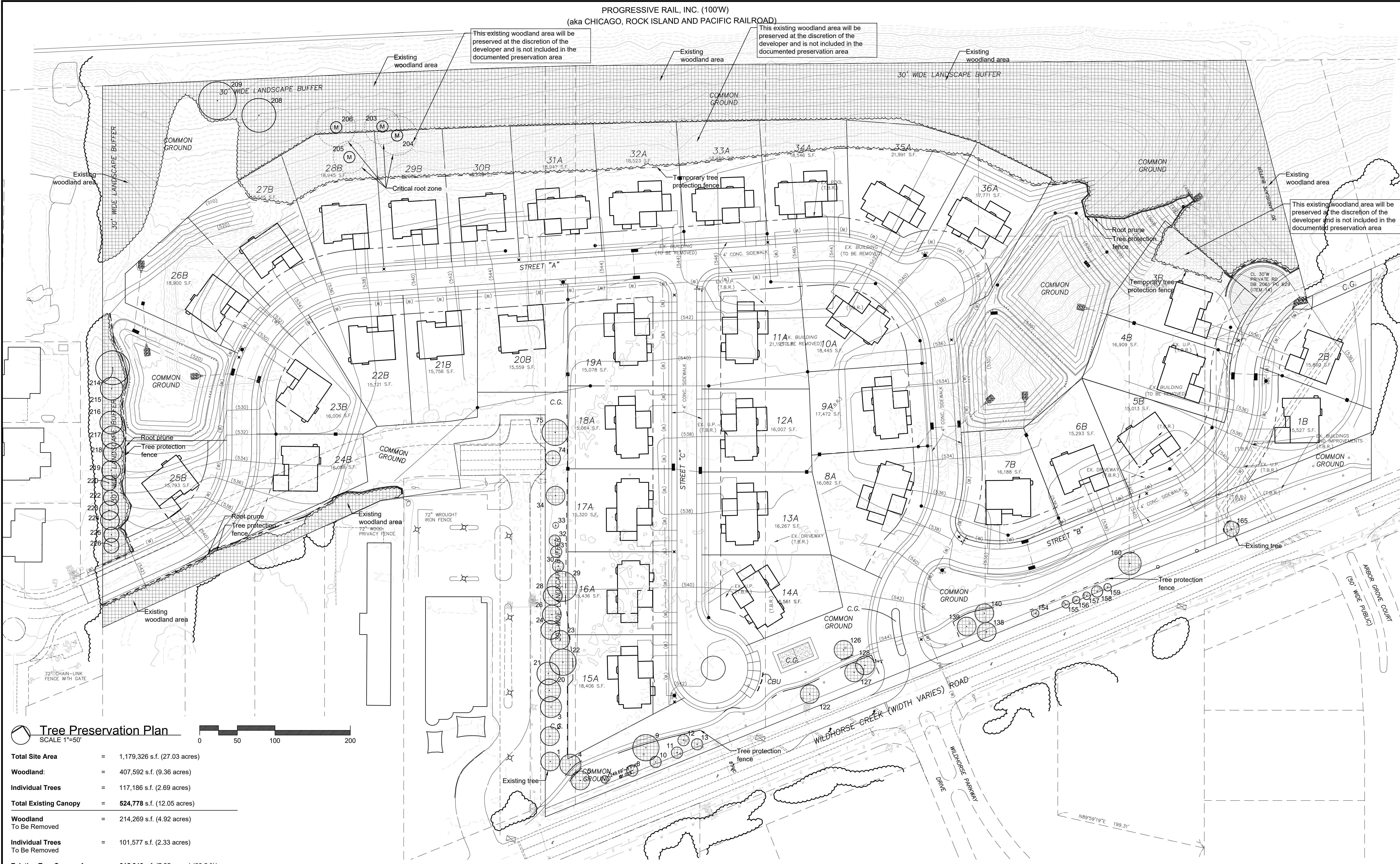
Tree Inventory					
ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
181	Maple	18	35	2	
182	Maple	18	32	3	
183	Maple	30	30	1	
184	Maple	30	20	2	
185	Maple	30	40	1	Multi-stem
186	Maple	30	45	1	
187	Maple	24	40	1	Offsite
188	Maple	30	30	1	
189	Sycamore	30	60	2	
190	Pine	14	25	2	
191	Maple	30	40	1	
192	Elm	22	30	3	
193	Red Oak	40	40	2	1 large dead limb
194	Chinkapin Oak	26	60	3	
195	Shingle Oak	28	30	2	Deadwood
196	Water Oak	26	50	2	Unusual species, minor deadwood
200	Maple	30	30	1	1/2 dead
201	Elm	10	20	2	
202	Sycamore	41	35	2	Top Out
203	Sycamore	38	45	3	Monarch, at hillside
204	Sycamore	42	40	3	Monarch, at hillside
205	Sycamore	34	35	3	Monarch, at hillside
206	Sycamore	41	50	3	Monarch, at hillside
208	Sycamore	36	45	2	Top Out
207	Green Ash	30	40	3	
209	Sycamore	28	30	1	Top Out
210	Maple	10	20	2	
211	Elm	10	20	2	
212	Maple	8	45	2	
213	Black Cherry	18	40	2	
214	Black Cherry	20	45	1	
215	Hackberry	20	30	2	
216	Box elder	16	30	2	
217	Mulberry	22	30	2	
218	Elm	11	25	2	
219	Elm	14	25	2	
220	Black Cherry	10	20	1	
221	Black Cherry	12	25	2	
222	Walnut	12	20	2	
223	Honeylocust	15	25	2	
224	Honeylocust	12	25	2	
225	Walnut	10	20	2	
226	Walnut	10	20	2	
227	Ash	12	25	2	

Revisions:		
Date	Description	No.
10/5/21	Plan Changes	1
1/7/22	City Comments	2
Drawn:	KP	
Checked:	RS	

Drawn:	KP
Checked:	RS

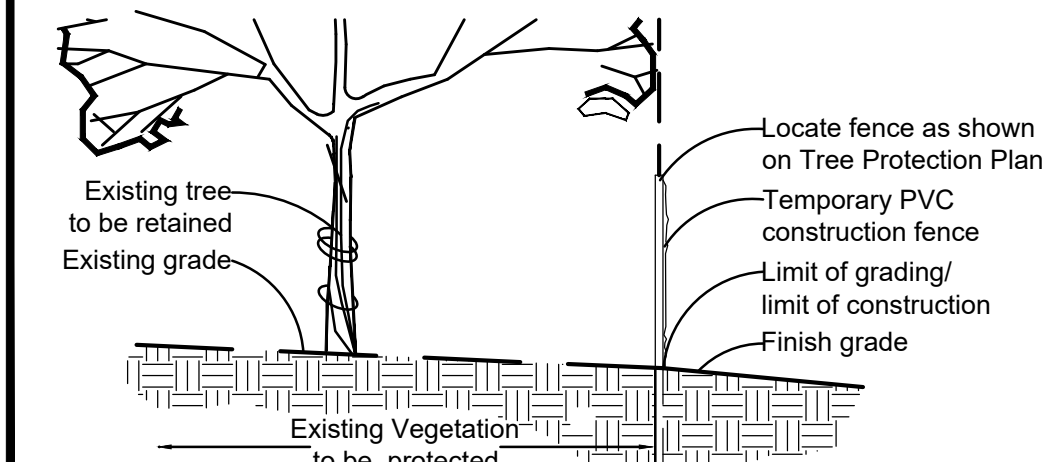
This existing woodland area will be preserved at the discretion of the developer and is not included in the documented preservation area

This existing woodland area will be preserved at the discretion of the developer and is not included in the documented preservation area



Tree Preservation Plan
SCALE 1"=50'

Total Site Area	=	1,179,326 s.f. (27.03 acres)
Woodland:	=	407,592 s.f. (9.36 acres)
Individual Trees	=	117,186 s.f. (2.69 acres)
Total Existing Canopy	=	524,778 s.f. (12.05 acres)
Woodland To Be Removed	=	214,269 s.f. (4.92 acres)
Individual Trees To Be Removed	=	101,577 s.f. (2.33 acres)
Existing Tree Canopy Area To Be Removed	=	315,846 s.f. (7.25 acres) (60.2 %)
Woodland To Be Preserved	=	193,323 s.f. (4.44 acres)
Individual Trees To Be Preserved	=	15,609 s.f. (0.36 acres)
Existing Tree Canopy Area To Be Preserved	=	208,932 s.f. (4.8 acres) (39.8 %)



Tree Protection Detail

Tree Protection Notes:

- 1) Pre-construction meeting to be held on-site to include a presentation of tree protection measures to operators, construction supervisors, developer's representative, and city zoning inspector.
- 2) Clearing Limits to be rough staked in order to facilitate location for installation of protection fencing. No early maintenance schedule is required.
- 3) No clearing or grading shall begin in areas where the treatment and preservation measures have not been completed, including the installation of tree protection fencing as shown on the plan. Where necessary, Contractor may perform minor tree clearing prior to installing silt fencing and tree protection fencing provided they maintain tree protection area.
- 4) Tree Protection Fencing shall be 4-foot high temporary plastic construction fence. No equipment traffic/parking, concrete washout, material storage or other such construction activity shall be permitted to penetrate the protection fencing or disrupt the Protected Woodland Area except for the removal of dead or invasive plant material. All ground plane in planting areas shall be mulched with hardwood bark mulch. Tree Protection Signage will be placed along the Protection Fencing as shown as the dashed line on the plan.
- 5) Tree protection measures to be maintained throughout construction sequence.

Tree Protection Action Key Sequence:

- 1) Survey limit of disturbance.
- 2) Perform root pruning.
- 3) Install tree protection fencing.
- 4) Post tree protection signage on fence (No signs will be posted on trees).
- 5) Maintain tree protection area as an off-limits zone.

ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
1	Maple	12	25	4	
2	Sweetgum	16	25	3	
3	Maple	18	30	2	
4	Maple	16	30	3	
5	Maple	16	25	2	Basal decay
7	Sweetgum	5	10	3	Sprout from stump
8	Pine	6	15	3	Near easement
9	Sweetgum	20	35	3	
10	Hemlock	6	15	3	Near easement
11	Pine	6	15	3	Near easement
12	Pine	6	15	3	Near easement
20	Pine	24	30	3	
21	Pine	18	30	3	
22	Pine	24	35	2	
23	Spruce	12	25	3	
24	Sassafras	14	25	3	
26	Pine	14	25	3	
28	Pine	14	25	2	
29	Cottonwood	24	40	2	
30	Pine	8	15	4	
31	Pine	8	15	4	
32	Pine	8	15	4	
33	Spruce	3	6	2	
34	Cottonwood	18	25	2	

ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
74	Maple	10	20	2	
75	Sweetgum	20	35	3	
122	Pine	14	25	2	
126	Pine	20	25	2	
127	Pine	18	25	2	
128	Pine	18	25	2	
138	Pine	26	25	2	
139	Sweetgum	14	25	4	
140	Pine	20	25	2	
141	Pine	20	20	2	
154	Spruce	8	10	2	
155	Spruce	6	10	2	
156	Spruce	8	10	2	
157	Spruce	6	10	2	
158	Spruce	12	15	1	Multi-stem
159	Spruce	6	10	2	
160	Spruce	26	30	3	
169	Spruce	10	20	2	
203	Sycamore	38	45	3	Near easement
204	Sycamore	42	40	3	Monarch, at hillside
205	Sycamore	34	35	3	Monarch, at hillside
206	Sycamore	41	50	3	Monarch, at hillside
208	Sycamore	36	45	2	Top Out
209	Sycamore	28	50	1	Top Out
214	Black Cherry	20	45	1	

ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
215	Hackberry	20	30	2	
216	Boxelder	16	30	2	
217	Mulberry	22	30	2	
218	Elm	11	25	2	
219	Elm	14	25	2	
220	Black Cherry	10	20	1	
221	Black Cherry	20	25	2	
222	Walnut	12	20	2	
223	Honeylocust	15	25	2	
224	Honeylocust	12	25	2	
225	Walnut	10	20	2	
226	Walnut	10	20	2	

Tree Condition Rating:
Excellent 4
Good 3
Fair 2
Poor 1
Dead 0

Tree Preservation Plan Prepared under direction of:
Brian Bage
Certified Arborist MW-5033A

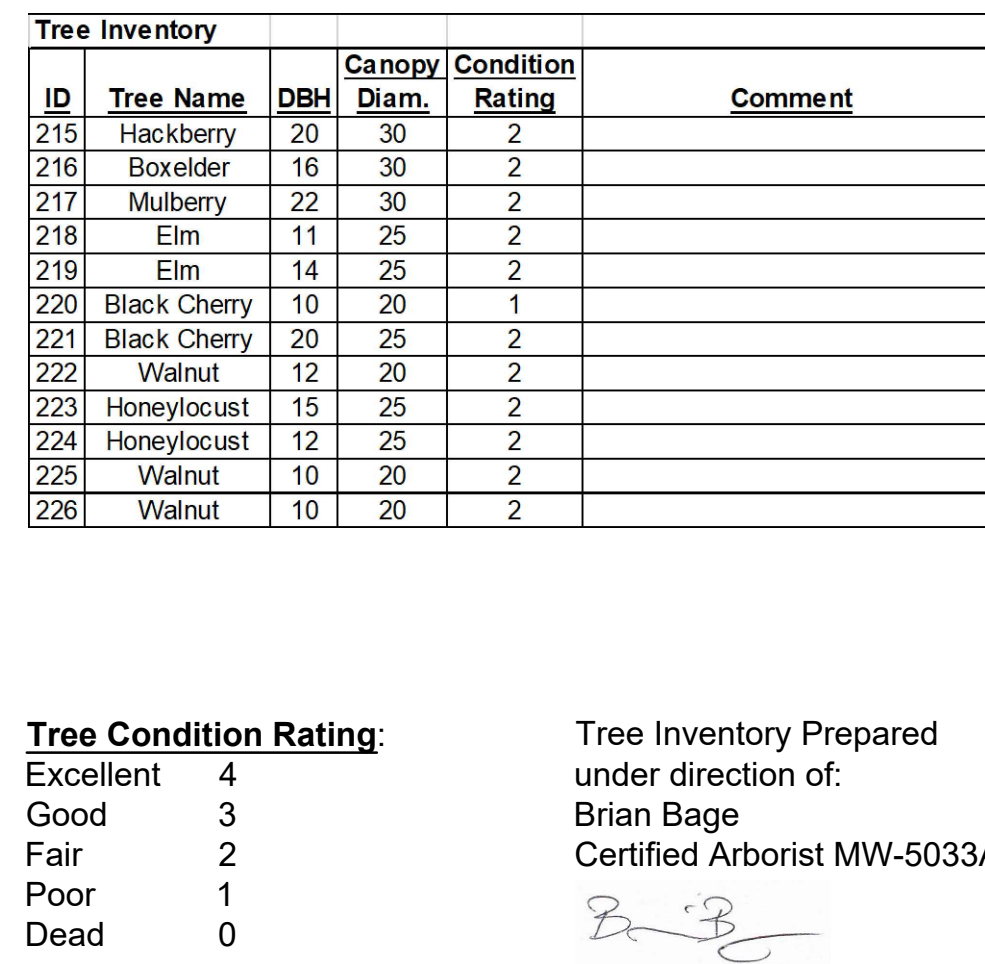
Revisions:		
Date	Description	No.
10/5/21	Plan Changes	1
1/7/22	City Comments	2

Drawn: KP
Checked: RS

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www.loomis-associates.com

Loomis Associates, Inc.
Missouri State Certificate of Authority #1-LAC-0000119

Sheet Title:	Tree Preservation Plan
Sheet No:	TPP
Date:	10/5/21
Job #:	1005.005



Requested Modifications to
Chapter 405.030.050 (C)(6)(d)(Table 2) Development Criteria

1. Side Yard Setback: McBride is requesting a modification from the City's ordinances with regard to the side-yard setbacks. This plan includes a 10' minimum side yard setback rather than the 15' side yard setback stated in the City's code. This modification will allow McBride to build luxury homes with a 3-car standard garage, and to create a more clustered development, keeping homes a significant distance from Wild Horse Creek Road and from existing neighboring homes, allowing for a significant buffer around the perimeter of the site, which will achieve the goal of the City's Code for the WH Overlay area of maintaining the scenic character of the area. This side yard setback is in line with existing neighborhoods in the general vicinity of this project.
2. Separation Between Structures: McBride is requesting a modification from the City's ordinances with regard to the minimum distance between structures. This plan requests a 20' minimum distance between structures rather than the required 30' minimum distance. This modification again would allow McBride to build luxury homes with a 3-car standard garage, and to create a more clustered development.
3. Landscape Buffer: McBride is requesting a modification from the City's ordinances with regard to the perimeter landscape buffer on the eastern property line. This plan includes the required 30' perimeter buffer, however, a small portion of this buffer is located within lots rather than common ground in the area along the eastern property line. This modification will allow these lots to be larger than they would have been if we had to designate this area as common ground. The plat and the Declaration of Covenants, Conditions and Restrictions governing the community, will obligate (and provide an easement to) the homeowners' association to maintain the landscaping in this area.

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning *JW*
Date: March 21, 2022



RE: **P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC):**
A request for a change in zoning from a Large Lot Residential (LLR) District to E-1AC Estate One Acre District for 35.0 acres located at 17803, 17815 and 17831 Wild Horse Creek Road (18V130099, 18V140065, & 18V140098).

Summary

McBride Berra Land Company, LLC has submitted a request to change the zoning for a tract of land totaling 35.0 acres from a “LLR”—Large Lot Residential District into a new “E-1AC”—Estate One Acre District. The same petitioner has also submitted a request to create a “PUD”—Planned Unit Development for this same E-1AC district in conjunction with this request (P.Z. 12-2021).

A Public Hearing was held on October 25, 2021, with the City of Chesterfield Planning Commission raising no issue regarding this petition.

On February 14, 2022, Planning Commission motioned to approve this petition by a vote of 9-0.

On March 10, 2022, Planning and Public Works Committee motioned to approve this petition, as presented, by a vote of 4-0.

Please find draft legislation, a copy of the February 14, 2022 Staff Report, Survey and Tree Stand Delineation attached to this memo.

Attachments: Legislation
February 14, 2022 Staff Report
Survey
Tree Stand Delineation



Figure 1: Subject Site Aerial

BILL NO. 3386

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “LLR” LARGE LOT RESIDENTIAL DISTRICT TO THE “E-1AC” ESTATE ONE ACRE DISTRICT FOR A 35.0-ACRE TRACT OF LAND LOCATED AT 17803, 17815 AND 17831 WILD HORSE CREEK ROAD (P.Z. 11-2021 {MCBRIDE BERRA LAND COMPANY, LLC.} 18V130099, 18V140065, & 18V140098).

WHEREAS, the petitioner, McBride Berra Land Company, LLC, has requested a change in zoning from the “LLR” Large Lot Residential District to the “E-1AC” Estate One Acre District for a 35.0-acre tract of land located at 17803, 17815 AND 17831 Wild Horse Creek Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on October 25, 2021; and,

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

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

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

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

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

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

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

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

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

Section 3. The City Council, pursuant to the petition filed by McBride Berra Land Company, LLC in P.Z. 11-2021, requesting the amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 25th day of October 2021, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2022

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 03/21/2022



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

Planning Commission Staff Report

Meeting Date: February 14, 2022

From: Chris Dietz, Planner 

Location: 17803, 17815 and 17831 Wild Horse Creek Road

Description: **P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC):** A request for a change in zoning from a Large Lot Residential (LLR) District to E-1AC Estate District for 35.0 acres located at 17803, 17815 and 17831 Wild Horse Creek Road (18V130099, 18V140065, & 18V140098).

SUMMARY

McBride Berra Land Company, LLC has submitted a request to change the zoning for a tract of land totaling 35.0 acres from a “LLR”—Large Lot Residential District into a new “E-1AC”—Estate District. The same petitioner has also submitted a request to create a “PUD”—Planned Unit Development for this same E-1AC district in conjunction with this request (P.Z. 12-2021). A Public Hearing for this petition was held at the October 25, 2021 Planning Commission meeting.

SITE HISTORY

Pre-1988—Subject site zoned “NU”—Non-Urban.

1990—Conditional Use Permit issued for 17803 Wild Horse Creek Rd. to allow bulk sale of sand, gravel, mulch and similar supplies (C.U.P. 09-1990).

1997—17831 Wild Horse Creek Rd. rezoned from “NU” to “R1” as part of the Tara at Wildhorse subdivision (Ordinance 1316).



Figure 1: Subject Site Aerial

1999—17815 and 17831 Wild Horse Creek Rd. rezoned from “NU” and “R1”, respectively, to a new “LLR” District to accommodate a proposed private school use (Ordinance 1518).

2015—17803 Wild Horse Creek Rd. rezoned from “NU” to “LLR”, incorporating the site into a new 35.097-acre tract of land for a proposed accessory dormitory use for a private school (Ordinance 2847).

LAND USE AND ZONING

The land use and zoning for the properties surrounding the subject site are as follows:

Direction	Zoning	Land Use
North	“M3”—Planned Industrial	Golf Course
South	“E2”—Estate District	Single-Family Residential
East	“NU”—Non-Urban District	Church or Other Place of Worship
West	“R1”—Residence District	Single Family Residential

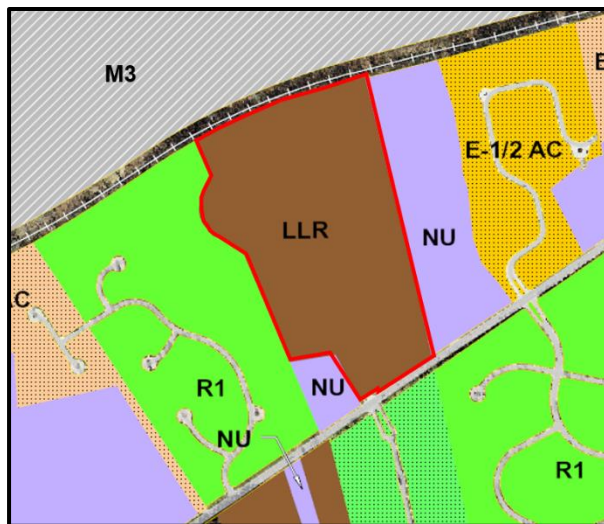


Figure 2: Zoning Map



Figure 3: Future Land Use Map

COMPREHENSIVE PLAN

The City’s Comprehensive Plan designates this site as within the Suburban Neighborhood character area on the Future Land Use Map. This area is characterized primarily by single-family detached homes typically oriented toward the interior of the site and buffered from surrounding development by transitional uses, topography, preserved open space or landscape areas. The Comprehensive Plan also outlines specific policies for this character area.

Plan Policies:

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

PUBLIC HEARING

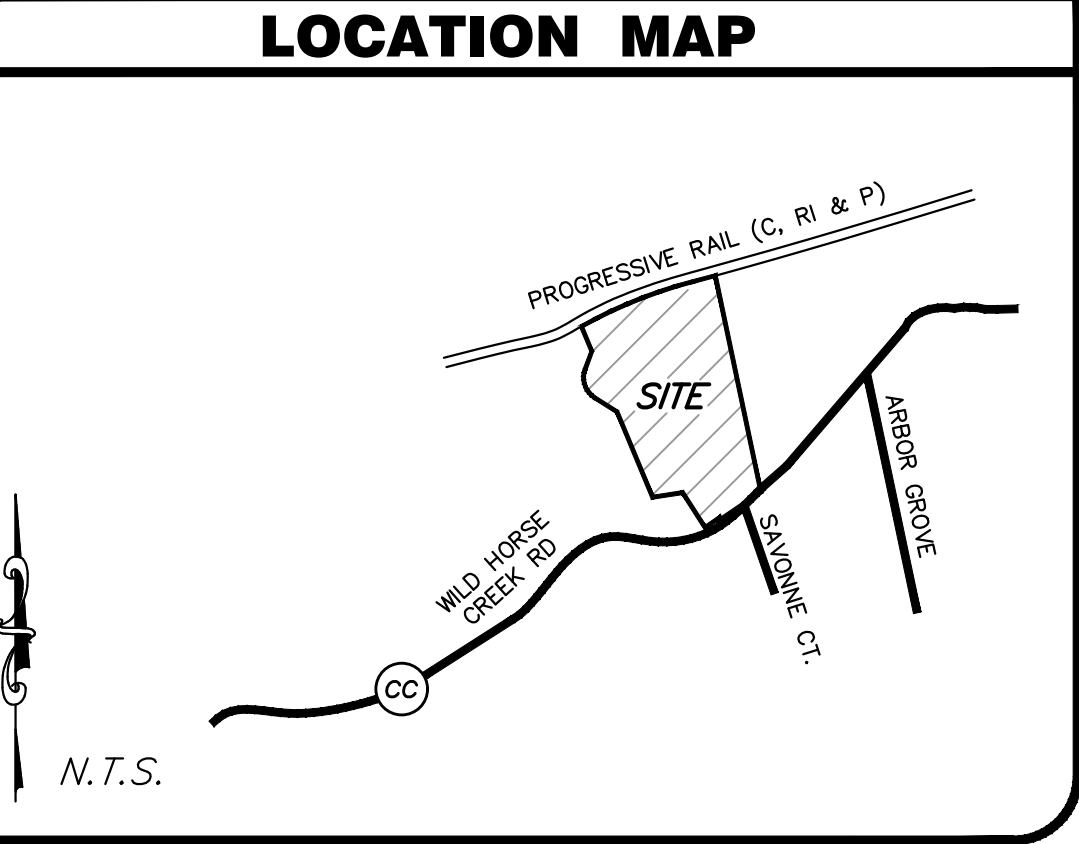
A Public Hearing was held for this petition at the October 25, 2021 Planning Commission meeting. Change of zoning requests to a conventional, or “straight” zoning district, such as the “E-1AC”—Estate District, adhere to development criteria established in the Unified Development Code, and require only an outboundary survey. This survey is included in the Planning Commission Packet.

REQUEST

Staff has completed review of this petition and requests action on P.Z. 11-2021 Estates at Fire Rock (McBride Berra Land Co., LLC).

Attachments: Outboundary Survey

Drawing name: V:\2007\232 Barac Academy\Drawings\Surveying\Bndry\7232 ALTA.dwg Plotted on: Aug 16, 2021 - 2:48pm Plotted by: winiers



SURVEYOR'S NOTES:

- THE PROFESSIONAL WHOSE SIGNATURE AND PERSONAL SEAL APPEARS BELOW ASSUMES RESPONSIBILITY ONLY FOR WHAT APPEARS ON THIS PAGE AND DISCLAIMS (PURSUANT TO SECTION 327.41 RSMo) ANY RESPONSIBILITY FOR PLANS, SPECIFICATIONS, ESTIMATES, REPORTS OR OTHER DOCUMENTS OR INSTRUMENTS NOT SEALED BY THE UNDERSIGNED RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT FOR WHICH THIS PAGE APPEARS.
- BASIS OF BEARINGS: MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, EAST ZONE, GRID NORTH.
- SOURCE OF RECORD TITLE: TRUSTEES DEED UNDER FORECLOSURE TO MIDLAND STATES BANK, RECORDED IN DEED BOOK 24300 PAGE 3117 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS.
- PARCEL ADDRESSES AND ASSESSOR PARCEL ID NUMBERS: 17803 WILD HORSE CREEK ROAD (18V140065), 17815 WILD HORSE CREEK ROAD (18V140098), AND 17831 WILD HORSE CREEK ROAD (18V130099).
- ALL BEARINGS AND DISTANCES ARE AS SURVEYED (S) UNLESS NOTED OTHERWISE. (R) DENOTES RECORD INFORMATION.
- TOTAL AREA OF SURVEYED PARCELS: 1,527.037 SQUARE FEET (35.056 ACRES).
- SUBJECT TRACT IS LOCATED IN FLOOD ZONE "X" (SHADED) AND IN FLOOD ZONE "X" (UNSHADED) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI, AND INCORPORATED AREAS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER 29189C0145K, EFFECTIVE FEBRUARY 4, 2015. FLOOD ZONE "X" SHADED IS DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. FLOOD ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- SUBJECT TRACT IS LOCATED IN THE "LLR" LARGE LOT RESIDENTIAL DISTRICT BY THE CITY OF CHESTERFIELD, MISSOURI. SEE "ZONING NOTE" HEREON FOR DETAILS.

NOTE: NO ZONING LETTER WAS PROVIDED TO THE SURVEYOR. ZONING INFORMATION IS SHOWN HEREON BASED UPON INFORMATION MADE PUBLICLY AVAILABLE BY THE CITY OF CHESTERFIELD, MISSOURI.
- CONTOURS ARE NAVD 1988 VERTICAL DATUM AND SHOWN AT INTERVALS OF 2 FEET. TOPOGRAPHIC FEATURES AND CONTOURS SHOWN HEREON ARE BASED ON MEASUREMENTS TAKEN ON SITE USING CONVENTIONAL SURVEYING EQUIPMENT.
- THERE IS WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED ON SUBJECT PROPERTY IN THE PROCESS OF CONDUCTING THE FIELD WORK AT THIS SITE.
- THERE ARE NO KNOWN PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES, NOR WAS EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED ON SUBJECT PROPERTY IN THE PROCESS OF CONDUCTING THE FIELD WORK AT THIS SITE.
- UTILITIES ARE SHOWN HEREON BASED ON A COMBINATION OF MARKS MADE BY THE UTILITY COMPANIES AND VISIBLE AT THE TIME OF THE SURVEY, VISIBLE SURFACE UTILITIES, AND UTILITY MAPS PROVIDED BY THE UTILITY COMPANIES. PRIVATE UNDERGROUND UTILITIES NOT MARKED BY THEIR RESPECTIVE UTILITY COMPANIES AT THE TIME OF THIS SURVEY MAY BE PRESENT BUT NOT LOCATED BY THE SURVEYOR OR SHOWN ON THIS SURVEY. THE CONTRACTOR SHOULD VERIFY THE PRESENCE OF ADDITIONAL UTILITIES BEFORE ANY CONSTRUCTION IS PERFORMED ON THIS SITE.
- FOR EASEMENTS, THE STERLING COMPANY HAS USED, EXCLUSIVELY, A TITLE COMMITMENT BY TITLE PARTNERS AGENCY, LLC, AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 21-289827-KEE WITH AN EFFECTIVE DATE OF MAY 10, 2021 AT 8:00 AM. THE NOTES REGARDING SCHEDULE B, PART II OF SAID COMMITMENT ARE LISTED IN THE "TITLE NOTES" SECTION HEREON.
- THERE IS ONE VISIBLE ENCROACHMENT OBSERVED ON SUBJECT PROPERTY BEING THE PROPANE TANK OVER THE SOUTHWEST PROPERTY LINE AS NOTED AND SHOWN HEREON.

TITLE NOTES:

FOR EASEMENTS, THE STERLING COMPANY HAS USED, EXCLUSIVELY, TITLE COMMITMENT BY TITLE PARTNERS AGENCY, LLC, AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 21-289827-KEE WITH AN EFFECTIVE DATE OF MAY 10, 2021 AT 8:00 AM. THE NOTES REGARDING SCHEDULE B, PART II OF SAID COMMITMENT ARE AS FOLLOWS:

- ITEMS 1-5: GENERAL EXCEPTIONS WITH NO COMMENT BY SURVEYOR.
- ITEM 6: CONDITIONAL USE PERMIT BY THE CITY OF CHESTERFIELD RECORDED IN BOOK 8995 PAGE 1591 OF THE ST. LOUIS COUNTY RECORDS. DOCUMENT IS A CONDITIONAL USE PERMIT (C.U.P.) FOR BULK SALE OF SAND, GRAVEL, MULCH, RAILROAD TIES AND SIMILAR MATERIALS, AND CREATES LARGE BUILDING SETBACK AREAS WHICH CURRENTLY CONTAIN BUILDINGS. AFFECTS SUBJECT PROPERTY IN THE AREA NOTED AND SHOWN HEREON; CURRENT STATUS OF SAID C.U.P. IS UNKNOWN TO SURVEYOR.
- ITEM 7: TERMS AND PROVISIONS OF THE SEWER AGREEMENT, INCLUDING A PROVISION FOR ASSESSMENTS, CONTAINED IN THE INSTRUMENT RECORDED IN BOOK 10387 PAGE 2308. BLANKET IN NATURE, AFFECTING ALL OF THE PORTION OF TRACT THAT IS NOT PART OF THE RESTRICTED AREA SHOWN IN ITEM 8 BELOW. DOCUMENT IS A MAINTENANCE AGREEMENT TO MAINTAIN STORM SEWER FACILITIES PER MSD PROJECT NO. P-0020088.
- ITEM 8: COVENANTS AND RESTRICTIONS CONTAINED IN THE INSTRUMENT RECORDED IN BOOK 11408 PAGE 148 OF THE ST. LOUIS COUNTY RECORDS. DOCUMENT RESTRICTS USE OF THE LAND, STATING THAT IT SHOULD PERPETUALLY REMAIN OPEN SPACE, AREA SUBJECT TO THIS RESTRICTION IS NOTED AND SHOWN HEREON.
- ITEM 9: PERMANENT SIDEWALK, SEWER AND UTILITY EASEMENT CONTAINED IN THE INSTRUMENT RECORDED IN BOOK 10766 PAGE 398 OF THE ST. LOUIS COUNTY RECORDS. AFFECTS SUBJECT PROPERTY IN THE AREA NOTED AND SHOWN HEREON.
- ITEM 10: EASEMENT GRANTED TO MSD FOR SEWER PURPOSES RECORDED IN BOOK 10692 PAGE 2359 OF THE ST. LOUIS COUNTY RECORDS. AFFECTS SUBJECT PROPERTY IN THE AREAS NOTED AND SHOWN HEREON.
- ITEM 11: BUILDING LINES, EASEMENTS, CONDITIONS AND RESTRICTIONS AND POWERS OF TRUSTEES ACCORDING TO PLAT BOOK 338 PAGE 96 AND; BOOK 346 PAGE 353 AND ANY SUBSEQUENT AMENDMENTS. NO BUILDING LINES OR EASEMENTS ARE CREATED BY SAID PLATS.
- ITEM 12: TERMS AND PROVISIONS OF THE DEVELOPMENT PLAN ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 351 PAGE 43 AND PLAT BOOK 351 PAGE 44. THE SITE DEVELOPMENT PLAN AFFECTS ALL OF ADJUSTED TRACT A AND SHOWS PROPOSED IMPROVEMENTS ON THE SITE, SOME OF WHICH NOW APPEAR TO EXIST.
- ITEM 13: TERMS AND PROVISIONS OF THE DEVELOPMENT PLAN RECORDED IN PLAT BOOK 346 PAGE 635 AND PLAT BOOK 346 PAGE 636. THE SITE DEVELOPMENT PLAN AFFECTS ALL OF ADJUSTED TRACT A AND SHOWS PROPOSED IMPROVEMENTS ON THE SITE, SOME OF WHICH NOW APPEAR TO EXIST.
- ITEM 14: EASEMENT GRANTED TO UNION ELECTRIC COMPANY BY INSTRUMENT RECORDED IN BOOK 3652 PAGE 45 OF THE ST. LOUIS COUNTY RECORDS. PLOTS NORTH AND DOES NOT AFFECT SUBJECT PROPERTY.
- ITEM 15: EASEMENT GRANTED TO GATEWAY ACADEMY, INC. BY INSTRUMENT RECORDED IN BOOK 1072 PAGE 837 OF THE ST. LOUIS COUNTY RECORDS. EASEMENT AFFECTS SUBJECT TRACT AND IS FOR THE BENEFIT OF GATEWAY ACADEMY PARCEL.
- ITEM 16: SEWER DEDICATION WITH THE METROPOLITAN ST. LOUIS SEWER DISTRICT RECORDED IN BOOK 11406 PAGE 1420 OF THE ST. LOUIS COUNTY RECORDS. AFFECTS SUBJECT PROPERTY. DOCUMENT GRANTS SEWERS CONSTRUCTED FOR GATEWAY ACADEMY PER MSD PROJECT NO. P-20098 TO MSD.
- ITEM 17: RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES AND/OR MONTH TO MONTH TENANCIES. NO COMMENT BY SURVEYOR.

STATEMENT OF STATE PLANE COORDINATE TIE:

STATE PLANE COORDINATES WERE DETERMINED ON JULY 28, 2021 USING TRIMBLE REAL-TIME KINEMATIC (GPS) HARDWARE FROM THE PROJECT SITE TO A CONTINUOUSLY OPERATING REFERENCE STATION (CORS) WITH AN ID OF MO81 AND A PID OF DL3650 HAVING PUBLISHED MISSOURI STATE PLANE (EAST ZONE) 2011 COORDINATE VALUES OF NORTH (Y) = 302843.569 METERS AND EAST (X) = 253367.387 METERS.

COMBINED GRID FACTOR = 0.999913964 (1 METER = 3.28083333 FEET)

PROJECT BENCHMARKS:

PROJECT BENCHMARK #1:
ST. LOUIS COUNTY BM 11127 ELEVATION = 583.28' (NAVD 88)

STANDARD DNR ALUMINUM DISK STAMPED SL-39A SITUATED IN A GRASSY AREA NORTHWEST OF WILD HORSE CREEK ROAD 240 FEET MORE OR LESS SOUTHWEST OF THE CENTERLINE OF TARA OAKS DRIVE AND SITUATED SOUTH AND WEST OF A PRIVATE ROAD KNOWN AS TUMA LANE, ROUGHLY 24 FEET NORTHWEST OF THE CENTERLINE OF WILD HORSE CREEK ROAD, 67 FEET SOUTHWEST OF A UTILITY POLE, AN 043 FEET SOUTH OF THE EASTERMOST CORNER OF A PASTURE FENCE SITUATED NORTHWEST OF TUMA LANE.

PROJECT BENCHMARK #2:
ST. LOUIS COUNTY BM 11128 ELEVATION = 550.05' (NAVD 88)

STANDARD DNR ALUMINUM DISK STAMPED SL-136 SITUATED IN A GRASSY TREE LAWN SOUTHEAST OF WILD HORSE CREEK ROAD 300 FEET MORE OR LESS SOUTHWEST OF THE CENTERLINE OF GREYSTONE MANOR PARKWAY, ROUGHLY 28 FEET SOUTHEAST OF THE CENTERLINE OF WILD HORSE CREEK ROAD, 18 FEET NORTHWEST OF A SIDEWALK, AND 28 FEET NORTH OF A UTILITY POLE.

SITE BENCHMARK:

SITE BENCHMARK: ELEVATION = 555.07' (NAVD 88)

"CROSS" CUT IN CONCRETE WALK AT EAST SIDE OF ENTRANCE DRIVE TO GATEWAY ACADEMY AT 17815 WILD HORSE CREEK ROAD; 47 FEET NORTH OF THE CENTERLINE OF WILD HORSE CREEK ROAD, 7 FEET EAST OF THE SOUTHEAST CORNER OF CONCRETE WATER VAULT NEXT TO ENTRANCE MONUMENT; 6 FEET WEST OF THE EAST END OF WALK. LOCATION SHOWN HEREON ON SHEET 2).

ABBREVIATIONS

AC.	- ACRES	FL	- FLOWLINE
ASPH.	- ASPHALT	FND.	- FOUND
B.M.	- BENCHMARK	L.S.	- LOW SILL
BTM.	- BOTTOM	M.H.	- MANHOLE
C.	- CENTER LINE	N/F	- NOW OR FORMERLY
CMP.	- CORRUGATED METAL PIPE	NO.	- NUMBER
CONC.	- CONCRETE	P.B.	- PLAT BOOK
COR.	- CORNER	PG.	- PAGE
D.B.	- DEED BOOK	P.	- PROPERTY LINE
DIST.	- DISTANCE	PVC	- POLYVINYL CHLORIDE PIPE
ELEV.	- ELEVATION	PVMT.	- PAVEMENT
ESMT.	- EASEMENT	RCP	- REINFORCED CONC. PIPE
F.F.	- FINISHED FLOOR	SQ. FT.	- SQUARE FEET

LEGEND

	TREE/BRUSH LINE
	UNDERGROUND WATER LINE
	UNDERGROUND GAS LINE
	UNDERGROUND TELECOM LINE
	UNDERGROUND ELECTRIC LINE
	OVERHEAD WIRE
	FENCE
	UNDERGROUND SEWER LINE
	SANITARY FORCE MAIN
	CONCRETE
	ASPHALT
	GRAVEL
	BUILDING
	SAME OWNER/PARCEL
	SPOT ELEVATION
	SET SEMI-PERMANENT MONUMENT PER MISSOURI STANDARDS
	TREE W/ SIZE
	BUSH

	UTILITY POLE
	UTILITY POLE W/ TRANSFORMER
	GUY WIRE
	LIGHT STANDARD
	ELECTRIC METER
	CATV PULL BOX
	ELECTRIC PULL BOX
	TELECOM PULL BOX
	GAS VALVE
	GAS METER
	FIRE HYDRANT
	WATER VALVE
	WATER METER
	SANITARY MANHOLE
	STORM MANHOLE
	GRATE INLET
	CURB/AREA INLET
	FLARED END SECTION
	END OF STORM PIPE
	MAIL BOX
	STREET/ROAD SIGN

ZONING NOTE:

ACCORDING TO ZONING INFORMATION MADE PUBLICLY AVAILABLE BY THE CITY OF CHESTERFIELD, MISSOURI, THE PARCELS ARE IN THE "LLR" LARGE LOT RESIDENCE DISTRICT. THE RESTRICTIONS FOR "LLR" RESIDENCE DISTRICT ZONING ARE AS FOLLOWS:

MINIMUM LOT AREA: SINGLE-FAMILY DWELLING - 3 ACRES
LOT WIDTH: MINIMUM LOT WIDTH MEASURED AT FRONT BUILDING LINE SETBACK SHALL BE AT LEAST TWO-HUNDRED (200) FEET.
BUILDING HEIGHT: MAXIMUM HEIGHT SHALL BE FIFTY (50) FEET FOR ALL RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES.
FRONT YARD SETBACK: 75 FEET FROM ANY ROAD RIGHT-OF-WAY.
SIDE YARD SETBACK: 50 FEET FROM ANY PROPERTY LINE.
REAR YARD SETBACK: 50 FEET FROM ANY PROPERTY LINE.

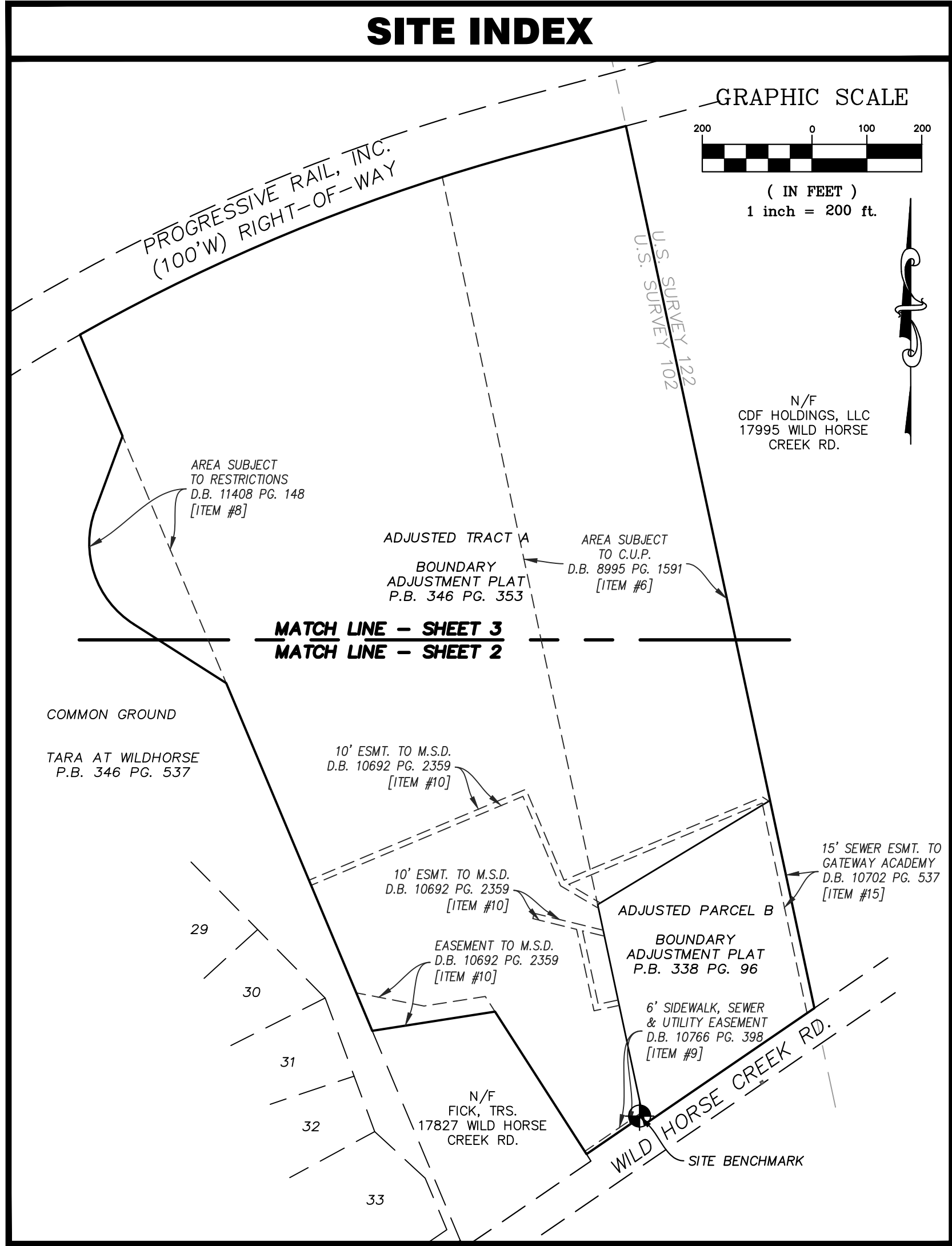
SUBDIVISION REQUIREMENTS:
1. ALL PUBLIC AND PRIVATE STREETS SHALL HAVE STANDARD RIGHT-OF-WAY WIDTHS AND SHALL BE CONSTRUCTED TO CITY OF CHESTERFIELD STANDARD SPECIFICATIONS. HOWEVER, STREET DESIGN FOR INTERIOR STREETS WITHIN LARGE-LOT SUBDIVISIONS IS NOT REQUIRED TO MEET THE HORIZONTAL CURVATURE AND VERTICAL PROFILE STANDARDS OF THE CITY.
2. PAVEMENT AND RIGHT-OF-WAY WIDTHS SHALL BE AS SPECIFIED BY THE UDC OR AS DIRECTED BY THE DEPARTMENT.

LARGE-LOT SUBDIVISIONS ARE NOT REQUIRED TO PROVIDE SIDEWALKS OR STREET LIGHTS ON INTERIOR STREETS.

NATURAL RESOURCE PROTECTION. NATURAL FEATURES SHOULD BE PRESERVED AT NOT LESS THAN THE FOLLOWING LEVELS:

- FLOODPLAINS: NOT LESS THAN EIGHTY PERCENT (80%) OF DESIGNATED SPECIAL FLOOD HAZARD AREAS SHALL BE PRESERVED AND SHALL REMAIN UNDISTURBED.
- STEEP SLOPES: NOT LESS THAN SEVENTY PERCENT (70%) OF ALL AREAS EXCEEDING A THIRTY-PERCENT SLOPE SHALL BE PROTECTED AND SHALL REMAIN UNDISTURBED.

NOTE: NO ZONING LETTER WAS PROVIDED TO THE SURVEYOR. ZONING INFORMATION IS SHOWN HEREON BASED UPON INFORMATION MADE PUBLICLY AVAILABLE BY THE CITY OF CHESTERFIELD, MISSOURI.



RECORD DESCRIPTION (PER TITLE):

ADJUSTED TRACT "A" OF THE BOUNDARY ADJUSTMENT PLAT ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 346 PAGE 353 IN THE OFFICE OF THE RECORDER OF DEEDS FOR THE COUNTY OF ST. LOUIS, MISSOURI, EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF MISSOURI BY INSTRUMENT RECORDED IN BOOK 10766 PAGE 395.

ADJUSTED PARCEL "B" OF THE BOUNDARY ADJUSTMENT PLAT ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 96 OF THE ST. LOUIS COUNTY RECORDS.

OVERALL PROPERTY DESCRIPTION:

A TRACT OF LAND BEING ALL OF ADJUSTED PARCEL B OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 96 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS AND PART OF ADJUSTED TRACT A OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, IN TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 346 PAGE 353 OF SAID RECORDS, ALL LOCATED IN U.S. SURVEY 102, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING THE SOUTHEAST CORNER OF ABOVE-SAID ADJUSTED PARCEL B, SAID CORNER BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK ROAD (WIDTH VARIES) AND THE NORTHEAST LINE OF ABOVE-SAID U.S. SURVEY 102, THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: ALONG A LINE BEING 30 FEET NORTH OF AND PARALLEL TO THE CENTERLINE OF SAID WILD HORSE CREEK ROAD, SOUTH 55°36'40" WEST, 375.00 FEET; NORTH 12°03'12" WEST, 16.22 FEET; AND ALONG A LINE BEING 45 FEET NORTH OF AND PARALLEL TO SAID CENTERLINE, SOUTH 55°36'40" WEST, 124.28 FEET TO A POINT ON THE EAST LINE OF A TRACT OF LAND CONVEYED TO TRUSTEE OF THE MELVIN L. FICK AND LILLIAN K. FICK, JOINT REVOCABLE LIVING TRUST AGREEMENT BY DOCUMENT RECORDED IN DEED BOOK 7996 PAGE 1316 OF THE ABOVE-SAID RECORDS; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE EAST AND NORTH LINES OF SAID FICK TRACT THE FOLLOWING COURSES AND DISTANCES: NORTH 32°41'08" WEST, 308.72 FEET AND SOUTH 81°07'48" WEST, 226.56 FEET TO A POINT ON THE WEST LINE OF ABOVE-SAID ADJUSTED TRACT A; THENCE LEAVING SAID NORTH LINE OF FICK TRACT AND ALONG THE WEST, LINE OF SAID ADJUSTED TRACT A THE FOLLOWING COURSES, DISTANCES AND CURVES: NORTH 22°46'12" WEST, 687.49 FEET; NORTH 57°30'33" WEST, 199.99 FEET TO A POINT OF CURVATURE; ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, WHOSE CHORD BEARS NORTH 18°35'43" WEST, 219.85 FEET, AN ARC DISTANCE OF 237.71 FEET TO A POINT OF TANGENCY; NORTH 20°19'07" EAST, 143.40 FEET; AND NORTH 22°46'12" WEST, 200.68 FEET TO THE NORTHWEST CORNER OF SAID ADJUSTED TRACT A, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD (100 FEET WIDE); THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT BEING NON-TANGENTIAL TO THE PREVIOUS COURSE, WITH A RADIUS OF 3519.70 FEET, WHOSE CHORD BEARS NORTH 67°52'46" EAST, 889.74 FEET, AN ARC DISTANCE OF 892.13 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 75°08'27" EAST, 176.95 FEET TO A POINT BEING THE NORTHEAST CORNER OF SAID ADJUSTED TRACT A; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE EAST LINE OF SAID ADJUSTED TRACT A AND ITS PROLONGATION, BEING THE EAST LINE OF SAID ADJUSTED PARCEL B, SOUTH 12°03'12" EAST, 1644.66 FEET TO THE POINT OF BEGINNING AND CONTAINS 1,527.037 SQUARE FEET, OR 35.056 ACRES, MORE OR LESS ACCORDING TO SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF AUGUST, 2021 UNDER ORDER NUMBER 20-07-232.

SURVEYOR'S CERTIFICATE:

THE STERLING COMPANY
ORDER NUMBER: 20-07-232
5055 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

TO: McBRIDE BERRA LAND COMPANY, LLC, TITLE PARTNERS AGENCY, AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-15, 6(A), 7(A), 8, 11, 13, 16 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 13, 2021.

WE FURTHER CERTIFY THAT THIS SURVEY MEETS THE "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" (2 CSR 90-60, EFFECTIVE AS OF THE DATE OF THIS SURVEY) AS AN "URBAN PROPERTY".

THE STERLING COMPANY
MO. REG. 307-D

VIRGINIA W. HUMISTON, P.L.S.
MO. REG. L.S. #2006016645

DATE

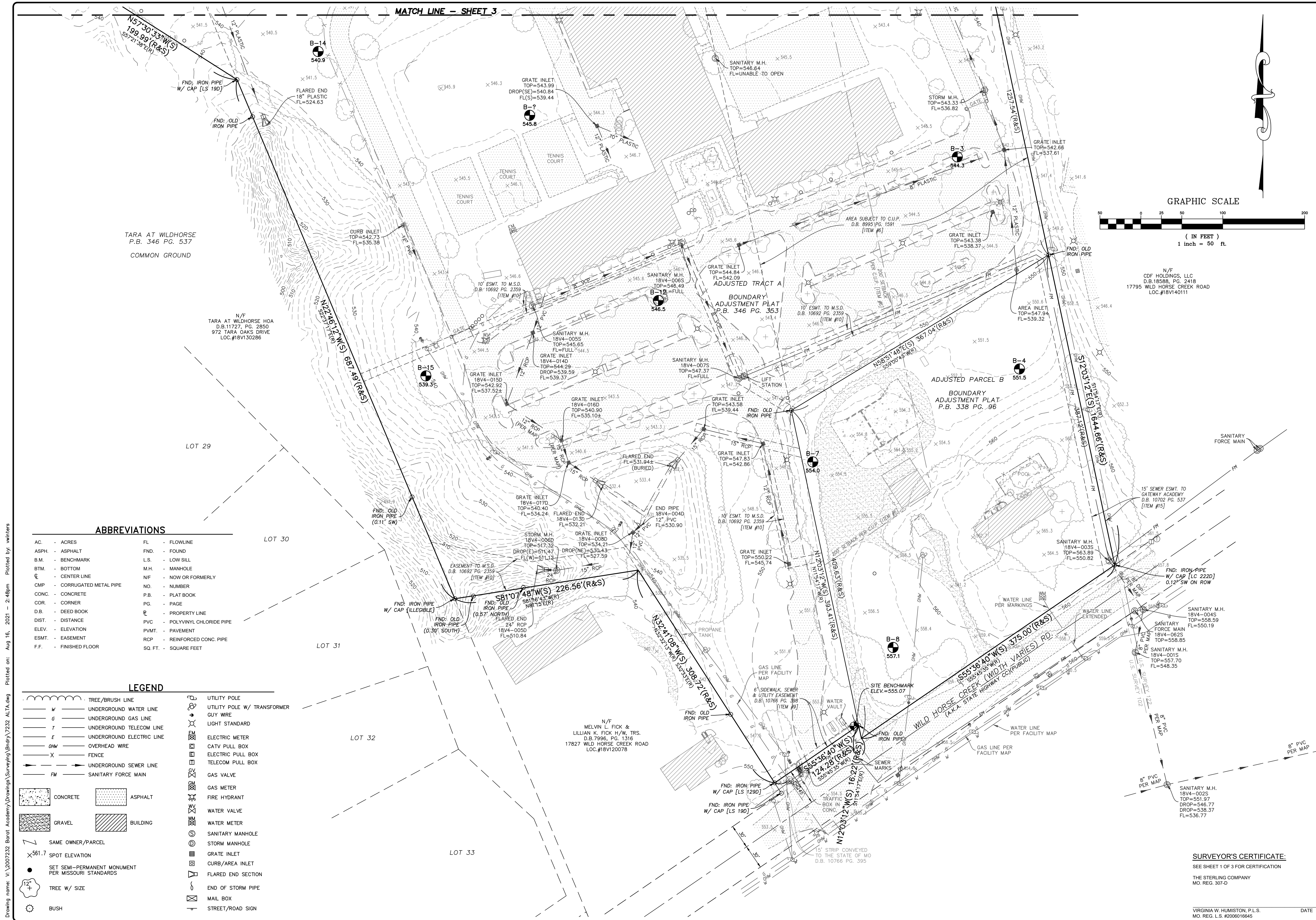
ISSUE	REMARKS/DATE
1	ORIGINAL ISSUE

PREPARED FOR:

**McBRIDE BERRA
LAND COMPANY, LLC**
5051 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129
(314) 487-6717

THE **STERLING** CO.
ENGINEERS & SURVEYORS
5055 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129
(314) 487-0440 FAX 487-6944
E-Mail: Sterling-eng-sur.com
Comp. Cert. of Authority: #00346

DRAWN:	V.W.H.	DESIGNED:		CHECKED:	J.A.H.
PROJECT:	BARAT ACADEMY				SHEET TITLE: ALTA/NSPS LAND TITLE SURVEY
NO.	20	07	232	SHEET	
M.S.D.	P# N/A			1	
DIGITAL FILE LOCATION SERVER=STERLING-2 PLOT=7232 ALTA.DWG				OF 3	

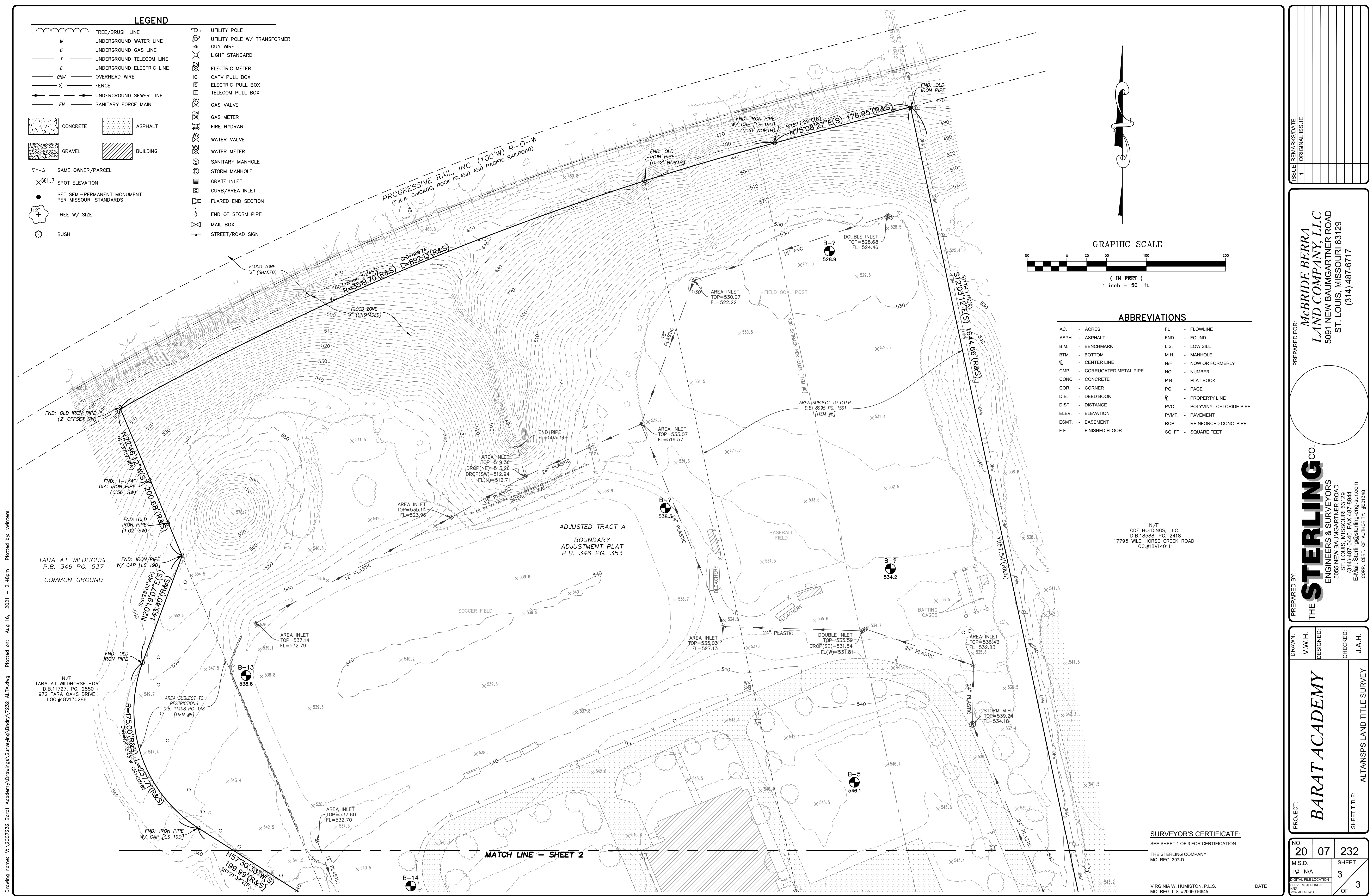
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PREPARED FOR:
McBRIDE BERRA
LAND COMPANY, LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129
(314) 487-6717

PREPARED BY:

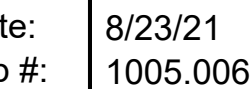
THE STERLING CO.
ENGINEERS & SURVEYORS
5055 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63112
(314) 487-0440 FAX 487-8344
E-Mail: Sterling@sterling-eng.com
CORP. CERT. OF AUTHORITY: #001348

PROJECT:		DRAWN: V.W.H.		DESIGNED:		CHECKED:	
BARAT ACADEMY		ALTANSPS LAND TITLE SURVEY		SHEET TITLE:		J.A.H.	
NO.		20		07		232	
M.S.D.						SHEET	
P# N/A						2	
DIGITAL FILE LOCATION						OF	
SERVER-STERLING-2						3	
K.O.							
CSD-AZTA.DWG							





17803 & 17815 & 17831 Wild Horse Creek Road
Chesterfield, Missouri



LOOMIS ASSOCIATES INC.
Missouri State Certificat

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: March 21, 2022

RE: **P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC):**

A request for a change in zoning from an E-1AC Estate One Acre District to a PUD—Planned Unit Development for 35.0 acres located at 17803, 17815 and 17831 Wild Horse Creek Road (18V130099, 18V140065, & 18V140098).

Summary

McBride Berra Land Company, LLC has submitted a request to change the zoning for a tract of land totally 35.0 acres from an “E-1AC”—Estate One Acre District to a “PUD” Planned Unit Development District. The petitioner is requesting to zone the property “PUD” Planned Unit Development as part of a two-step zoning process. The first step in this process is to request a change of zoning to a conventional “E” District in order to establish the development density that is being requested in conjunction with the “PUD” petition. In order to satisfy this first step, the Petitioner has submitted P.Z. 11-2021 concurrently with the “PUD” request.

A Public Hearing was held on October 25, 2021 for this petition, during which the City of Chesterfield Planning Commission raised multiple issues regarding:

- Vehicular access to and from Wild Horse Creek Road
- The preservation of Blake Mound, and
- The nature of the PUD request itself

These issues—and the applicant’s responses to each—were discussed in detail at the February 14, 2022 Planning Commission meeting, with Planning Commission voting to approve this petition, as presented, by a vote of 9-0.

On March 10, 2022, Planning and Public Works Committee motioned to approve this petition, as presented, by a vote of 4-0.

Attached to this memo, please find draft legislation, a copy of the Draft Attachment A, February 14, 2022 Staff Report, Issues Response Letter, Narrative Statement, and Preliminary Development Plan Packet.

Attachments: Legislation
Draft Attachment A
February 14, 2022 Staff Report
Issues Response Letter
Narrative Statement
Preliminary Development Plan Packet





Figure 1: Subject Site Aerial

BILL NO. 3387

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “E-1AC” ESTATE ONE ACRE DISTRICT TO A “PUD” PLANNED UNIT DEVELOPMENT FOR A 35.0-ACRE TRACT OF LAND LOCATED AT 17803, 17815 AND 17831 WILD HORSE CREEK ROAD (P.Z. 12-2021 {MCBRIDE BERRA LAND COMPANY, LLC} 18V130099, 18V140065, & 18V140098).

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

WHEREAS, a Public Hearing was held before the Planning Commission on October 25, 2021; and,

WHEREAS, the Planning Commission, on February 14, 2022, having considered said request, recommended approval of the change of zoning, as presented; and,

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

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

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

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

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

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 as and made part of.

Section 3. The City Council, pursuant to the petition filed by McBride Berra Land Company, LLC in P.Z. 12-2021, requesting the amendment embodied in this ordinance, and pursuant to the recommendation of the City of Chesterfield Planning Commission that said petition be granted and after a public hearing, held by the Planning Commission on the 25th day of October 2021, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2022

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 03/21/2022

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 Planned Unit Development (PUD) District shall be:
 - a. Dwellings, Single Family Detached

B. DENSITY REQUIREMENTS

1. The total number of single-family residential units shall not exceed thirty-five (35) units.

C. SETBACKS

1. Structure Setbacks for each lot shall be as follows:
 - a. Twenty-five (25) feet from all internal rights-of-way.
 - b. Twenty-five (25) feet from the rear property line.
 - c. Eight (8) feet from the side property line, with a minimum distance of twenty (20) feet between residential structures.
2. No building or structure, other than: a freestanding project identification/ornamental entrance monument sign, light standards, retaining walls or flag poles shall be located within the above listed setbacks.
3. Lot Setbacks shall be as follows:
 - a. All developed lots must be set back at least fifty (50) feet from the Wild Horse Creek Road right-of-way.

D. DEVELOPMENT STANDARDS

1. Minimum lot size for this development shall be 22,000 square feet.
2. Maximum height of all structures shall be fifty (50) feet.
3. Minimum lot width for this development shall be 110 feet.
4. A minimum of thirty percent (30%) of Common Open Space shall be required for this district.

E. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
2. Parking lots shall not be used as streets.
3. No construction related parking shall be permitted within right of way or established cross access or ingress/egress easements on any existing roadways. All construction related parking shall be confined to the development.
4. 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.

F. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Landscape Buffer Requirements:
 - a. A fifty (50) foot Landscape Buffer shall be required along the southern boundary of this PUD District as depicted on the Preliminary Development Plan.
 - b. A thirty (30) foot Landscape Buffer shall be required along all other boundaries of this PUD district as depicted on the Preliminary Development Plan.

G. 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 Highways and Traffic (or MoDOT), for sight distance considerations prior to installation or construction.

H. LIGHT REQUIREMENTS

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

I. ARCHITECTURAL

The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.

J. ACCESS/ACCESS MANAGEMENT

1. Access to the development from Wild Horse Creek Road shall be from a single entrance as shown on the Preliminary Development Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield and the Missouri Department of Transportation.
2. 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.
3. Provide cross access to the adjacent property to the west as directed by City of Chesterfield.

K. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the agency in control of the right of way off of which the entrance is constructed. No gate installation will be permitted on public right of way.

2. If a gate is installed on a street in a development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.
3. All roadway and related improvements in each plat or phase of the development shall be constructed prior to issuance of building permits exceeding 60% for that plat or phase. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 60%.
4. Provide a 5-foot wide sidewalk, conforming to ADA standards, along Wild Horse Creek Road as approved by MoDOT and the City of Chesterfield. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk should be located within MoDOT right-of-way, if permitted by MoDOT, or on private property within a 6-foot-wide sidewalk, maintenance and utility easement dedicated for public use.
5. Obtain approvals from the City of Chesterfield and the Missouri Department of Transportation and other entities as necessary for locations of proposed curb cuts and access points, areas of new dedication, and roadway improvements.
6. Additional right-of-way and road improvements shall be provided, as required by the Missouri Department of Transportation and the City of Chesterfield.
7. Provide an on-site pedestrian walking trail as shown on the Preliminary Development Plan. The trail shall conform to ADA standards, as necessary.
8. If streets are phased, platted, or constructed in such a way that temporary stub streets are created, stub street signage, in conformance with City Code Section 31-04-09, shall be posted within 30 days of the street pavement being placed.

L. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield and Missouri 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 Wild Horse Creek Road. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

M. POWER OF REVIEW

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

N. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield and the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty percent (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on all Site Development Plans.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least thirty (30) feet horizontally from the limits of the one hundred (100) year high water.

6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
7. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).

O. SANITARY SEWER

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

P. 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.

Q. MISCELLANEOUS

1. The onsite mound, also known as “Blake Mound”, depicted on the Preliminary Development Plan, marked as Attachment B and attached hereto, shall be preserved as directed by the City of Chesterfield.
 - a. The mound shall be maintained in perpetuity by the subdivision Homeowners Association.
 - b. A note stating that maintenance shall be the responsibility of the Homeowners Association shall be included on all site plans and plats.
 - c. Any sales contract for subdivided lots, or new home construction, shall include a disclosure statement advising the purchaser that the Homeowners Association is responsible for the maintenance of the mound.

- d. The mound shall be subject to the provisions of Chesterfield City Code Section 210.1270.
2. Existing overhead electric lines and poles serving these properties shall be removed and all new utilities shall be installed underground.
3. 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.
4. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered land surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
5. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield and Missouri Department of Transportation. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

II. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

1. Provide mail delivery locations.
2. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
3. Outboundary plat and legal description of property.
4. Density calculations.

5. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
6. Provide common open space percentage for overall development.
7. A note indicating all utilities will be installed underground.
8. A note stating all above ground utility facilities larger than 2 feet in height or covering in excess of 4 square feet in size shall be screened from public view. If screening is completed by landscape material, a landscape plan identifying the size, location and species shall be submitted and approved by the City prior to installation of any facility.
9. Specific structure and parking setbacks along all roadways and property lines.
10. Floodplain boundaries.
11. 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.
12. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
13. Address trees and landscaping in accordance with the City of Chesterfield Code.
14. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
15. 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.
16. 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.

17. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

III. TRUST FUND CONTRIBUTION

- A.** The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Eatherton – Kehrs Mill Road (No. 552). 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>
Single Family	\$1,271.72 / parking space

(Parking spaces as required by the City of Chesterfield)

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 Saint Louis County Department of Transportation and the City of Chesterfield. Sidewalk construction and utility relocation, among other items, are not considered allowable credits.

1. As this development is located within a trust fund area established by Saint 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.
2. Traffic Generation Assessment contributions shall be deposited with Saint 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, Saint Louis County.

3. The amount of all required contributions, if not submitted by January 1, 2023, 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.
- B.** 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.

IV. RECORDING

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

V. ENFORCEMENT

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



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Planning Commission Staff Report

Meeting Date: February 14, 2022

From: Chris Dietz, Planner 

Location: 17803, 17815 and 17831 Wild Horse Creek Road

Description: **P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC):** A request for a change in zoning from an E-1AC Estate District to a PUD—Planned Unit Development for 35.0 acres located at 17803, 17815 and 17831 Wild Horse Creek Road (18V130099, 18V140065, & 18V140098).

SUMMARY

McBride Berra Land Company, LLC has submitted a request to change the zoning for a tract of land totally 35.0 acres from an “E-1AC”—Estate One Acre District to a “PUD” Planned Unit Development District. The petitioner is requesting to zone the property “PUD” Planned Unit Development as part of a two-step zoning process. The first step in this process is to request a change of zoning to a conventional “E” District in order to establish the development density that is being requested in conjunction with the “PUD” petition. In order to satisfy this first step, the Petitioner has submitted P.Z. 11-2021 concurrently with the “PUD” request. A Public Hearing was held for this petition at the October 25, 2021 Planning Commission Meeting, during which multiple issues were raised. These issues will be discussed in detail later in this report.



Figure 1: Subject Site

"PUD" DISTRICT REGULATIONS

The Unified Development Code Section 405.03.040.K states that the purpose of the PUD District is to encourage flexibility to the density requirements and development standards of the zoning ordinance that will result in exceptional design, character, and quality of new homogenous and mixed-use developments; to promote the most appropriate use of land; to facilitate the provision of streets and utilities; and to preserve the natural and scenic features and open space.

The Unified Development Code requires that any zoning petition requesting a zoning map amendment to the PUD district meet four (4) General Requirements in order to fulfill the basic application requirements for a PUD. Below is a list of these requirements and a description of how the request complies with each of them.

- 1. All property that is at least four (4) contiguous acres shall be eligible for the PUD District designation.**

In total, all three (3) lots to be included in this new PUD would amount to a total of 35 acres.

- 2. All property to be zoned PUD or an existing PUD Zoning District being amended shall be under single ownership, or if under multiple ownership, then by written consent of all owners who agree to be bound by the PUD District designation and regulations.**

All parcels included in this request are currently under single ownership.

- 3. The detailed standards set forth herein are minimum requirements, and it is the intent of this Section that the City of Chesterfield may impose conditions and safeguards in excess of, or in addition to, the specified minimal requirements. Satisfying the minimum standards set forth herein does not per se indicate that an application is entitled to a zoning change and notice is hereby given to that effect.**

The petition meets the minimum requirements and the petitioner is aware that meeting these minimum requirements does not guarantee approval of the requested change of zoning. Additionally, the Petitioner is aware that requirements and conditions exceeding the minimum requirements may be imposed.

- 4. All utilities shall be installed underground.**

Per UDC requirements, all utilities shall be installed underground.

Once it has been determined that these four General Requirements have been met, the application is accepted and the petition is scheduled for public hearing before the Planning Commission.

Next, the project is reviewed against the **Minimum Design Requirements** for a PUD District. There are four (4) minimum design requirements that must be met in order for the project to qualify to ask for a change of zoning to the PUD District. These four (4) items are listed below, along with a description of how the request complies with each of them.

- 1. Proposal has to meet the maximum residential density determined by the existing zoning district or by submitting an application for a change of zoning from the "LLR" Large Lot Residential District to a residential zoning district.**

P.Z. 11-2021 satisfies the requirement that a petition for a change of zoning to a residential district that ultimately establishes the maximum development density be submitted.

- 2. Provision of thirty (30) percent Common Open Space to be displaced throughout the site and not concentrated in one (1) area or contain only that portion of the site that would be considered undevelopable.**

The draft ordinance for the proposed PUD requires a minimum of 30.0% of common open space.

- 3. Provision of perimeter buffer of at least thirty (30) feet in width.**

The Preliminary Development Plan includes a 50-foot buffer along Wild Horse Creek Road, and a 30-foot perimeter buffer along all other sides of the property.

- 4. Proposed project has to be consistent with the purposes and intent of the Comprehensive Plan and the City of Chesterfield Municipal Code.**

Information pertaining to the Comprehensive Plan land use designation is included in the Staff Report for P.Z. 11-2021 and the PUD purpose statement from the Unified Development Code is cited at the outset of this section.

In addition to these requirements above, the Unified Development Code lists twelve (12) **Design Features** suggested to be used by developers when applying for PUD District zoning. Section 405.03.040.K of the Unified Development Code also states the following: **“Satisfaction of all or any of these design features is not mandatory, but the approval of “PUD” zoning will be predicated on the use of the below list or any other design feature deemed desirable by the City of Chesterfield. Proposed inclusion of these design features within a “PUD” can increase the flexibility of design standards and the ability of the developer to negotiate the mitigation of other requirements”.** Below is a list of the suggested Design Features from the City Code:

- Placement of structures on most suitable sites with consideration of maintaining existing site topography, soils, vegetation, slope, etc.;
- Preservation of natural and cultural areas, as well as the creation of open space through active and passive recreation areas to include greenways, landscape gardens, plazas, and walking and cycling trails that serve to connect significant areas and various land uses;
- Preservation of existing mature trees and trees deemed extraordinary by the City of Chesterfield Tree Specialist due to but not limited to the following: size, type, origin, grouping, or number of;
- Enhanced landscaping, deeper and opaque buffers, and increased planting along public rights-of-way, open space/recreational areas, and the overall perimeter to protect and ensure compatibility with adjacent land uses;
- Utilization of mixed-use buildings;
- Utilization of Traditional Neighborhood Design (TND) techniques in the layout and spatial organization of the development;
- Structures designed and constructed of an architectural vernacular that exceeds the typical building design and materials within the City of Chesterfield;

- Segregation of vehicular traffic from pedestrian/bicycle circulation networks, and other traffic mitigation measures;
- Incorporation of Transit Oriented Development (TOD) or direct access to public transportation;
- Provision of affordable housing;
- Utilization of Leadership in Energy and Environmental Design (LEED) construction practices and development standards and the proposed LEED certification of buildings and grounds by the U.S. Green Building Council within the PUD; and
- Inclusion of community facilities and the access thereto.

These desirable design features are meant to guide developers and explain the high-quality standards that the City would like to attain and that are utilized to consider requests for PUD Zoning. No single proposal is expected to include each of these items; however, some of these and similar concepts should be easily identifiable in any PUD petition.

PUBLIC HEARING

A Public Hearing for this petition was held at the October 25, 2021 Planning Commission Meeting, during which one speaker spoke in favor of the petition, as well as two (2) neutral speakers. There were no speakers in opposition to the petition. Multiple issues regarding Blake Mound, the PUD request, and access along Wild Horse Creek Road were raised by Planning Commission. These issues are discussed in further detail below.

ISSUES RAISED

Below are issues raised at the Public Hearing, along with the applicant's response to each of them:

Issue: Access along Wild Horse Creek Rd.—Concern was raised about access to both the proposed subdivision and the adjacent property to the west. Specifically:

- a. Provide cross-access to this adjacent property, adhering to the City's Driveway Access Location and Design Standards.

Applicant's response: Cross-access has been provided for the adjacent property to the west on the revised Preliminary Development Plan and complies with the City's Driveway Access Location and Design Standards.

- b. Provide comments from MODOT regarding how vehicular access and turning movement from and to Wild Horse Creek Rd. will be handled.

Applicant's response: The applicant has furnished a response from MODOT confirming the agency's approval and conditions for vehicular access from Wild Horse Creek Rd. Such issues will be reviewed during the Site Plan review process following the approval of this request.

Issue: Blake Mound—Significant discussion was had on the earthen structure toward the northwest corner of the site. Specifically:

- a. Provide information on the location and significance of the cave located on the property and provide details on how this will be protected, similar to the mound itself.

Applicant's response: *The cave is actually located offsite on an adjacent property. As such, it is not in the scope of historic preservation of the subject site.*

- b. Address how the developer is proposing to ensure that residents and visitors alike are aware of the regulations prohibiting the unauthorized access and tampering with the mound and cave.

Applicant's response: *The applicant will take the following actions to ensure that residents and general public are aware of the regulations concerning the mound:*

- *Stating the restrictive covenants in the deed that conveys the common ground area to the Homeowners' Association.*
 - *Outlining the use, prohibitions and maintenance of the mound in the required covenants, conditions and restrictions governing the development. This may not preclude walking on the mound, but should prohibit penetration of the mound.*
 - *Placing signage around the mound outside of the mound area, identifying its presence.*
- c. Provide the exact distance from the nearest lot to the mound, as shown on the Preliminary Development Plan.

Applicant's response: *The mound is approximately 160 feet from Lot 25 and 170 feet from Lot 26 on the Preliminary Development Plan.*

Staff Input: Staff has provided language under the Miscellaneous section of the draft Attachment A regarding the preservation of Blake Mound, which is included in the Planning Commission Packet.

Issue: PUD Request— Planning Commission expressed concern as to the nature of the request to designate this development as a PUD. Specifically:

- a. Comprise an exhaustive list of what amenities, exactly, are being proposed with this request.

Applicant's response: *Proposed amenities include:*

- | | |
|--|------------------------------------|
| • <i>Mound preservation (including monument and signage)</i> | • <i>Pickleball court</i> |
| • <i>Parking area</i> | • <i>Butterfly garden</i> |
| • <i>Mulch trail around the mound</i> | • <i>Reading bench</i> |
| • <i>Pavilion</i> | • <i>Neighborhood library box.</i> |

- b. Provide a written explanation as to why the E-1AC district is being requested versus the E-½-AC (half-acre) district.

Applicant's response: The applicant has stated that designing a plan with the "E-1/2AC" density rather than the proposed E-1AC could allow a plan to be developed that would not include the extensive amount of common ground, tree preservation and large buffer areas. The applicant further states that this is only accomplished by clustering the lots to the interior of the site through the flexibility allowed by the PUD. Additionally, the applicant believes that rezoning to "E-1/2AC" rather than "E-1AC" would allow a developer to create 70 lots on this 35-acre parcel, rather than the 35 lots proposed. Lastly, the applicant believes that residents in this particular area of the City will wish to keep the density at one (1) acre per lot, similar to surrounding developments.

Staff Input: The relative differences between the E-1AC, E-1/2AC and the proposed PUD regulations are shown in the table below:

Lot Criteria	E-1AC	E-1/2AC	PUD (Requested)
Minimum Lot Size (ft ²)	43,560	21,780	22,000
Structure Height	50'	50'	50'
Front Setback (from ROW)	25'	20'	25'
Side Setback	25'	15'	8' (20' between structures)
Rear Setback	40' (between structures)	30' (between structures)	25'
Lot Width	At least 125'	At least 85'	110'

Table 1: Lot Criteria

PRELIMINARY DEVELOPMENT PLAN

A Preliminary Development Plan has been submitted in conjunction with this PUD request, as required by Code. The Plan depicts 35 single-family residential lots within a 35-acre tract of land, bringing the overall density of the site to one (1) house per acre. Each lot will have a minimum width of 110' and a minimum area of 22,000 square feet. Each lot will have structure setbacks of 25' from right-of-way, 8' from the sides and 25' from the rear.

A minimum of 20' will remain between structures. While similar setback requirements can be found elsewhere in the City, this typically causes lots within residential developments to have different setback requirements between each other, and may cause issues with enforcement for future zoning approvals, should additional structures or additions be added to these lots.

A single vehicular entrance to the proposed subdivision is shown along Wild Horse Creek Road, aligning with the subdivision access across the street. Sidewalks are shown along either side of all internal streets which are proposed as public rights-of-way.

Blake Mound—listed as a structure of historic interest as determined by the Chesterfield Historic Landmark and Preservation Committee—is also shown on the Plan. The applicant has included this earthen structure on the plan in order to preserve its place, while providing an educational monument and signage for the mound. 12.5 acres will be dedicated to common ground, which will include the

mound itself, a mulch trail around the mound, pavilion and a parking area intended for residents within the subdivision visiting the mound.

The applicant is proposing to retain 88% of the existing tree canopy. A 50' landscape buffer is proposed along Wild Horse Creek Rd. with 30' landscape buffers along the sides and rear of the property. Specifically, the west and north boundaries of this site include wooded area with significant topographical changes that are shown to remain, beyond the 30' landscape buffer.

ADDITIONAL INFORMATION

For additional information on the site history, surrounding land uses, and Comprehensive Plan land use designation, please refer to the Staff Report for P.Z. 11-2021, which was submitted in conjunction with this request as part of a two-step zoning process in order to obtain entitlements to develop this tract of land as a single-family residential subdivision. Staff has attached a draft copy of the proposed Attachment A language, Narrative Statement and Preliminary Development Plan Packet for further consideration.

REQUEST

Staff has reviewed the requested zoning map amendment by the Applicant as it pertains to the "PUD" request and has no further comments or outstanding issues on the zoning request before the Commission.

The petition has met all filing requirements and procedures of the City of Chesterfield. Additionally, all agency comments have been received and comments are represented in the provided Attachment A. Upon receiving recommendation on this petition from the Planning Commission, this zoning request will be forwarded to both the Planning and Public Works Committee and City Council for review.

Staff requests action on P.Z. 12-2021 Estates at Fire Rock (McBride Berra Land Co., LLC).

Attachments: Attachment A
 Narrative Statement
 Preliminary Development Plan Packet

McBride Berra Land Company, LLC

17415 North Outer Forty Road
Chesterfield, Missouri 63005
Tel: 636-537-2000

12/29/2021

December 29, 2021

Via email to: cdietz@chesterfield.mo.us

Chris Dietz
Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

RE: Estates at Fire Rock
Property: 17803, 17815 and 17831 Wild Horse Creek Road

Dear Mr. Dietz:

On behalf of McBride Berra Land Company, LLC, enclosed please find the following responses to your October 29, 2021, issue letter regarding the Estates at Fire Rock project. In addition, the revised narrative and the revised plan addressing several of the City's comments are attached hereto.

Issue list:

- 1.a. Cross-access has been provided and shown on the revised plan.
- 1.b. MODOT comments have been provided to you previously. These comments are also addressed on the revised plan.
- 2.a. The cave is located in railroad right-of-way directly to the north of the mound at the bottom of the bluff along the railroad tracks. This is located outside of the subject property.
- 2.b. We agree to the following actions to ensure that the residents and general public are aware of the regulations concerning the mound:
 - Stating the restrictive covenants in the deed that conveys the common ground area to the homeowners' association
 - Outlining the use, prohibitions and maintenance of the mound in the required covenants, conditions and restrictions governing the community
 - Placing signage around the mound (will need to be outside the limits of the mound area)
 - Causing buyers to sign a disclosure at time of contract acknowledging their understanding of the regulations concerning the mound
- 2.c. The mound is approximately 160 ft from Lot 25 and 170 ft from Lot 26. This location was well thought out and planned so that no home will be too close to negatively disturb the land surrounding the mound, yet also will be close enough to discourage unknown/unwanted use of the mound and will provide a source of added protection that is not currently there. To clarify, our continued discussions with Mark Leach concerning the mound lead to a determination that walking on the mound would not be prohibited. Any activity involving ground penetration is what should be prohibited.

- 3.a. The amenities proposed with this plan include mound preservation, including monuments, informational signage and parking, a mulch trail around the mound, a pavilion for gatherings, 12.5 acres of common ground, 9.6 acres of tree preservation, 30' wide landscape buffers along the perimeter of the site, with 50' wide landscape buffers along Wild Horse Creek Road, and a meandering sidewalk along Wild Horse Creek Road. The revised plan also shows a pickleball court near the pavilion area, a butterfly garden, a reading bench, and a neighborhood library box.
- 3.b. Designing a plan with the E ½ acre density rather than the E-1 PUD that we are currently seeking could allow a plan to be developed that would not include the extensive amount of common ground (which provides room for all of the amenities previously mentioned), tree preservation, and large buffer areas that we are currently showing. We are only able to provide all of the foregoing features by clustering the lots to the interior of the site through the flexibility allowed by the PUD. Additionally, rezoning this property to an E ½ acre density rather than E-1 PUD would allow a developer to create 70 lots on this 35 acre parcel, rather than the 35 lots we have planned. We believe the City and residents want to preserve the one home per acre density that we are seeking with our plan.

Attachment A:

Landscape requirements:
Understood

Lighting requirements:
Understood and will be provided with improvement plans.

Access Management:
Understood. Sight Distance Analysis has been provided with the plan.

Public/Private Road Improvements, Including Pedestrian Circulation:
Understood. A sidewalk along Wild Horse Creek Road has been provided and shown on the revised plan. The walking trail will not conform to ADA standards because it was designed as a mulch trail to avoid disturbing the surface of the area around the mound.

Storm Water:
Understood and improvement plans will comply.

Sanitary Sewer:
Understood and improvement plans will comply.

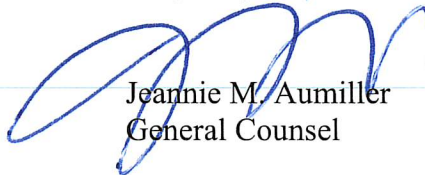
Miscellaneous:
Understood

Submittal Comments to be Addressed:

1. Flood Zone "X" (shaded) limits are shown on the plan.
2. A sidewalk along Wild Horse Creek Road has been provided and shown on the revised plan.
3. Provided
4. Noted
5. USPS has approved
6. Zoning labels added
7. Dimensions shown on plan.
8. The word "residential" was added to the narrative
9. Note added showing 50' Landscape Buffer on the revised plan
10. This was corrected in the narrative
11. Understood and improvement plans will comply

Please let us know if you have any questions regarding the above responses or the enclosed plan. We look forward to hearing from you and we hope to be placed on the next earliest agenda that is possible for the City.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jeannie M. Aumiller", is written over the typed name and title.

Jeannie M. Aumiller
General Counsel

Enclosures

a. General Description of the Proposal:

McBride Homes (“McBride”) is proud to have the opportunity to unveil its newest project to the City of Chesterfield, Estates at Fire Rock. McBride is proposing to develop the approximately 35 acres of property along Wild Horse Creek Road and is requesting an E-1AC Planned Unit Development zoning, from the current LLR and NU zoning, in order to permit the development. The project consists of 35 residential home sites on approx. 35 acres, yielding a density of 1 home per acre. Each lot will be a minimum of 110’ wide and 22,000 sq. ft. in size, which is consistent with the nearby Wilmas Farm subdivision. This project will contain 12.5 acres of common ground, including a private trail, pavilion, signage and parking for our residents to visit Blake Mound. McBride will be constructing its luxury home product lines on the property, most of which will feature enhanced architectural features and luxury finishes. McBride researched the densities, site development characteristics and architectural elements of the homes in surrounding subdivisions in order to create a project that is compatible with the surrounding communities. In addition, McBride has made every effort to preserve many of the existing trees located on the site, reaching an 88% existing tree preservation.

b. List of requested uses:

McBride is requesting single-family detached residential use for the entire site. The site will also contain common ground (including common ground amenities) and public streets.

c. Proposed Land Uses and development standards, density and height limitations, yard requirements (compatible with nearby uses and Comprehensive Plan):

McBride is requesting a single-family detached residential land use for the site. The development standards are noted throughout this application and identified on the plan. The proposed density is 1 dwelling per acre, as the plan includes 35 lots on approx. 35 acres. The site is surrounded by residential land uses and the plan is compatible with those uses.

Maximum building height will be less than fifty feet which is consistent with the E-1AC district and the PUD.

The minimum front yard setback will be twenty feet (25’). The minimum rear yard setback will be twenty-five feet (25’), and the minimum side yard setback will be eight feet (8’), however twenty feet (20’) will be maintained between residential structures.

The project is consistent with the City’s Comprehensive Plan and is expressly consistent with the Comprehensive Plan goal of supporting desired development and growth, and implements the following strategies set forth in the Comprehensive Plan:

Improve development design: The Comprehensive Plan promotes creating a harmonious and compatible design in new development and stresses following standards that apply to particular areas. The layout of this plan and the housing proposed for this area are very compatible with the design in the communities that have been recently created and existing in the area.

Chesterfield destination brand identity: Similar to the new neighborhoods McBride has created along Wild Horse Creek Road in the recent past, McBride will install significant enhanced landscaping along Wild Horse Creek Road which has become a signature identity for the Chesterfield neighborhoods along Wild Horse Creek Road. No lots will be adjacent to Wild Horse Creek Road, maintaining the look and feel of the area.

Strengthen neighborhoods and expand housing choice: Creating this new community on this vacant ground will enhance the area as well as provide additional luxury housing options to allow for the expected growth in the City.

Ensure connectivity in new development: The internal sidewalks and trail will provide safe pedestrian access within the community.

Support healthy living: The sidewalks and the trails through the common ground areas will help to support a healthy lifestyle by providing much needed and desired walking and biking opportunities for the residents. The pickleball court will also provide an opportunity for exercise and fun for the residents. The plan also includes a pavilion that will provide more gathering space and entertainment area for the residents of this community.

Promote Tree preservation: This plan provides a large tree preservation area of 9.6 acres of the site, with 88% of existing tree preservation. This plan helps the City's goal of supporting natural habitats, improving water quality, and moderating negative effects of sun, rain and wind.

The Land Use Plan in the Comprehensive Plan defines this area as Suburban Neighborhood. This category is defined by the City as the area to provide uniform housing densities and homes oriented to the interior of the site to provide large buffers and landscaping. This plan certainly achieves this goal and vision by the City and provides a new development that reinforces existing development patterns in the area.

d. List of Permitted uses for each tract:

As stated above, McBride is requesting a single-family detached residential land use for the entire site.

e. Exceptions or variations from the requirement of the Zoning Ordinance:

McBride is requesting a modification from the City's ordinances with regard to the side-yard setbacks. This plan includes an 8' minimum side yard setback, with 20' between

structures, rather than the required 15' side yard setback. This modification will allow McBride to build luxury homes with a 3-car garage, and to create a more clustered development, keeping homes a significant distance from Wild Horse Creek Road and from existing neighboring homes, allowing for a significant buffer around the perimeter of the site, and preserving Blake Mound, which will achieve the goals of the City's Code for preserving trees and creating more open space. This side yard setback is in line with existing neighborhoods in the general vicinity of this project.

f. Table Showing Number of Acres in the proposed development and each proposed land use including public facilities:

This site contains approx. 35 acres and will be entirely devoted to residential land use. The public streets will consist of 3.2 acres. The common ground contains 12.5 acres.

g. Proposed dedication or reservation of land for public use, including streets and easements.

The project includes 3.2 acres of public streets and all of the necessary utility easements. Additionally, McBride is planning on a 15-foot wide dedication strip along Wild Horse Creek Road.

h. Plans for parking, loading, access ways, and means of protecting adjacent areas from lighting and other potential, adverse effects.

The site design features one access point on Wild Horse Creek Road that will provide proper access for this small new residential development.

i. Phases for Construction:

McBride anticipates that the entire site will be developed in one phase, anticipated to begin in the Spring of 2022 and forecasted for completion during the Fall of 2022. This is McBride's best estimate at this time and is subject to market conditions.

j. Landscaping and Tree Preservation:

McBride is proposing to preserve 88% of the existing trees located on the site, which is considerably more than the City's 30% tree preservation requirement. The preservation of these trees will be an important characteristic of the overall community and is also identified by the City's Zoning Code as a key design feature.

In addition to the planned tree preservation, McBride intends to install extensive landscaping throughout the community. McBride is proposing enhanced landscape buffers along perimeters of the development, including Wild Horse Creek Road. The planned buffer is to be 30 feet wide along the perimeter of the site. The buffer area along the southern property line (adjacent to Wild Horse Creek Road) is a minimum of 50 feet in width, which includes the required perimeter landscape buffer and common open

space. All of the foregoing buffer areas are located on common open space and not located within any lots.

Furthermore, the Zoning Code requires 30% of the total site acreage to be kept as open space, and the Estates at Fire Rock plan exceeds this goal by including 35% of the site as open space as a key feature of this project.

k. Character of and rationale for the PUD:

The City's zoning code states that the purpose of a PUD District is to encourage flexibility to the density requirements and development standards of the zoning ordinance that will result in exceptional design, character, and quality of new development; to promote the most appropriate use of land; to facilitate the provision of streets and utilities; and to preserve the natural and scenic features and open space. Therefore, McBride had three primary considerations when it designed this project.

First, McBride wanted the project to compliment the existing communities in the area. After a careful study of the surrounding area, McBride determined that one-acre density was consistent with the area. While the one-acre density does not yield as many homes for McBride, McBride felt it would be important to neighboring property owners that one-acre density be maintained (note - many communities in the area exceed 1-acre density), so McBride designed the plan with 1-acre density. The City's Zoning Code identifies compatibility with surrounding land uses and the Comprehensive Plan as a "general consideration" for the PUD, and the proposed E-1AC PUD zoning is consistent and compatible with the communities in the vicinity of the project.

Some of the neighboring subdivisions are zoned R-1 and/or E-1 PUD and E ½ WH Overlay, containing the same (or more intense) density, lot size and type of zoning as the Estates at Fire Rock project. And, since the City's Comprehensive Plan appears to classify this area as "Suburban Neighborhood," this proposal is entirely consistent with the Comprehensive Plan.

Second, the site contains many mature trees that McBride is seeking to preserve with its 88% existing tree mass preservation. This natural feature will enhance the desirability of the location which contributes to the sustainability of the community. The environmental benefits of preserving these trees are numerous. The natural vegetation will cleanse and filter storm water and recharge the groundwater. The preservation of the trees along Wild Horse Creek Road will preserve the natural sightlines along the road and provide a nice buffer for the community. The current view of the property from Wild Horse Creek Road will remain largely unchanged by the new Estates at Fire Rock development. McBride also placed great care in preserving Blake Mound which is located on the site. The existence and desire to maintain and preserve this archaeological site was brought to McBride's attention and McBride has developed a plan around the site with great emphasis on its historical presence and preservation. The preservation of these natural features is a design feature required by the City's Zoning Code.

PUD zoning is necessary for the Estates at Fire Rock project in order to allow for flexibility in some of the design standards in the E-1AC zoning category while preserving many of the natural features of the site. Most notably, the lot sizes will be less than one-acre; however, the lot sizes will all exceed 22,000 square feet. The overall density of the site is actually one-acre density because the project consists of only 35 lots on 35 acres.

The design and construction of homes with an architectural vernacular that exceeds the typical building designs is also noted as a design feature in the PUD section of the City's Zoning Code. This design feature is achieved by offering McBride's luxury housing products on this site. McBride believes that the proposed luxury home products to be offered will be marketable and help keep area real estate values high. Brick and stone elements are included on most of the elevations, three car garage options will be offered, and each home will have a fully sodded yard and landscaping package.

The City's Zoning Code identifies environmentally conscious building techniques as a design feature of the PUD. McBride is committed to this concept as well. McBride is proposing to offer several sustainable and environmentally conscious options in its homes, including: energy efficient appliances, low-e windows, low-flow toilets, low-flow faucets and high efficiency HVAC systems.

1. Description of Amenities or Recreational Facilities:

The highlights of this project are the 88% existing tree preservation and the preservation and perpetual maintenance of the historical archaeological site of Blake Mound. The 12.5 acres of common ground areas is easily accessible to all residents and will contain a private trail and pavilion, pickleball court, butterfly garden, reading bench, and a neighborhood library box, along with signage and a parking area near the area of the Blake Mound for use by our residents. There will be a 25-foot minimum structure and parking setback for any structure or parking area outside of a residential lot. Landscaping buffers will surround the site. All of the common areas, amenities and landscape buffers will be maintained by the homeowners' association.

All of the project's amenities and recreational areas will be connected by the trail and/or internal sidewalk system, both of which will connect to Wildhorse Creek Road. This interconnectivity will allow every future homeowner to easily walk to each recreational area within the project.

McBride is also planning a 50-foot wide landscape buffer along Wild Horse Creek Road, which will create an impressive sense of arrival to the community. This entrance will compliment the other community entrances in this area and have a cohesive design. Also, the enhanced landscaping, deep buffers and plantings along Wild Horse Creek Road are compliant with the design features contained in the PUD section of the City's Zoning Code.

m. Description of any Lands to be Dedicated for Public Facilities:

See Section “g” above.

n. Phasing:

See Section “i” above.

o. Phasing and time schedule for Lands to be Dedicated for Public Facilities:

McBride anticipates that the lands to be dedicated for public facilities anticipated for this project will be developed in one phase, as discussed in Section “i” above.

Estates at Fire Rock

A TRACT OF LAND BEING ALL OF
ADJUSTED PARCEL B OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S.
SURVEY 102, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI"
ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 96 OF THE ST.
LOUIS COUNTY, MISSOURI RECORDS AND PART OF ADJUSTED TRACT A OF "BOUNDARY
ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, IN TOWNSHIP 45 NORTH -
RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF
RECORDED IN PLAT BOOK 346 PAGE 353 OF SAID RECORDS, ALL LOCATED IN U.S. SURVEY
102, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD,
ST. LOUIS COUNTY, MISSOURI.

Preliminary Plan

GENERAL NOTES:

- THIS SITE IS IN THE FOLLOWING DISTRICTS:
METROPOLITAN ST. LOUIS SEWER DISTRICT
MONARCH FIRE PROTECTION DISTRICT
ROCKWOOD R-6 SCHOOL DISTRICT
Ward 4
- THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:
MISSOURI AMERICAN WATER COMPANY
AMEREN UE
AT&T
LACLEDE GAS COMPANY
CHARTER COMMUNICATIONS
- SANITARY SEWER CONSTRUCTION AND CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWERS AND DRAINAGE FACILITIES.
- STORM WATER SYSTEM SHALL BE DESIGNED PURSUANT TO THE CITY OF CHESTERFIELD AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT.
- NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT WHICH HAS BEEN ACCEPTED/APPROVED BY THE CITY OF CHESTERFIELD. APPROVAL OF THIS PLAN DOES NOT CONSTITUTE APPROVAL OF SLOPES IN EXCESS OF 3:1. STEEP SLOPES ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF CHESTERFIELD. REVIEW OF THE PROPOSED STEEP SLOPE WILL BE CONCURRENT WITH THE REVIEW OF THE GRADING PERMIT OR IMPROVEMENT PLANS FOR THE PROJECT.
- THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATION SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.
- GRADING SHALL BE PER CITY OF CHESTERFIELD STANDARDS. SOURCE OF TOPOGRAPHY LIDAR.
- STREET TREES AND STREET LIGHTS (UNLESS OTHERWISE DEPICTED) SHALL BE PER CITY OF CHESTERFIELD STANDARDS.
- NEAREST MAJOR INTERSECTION IS WILDHORSE CREEK ROAD AND LONG ROAD.
- ALL SIDEWALKS SHALL BE CONSTRUCTED TO ADA AND THE CITY OF CHESTERFIELD STANDARDS.

EXISTING OWNERS: Midland States Bank
17803 Wild Horse Creek Rd.
Chesterfield, MO 63105

OWNER UNDER CONTRACT: MCBRIDE BERRA LAND CO. LLC
5091 NEW BAUMGARTNER RD.
ST. LOUIS, MO 63129

- SITE TO CONFORM TO THE CITY OF CHESTERFIELD TREE REQUIREMENTS.
- MAXIMUM HEIGHT OF THE RESIDENCES WILL NOT EXCEED 50 FEET.
- SITE PLAN WILL MEET ALL CITY OF CHESTERFIELD REQUIREMENTS.
- LANDSCAPE EASEMENTS ARE ESTABLISHED AS A PROTECTED AREA FOR VEGETATIVE LANDSCAPING ONLY. STRUCTURES OF ANY SIZE, WHETHER TEMPORARY OR PERMANENT, ARE NOT PERMITTED WITHIN LANDSCAPE EASEMENTS. TRAILS SHALL BE ALLOWED WITHIN THE LANDSCAPE EASEMENTS. LANDSCAPING AS APPROVED BY THE CITY OF CHESTERFIELD DURING SITE PLAN REVIEW IS REQUIRED TO BE MAINTAINED AND PRESERVED INDEFINITELY BY THE RESIDENT OR A HOME OWNERS ASSOCIATION. FAILURE TO MAINTAIN OR PRESERVE LANDSCAPE EASEMENTS MAY RESULT IN INSPECTION AND ISSUANCE OF FINES BY THE CITY OF CHESTERFIELD. THIS LANGUAGE SHALL BE INCLUDED ON ALL PLANS, PLATS, ORDINANCES, SUBDIVISION INDENTURES, AND OTHER APPROPRIATE (WRITTEN) DOCUMENTS FOR THIS DEVELOPMENT.
- THIS PROJECT IS APPROXIMATELY 2,000 FEET AWAY FROM SPIRIT'S RUNWAY 26L AND THEREFORE AIRCRAFT NOISE WILL BE NOTICEABLE AT THE SITE ON A DAILY BASIS.
- ALL PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
- ANY MONUMENT SIGNS PROPOSED FOR THE DEVELOPMENT REQUIRES A SEPARATE APPROVAL PROCESS THRU THE CITY.
- PARKING TO BE ALLOWED ON ONE SIDE OF STREET ONLY. SEE PLAN FOR SIGNAGE LOCATIONS.
- ALL SIDEWALKS LOCATED WITHIN COMMON GROUND SHALL BE MAINTAINED BY THE SUBDIVISION HOMEOWNERS ASSOCIATION.

SITE INFORMATION

LOCATOR NUMBERS: 18V140065, 18V130099, 18V140098
SITE ADDRESS: 17815, 17803 AND 17831 WILD HORSE CREEK RD.
EXISTING ZONING: LLR
PROPOSED ZONING: E-1 WITH PUD (PLANNED UNIT DEVELOPMENT)
GROSS AREA OF SITE: 35.03 ACRES
DENSITY CALCULATIONS: 35.03 AC X 43,560 SQ. FT./AC. = 35 LOTS ALLOWED
(43,560 SQ. FT./LOT)

MAXIMUM NUMBER OF UNITS ALLOWED: 35
NUMBER OF UNITS PROPOSED: 35
LOT DEVELOPMENT REQUIREMENTS:
FRONT YARD SETBACK 25'
SIDE YARD SETBACK 8' (MIN. 20' BETWEEN STRUCTURES)
REAR YARD SETBACK 25'
NUMBER OF PARKING SPACES REQUIRED: TWO PER UNIT = 70 SPACES
NUMBER OF PARKING SPACES PROVIDED: 70
PROPOSED STREETS SHALL BE PUBLIC 50' W. R.O.W. WITH 26' W. P.W. AND BUILT TO THE CITY OF CHESTERFIELD STANDARDS.
RIGHT OF WAY AREA = 3.2 ACRES
MODOT R/W DEDICATION = 0.13 ACRES
COMMON GROUND = 12.50 ACRES WHICH EQUALS 35% OF THE SITE
FLOOD MAP: FEMA PANEL 29189C0145K DATED: FEB. 4, 2015
TOTAL EX TREE AREA = 10.9 ACRES
TOTAL TREE AREA TO REMAIN = 9.6 ACRES WHICH EQUALS 88% OF EXISTING TREE MASS

U.S.P.S. NOTE:

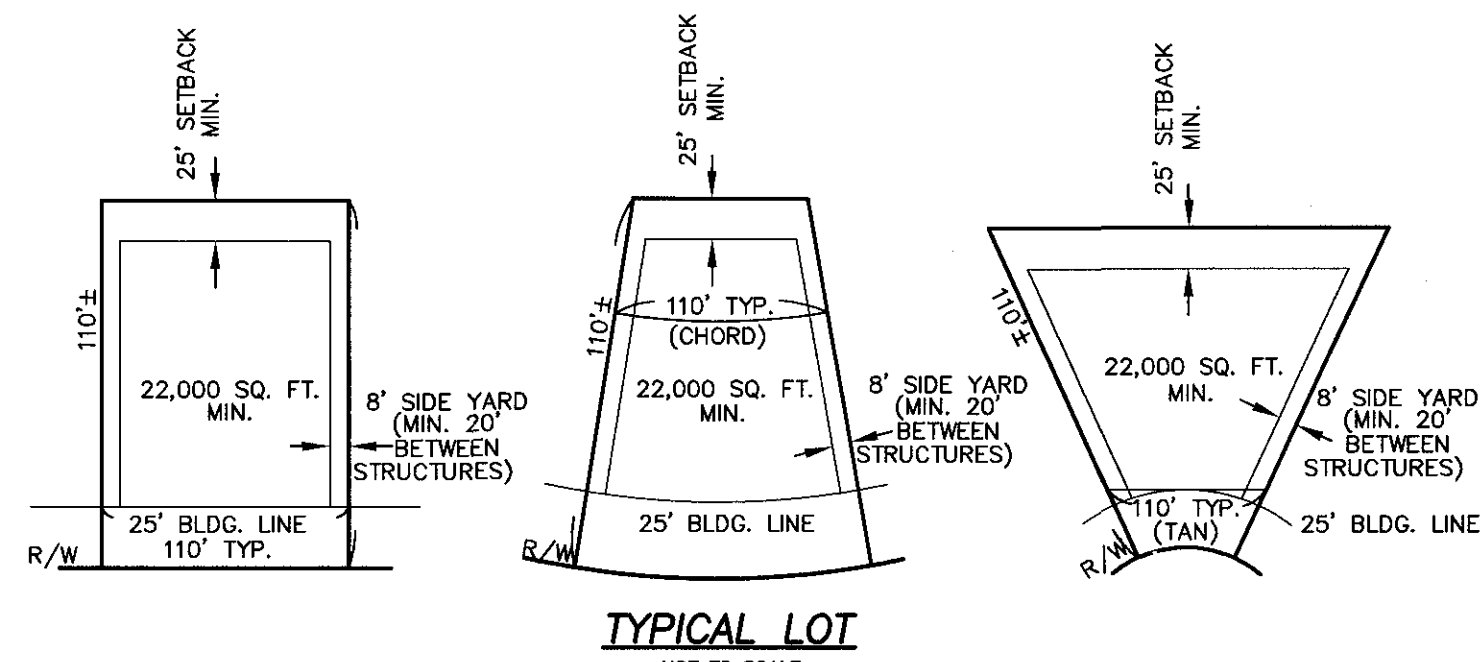
THE U.S.P.S. MAIL DELIVERY UNITS WILL BE CONFIRMED ON THE SITE DEVELOPMENT PLAN.

LOT DATA:

MINIMUM LOT: 22,014 Sq. Ft.
MAXIMUM LOT: 36,337 Sq. Ft.
AVERAGE LOT: 23,885 Sq. Ft.

LARGEST TO SMALLEST

14	36,337	Sq. Ft.
32	34,332	Sq. Ft.
13	28,023	Sq. Ft.
12	25,560	Sq. Ft.
25	25,095	Sq. Ft.
31	24,990	Sq. Ft.
15	24,696	Sq. Ft.
11	24,041	Sq. Ft.
2	24,023	Sq. Ft.
10	23,988	Sq. Ft.
9	23,935	Sq. Ft.
7	23,862	Sq. Ft.
6	23,776	Sq. Ft.
16	23,726	Sq. Ft.
33	23,609	Sq. Ft.
14	23,200	Sq. Ft.
35	22,855	Sq. Ft.
23	22,457	Sq. Ft.
28	22,398	Sq. Ft.
29	22,348	Sq. Ft.
30	22,337	Sq. Ft.
19	22,318	Sq. Ft.
17	22,296	Sq. Ft.
18	22,253	Sq. Ft.
3	22,188	Sq. Ft.
22	22,162	Sq. Ft.
16	22,142	Sq. Ft.
21	22,112	Sq. Ft.
34	22,088	Sq. Ft.
40	22,073	Sq. Ft.
24	22,042	Sq. Ft.
1	22,014	Sq. Ft.
26	22,000	Sq. Ft.
27	22,000	Sq. Ft.



SHEET INDEX

- 1.1 COVER SHEET
- 2.1 DEMOLITION PLAN
- 3.1 SITE / GRADING PLAN
- 4.1 SITE PLAN
- 5.1 ROADWAY IMPROVEMENTS
- 6.1 NATURAL RESOURCES MAP
- 7.1 SITE SECTIONS
- 8.1 SIGHT DISTANCE STUDY

02/04/2022

EXHIBIT B



PROJECT ZIP CODE 63126

EXISTING	LEGEND	PROPOSED
642	CONTOURS	642
X335	SPOT ELEVATIONS	536.0
	CENTER LINE	
	BUILDINGS, ETC.	
X	TREE LINE	
	FENCE	
	STORM SEWERS	
	SANITARY SEWERS	
	CATCH BASIN	
	AREA INLET	
	GRATED INLET	
	STORM MANHOLE	
	SANITARY MANHOLE	
	FLARED END SECTION	
	CLEANOUT	
	LATERAL CONNECTION	
	UTILITY OR POWER POLE	
	FIRE HYDRANT	
	TEST HOLE	
	PAVEMENT	
2"	GAS MAIN & SIZE	(2")
6"	WATER MAIN & SIZE	(6")
T	TELEPHONE	(T)
E	ELECTRIC (U) UNDERGROUND	(E)
OWW	ELECTRIC (O) OVERHEAD	(OWW)
E	FLOW LINE	E
TC	TO BE REMOVED TOP OF CURB	(TC)
SW	SWALE	
LS	LIGHT STANDARD	
PS	STREET SIGN	
P.S.	PARKING STALLS	P.S.
	YARD LIGHT	

FLOOD NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0229K AND 29189C0313K, DATED FEBRUARY 4, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

PROPERTY DESCRIPTION

A TRACT OF LAND BEING ALL OF ADJUSTED PARCEL B OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 96 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS AND PART OF ADJUSTED TRACT A OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, IN TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 346 PAGE 353 OF SAID RECORDS, ALL LOCATED IN U.S. SURVEY 102, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING THE SOUTHEAST CORNER OF ABOVE SAID ADJUSTED PARCEL B, SAID CORNER BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WILD HORSE CREEK ROAD (WIDTH VARIES) AND THE NORTHEAST LINE OF ABOVE SAID U.S. SURVEY 102, THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: ALONG A LINE BEING 30 FEET NORTH OF AND PARALLEL TO THE CENTERLINE OF SAID WILD HORSE CREEK ROAD, SOUTH 55°36'40" WEST, 375.00 FEET, NORTH 12°03'12" WEST, 16.22 FEET, AND ALONG A LINE BEING 45 FEET NORTH OF AND PARALLEL TO SAID CENTERLINE, SOUTH 55°36'40" WEST, 124.28 FEET TO A POINT ON THE EAST LINE OF A TRACT OF LAND CONVEYED TO TRUSTEE OF THE MELVIN L. FICK AND LILLIAN K. FICK, JOINT REVOCAABLE LIVING TRUST AGREEMENT BY DOCUMENT RECORDED IN DEED BOOK 7096 PAGE 1316 OF THE ABOVE SAID RECORDS; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE EAST AND NORTH LINES OF SAID FICK TRACT THE FOLLOWING COURSES AND DISTANCES: NORTH 32°41'08" WEST, 308.72 FEET AND SOUTH 87°07'46" WEST, 226.56 FEET TO A POINT ON THE WEST LINE OF ABOVE SAID ADJUSTED TRACT A; THENCE LEAVING SAID NORTH LINE OF FICK TRACT AND ALONG THE WEST LINE OF SAID ADJUSTED TRACT A THE FOLLOWING COURSES, DISTANCES AND CURVES: NORTH 22°46'12" WEST, 687.49 FEET, NORTH 57°30'33" WEST, 199.99 FEET TO A POINT OF CURVATURE; ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, WHOSE CHORD BEARS NORTH 18°35'43" WEST, 219.85 FEET, AN ARC DISTANCE OF 237.71 FEET TO A POINT OF TANGENCY, NORTH 20°19'07" EAST, 143.40 FEET; AND NORTH 22°46'12" WEST, 200.68 FEET TO THE NORTHWEST CORNER OF SAID ADJUSTED TRACT A, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD (100 FEET WIDE); THENCE LEAVING SAID WEST LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT BEING NON-TANGENTIAL TO THE PREVIOUS COURSE, WITH A RADIUS OF 3519.70 FEET, WHOSE CHORD BEARS NORTH 67°52'46" EAST, 889.74 FEET, AN ARC DISTANCE OF 892.13 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 75°08'27" EAST, 176.95 FEET TO A POINT BEING THE NORTHEAST CORNER OF SAID ADJUSTED TRACT A; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE EAST LINE OF SAID ADJUSTED TRACT A AND ITS PROLONGATION, BEING THE EAST LINE OF SAID ADJUSTED PARCEL B, SOUTH 12°03'12" EAST, 1544.68 FEET TO THE POINT OF BEGINNING AND CONTAINS 1,527,037 SQUARE FEET, OR 35.036 ACRES, MORE OR LESS ACCORDING TO SURVEY PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF AUGUST, 2021 UNDER ORDER NUMBER 20-07-232.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF SEPTEMBER, 2021, AT THE REQUEST OF MCBRIDE BERRA LAND COMPANY, LLC, PREPARED A PRELIMINARY PLAN OF ESTATES AT FIRE ROCK, SURVEY 102, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 96 OF THE ST. LOUIS COUNTY, MISSOURI SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN EFFECT AT THE DATE OF THIS PLAN.

THE STERLING COMPANY

JAMES A. HENSON
NUMBER PLS-2007017963
1-27-2022

MSD Base Map 18V
MSD P #
Highway & Traffic #

ISSUE	REVISION	DATE
1	11-17-2021	INITIAL SUBMITTAL
2	11-17-2021	CITY COMMENTS
3	12-2-2021	CITY COMMENTS
4	1-27-2022	CITY COMMENTS

McBride Berra Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

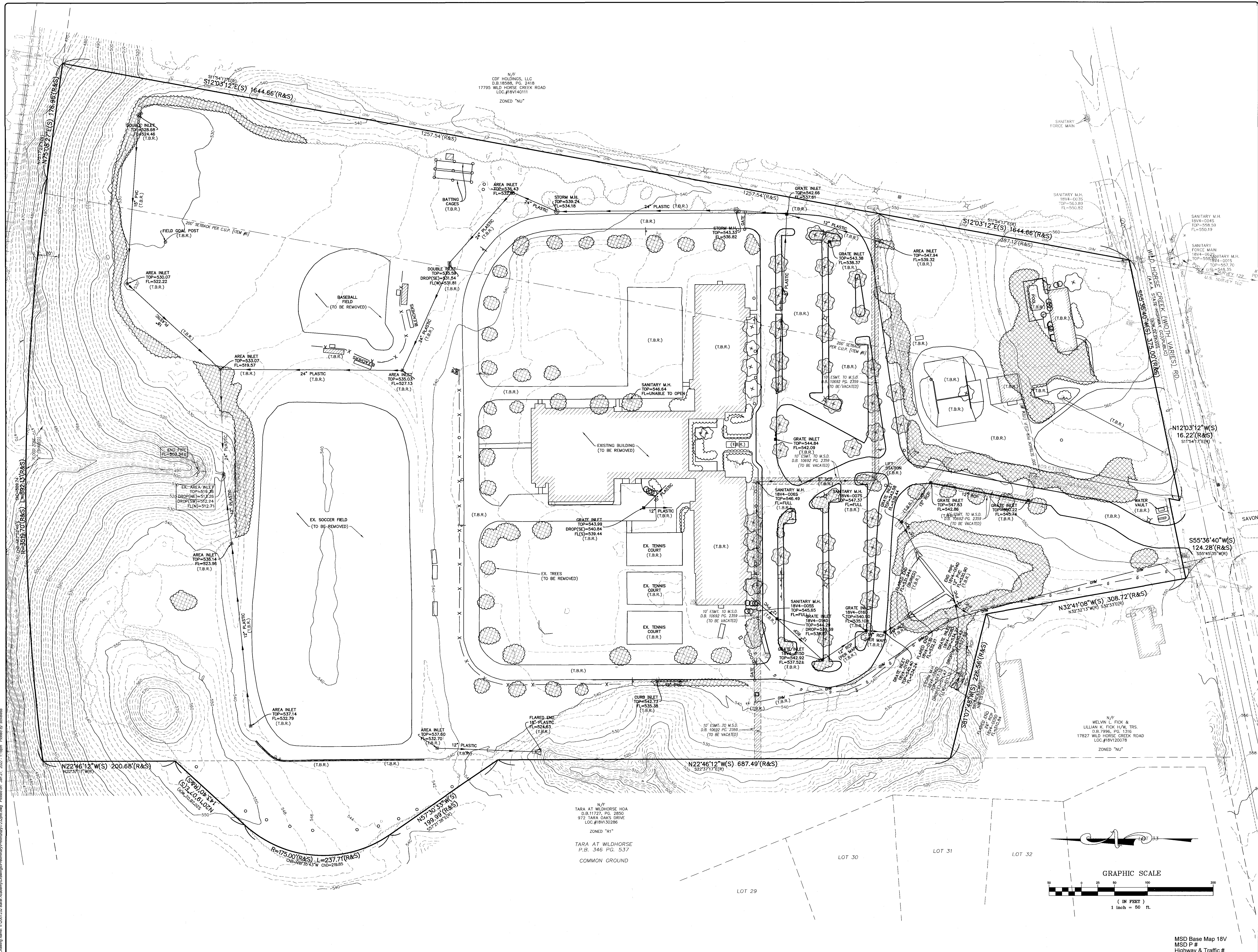
THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314.464.8644
www.sterling-engineer.com
Corporate Certificate of Authority #001948

Estates at Fire Rock
17803 & 17815 WILD HORSE CREEK RD., WILDMOOD, MO
COVER SHEET

PRELIMINARY PLAN
Date 1-27-2022
MICHAEL G. BOERDING
License No. E-28643
Professional Engineer

Job Number 20-07-232
Date Jan. 27, 2022
Designed MF Sheet
Drawn: EA 1.1
Checked: PRE

Drawing name: U:\2020\2020 Base Academy\Drawings\2020 Base Academy\2020 Base Academy.dwg Printed on: Jan 27, 2022 1:18pm Printed by: shawles



ISSUE	REVISION/DATE	SUBMITTAL
1	1-27-2022	CITY COMMENTS
2	1-27-2022	CITY COMMENTS
3	1-27-2022	CITY COMMENTS
4	1-27-2022	CITY COMMENTS

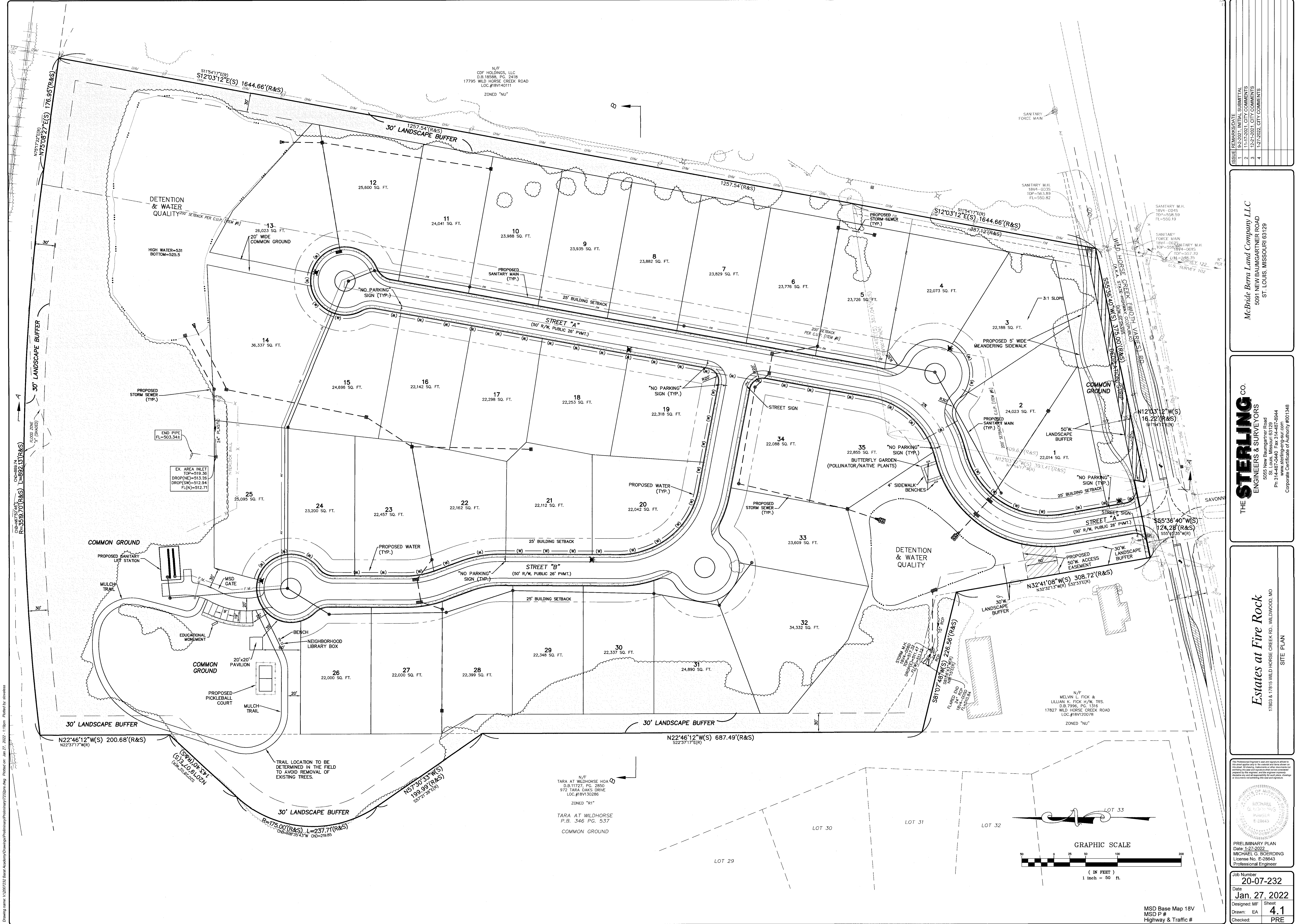
McBride Berro Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

THE **STERLING** CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314-487-2440 Fax 314-487-8844
Corporate Certificate of Authority #0011948

Estates at Fire Rock
DEMOLITION PLAN
17803 & 17815 WILD HORSE CREEK RD., WILDWOOD, MO

PRELIMINARY PLAN
Date: 1-27-2022
MICHAEL G. BOERDING
License No. E-28643
Professional Engineer

Job Number:
20-07-232
Date:
Jan. 27, 2022
Designed MIF
Drawn: EA
Checked: PRE



ISSUE	REVISIONS
1	1-17-2021, CITY COMMENTS
2	1-22-2021, CITY COMMENTS
3	1-27-2021, CITY COMMENTS
4	1-27-2022, CITY COMMENTS

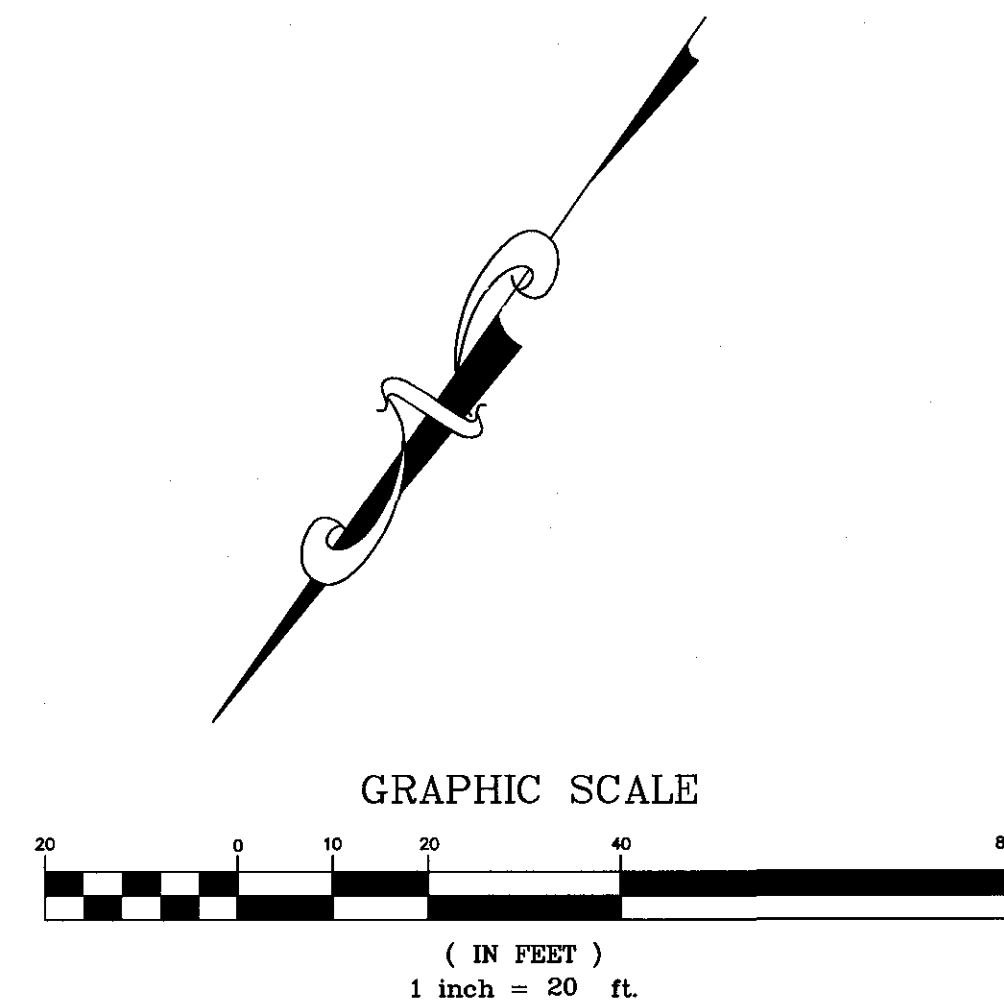
McBride Berra Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

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5055 New Baumgartner Road
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Ph 314.381.8644
www.sterling-engineers.com
Corporate Certificate of Authority #001948

Estates at Fire Rock
17803 & 17815 WILD HORSE CREEK RD., WILDMOOD, MO
SITE PLAN

PRELIMINARY PLAN
Date: 1-27-2022
Michael G. Boerding
License No. E-28643
Professional Engineer

Job Number: 20-07-232
Date: Jan. 27, 2022
Designed: MF
Drawn: EA
Checked: PRE



ISSUE	REMARKS/DATE
1	9-2-2021, INITIAL SUBMITTAL
2	11-17-2021, CITY COMMENTS
3	12-21-2021, CITY COMMENTS
4	1-27-2022, CITY COMMENTS

McBride Berra Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

THE **STERLING** CO.
ENGINEERS & SURVEYORS

St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8944
www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Estates at Fire Rock

17803 & 17815 WILD HORSE CREEK RD., WILDWOOD, MO

ROADWAY IMPROVEMENTS

The Professional Engineer's seal and signature afford to this state and any party to the matter no legal advantage or title sheet. All drawings, instruments or other documents not exhibiting this seal and signature shall not be considered prepared by this engineer, and the engineer expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal and signature.

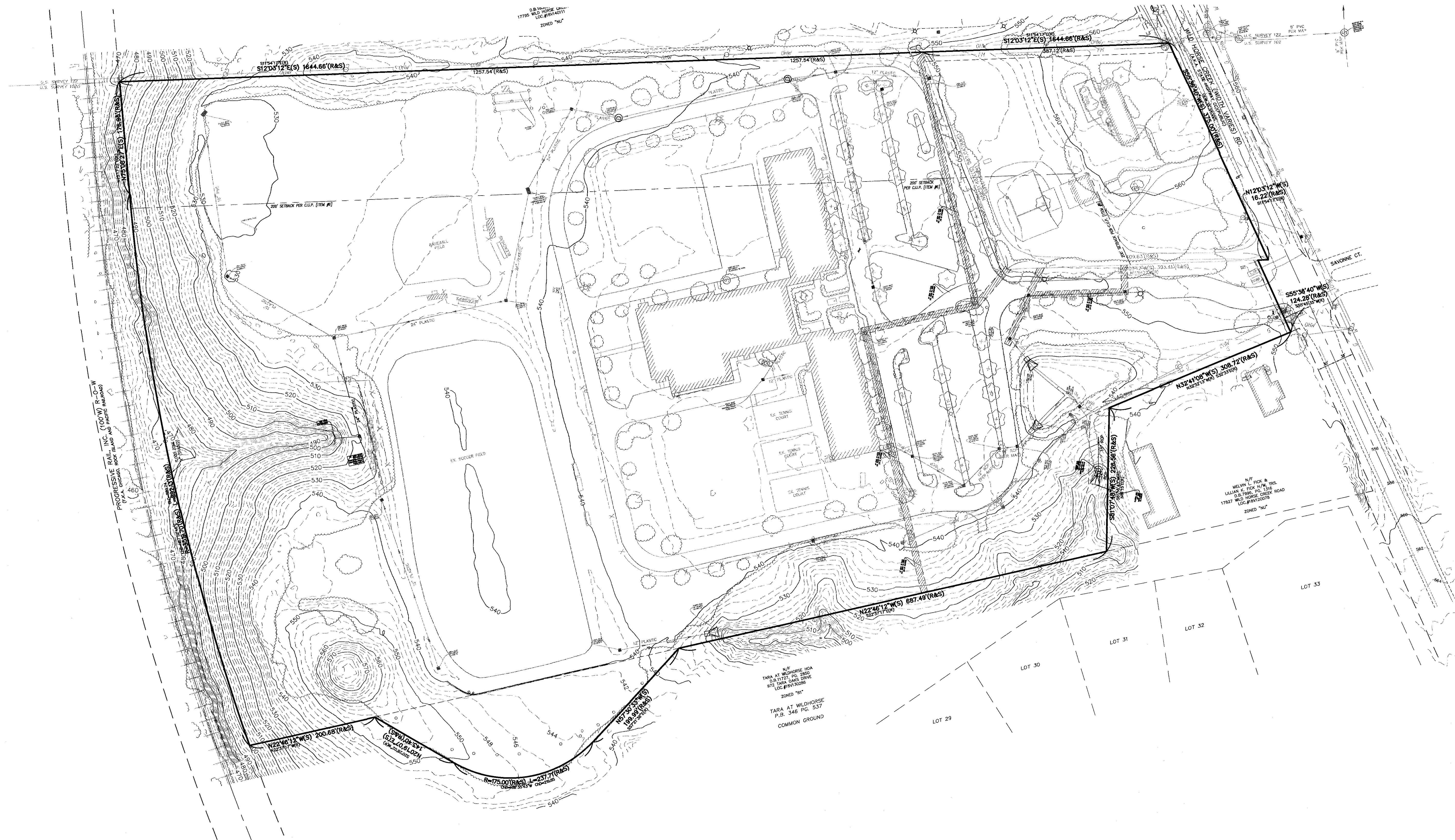
PRELIMINARY PLAN
Date: 1-27-2022
MICHAEL G. BOERDING
License No. E-28643
Professional Engineer

Job Number 20-07-232	
Date Jan. 27, 2022	
Designed: MF	Sheet
Drawn: EA	5.1

Estates at Fire Rock

A TRACT OF LAND BEING ALL OF ADJUSTED PARCEL B OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 96 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS AND PART OF ADJUSTED TRACT A OF "BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND IN U.S. SURVEY 102, IN TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 346 PAGE 353 OF SAID RECORDS, ALL LOCATED IN U.S. SURVEY 102, TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

Natural Resources Map

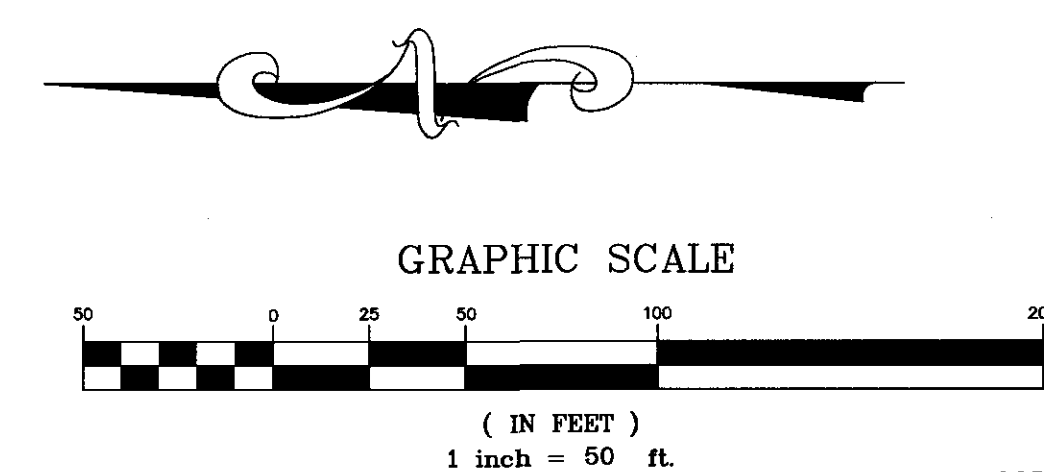


FLOOD NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE COUNTY OF ST. LOUIS, MISSOURI, UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0295K AND 29189C0313K, DATED FEBRUARY 4, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

NATURAL RESOURCE	PRESENCE?	ADDITIONAL INFORMATION
Wetlands	No	None identified per Aerial photo.
Streams and Floodplains	No	No floodplain exists per FEMA Map No. 29189C0295K AND 29189C0313K, Dated February 4, 2015. No Streams were identified.
Karst	No	None identified per Aerial photo.
Ponds	No	None identified per Aerial photo.

	Hydrologic Group B Soils
	Hydrologic Group C/D Soils
	Existing Tree Mass
	Regulated Waters



MSD Base Map 18V
MSD P #
Highway & Traffic #



ISSUE	REVISION/DATE	INITIAL	SUBMITTAL
1	12-27-2021	INITIAL	SUBMITTAL
2	11-17-2021	CITY COMMENTS	
3	12-21-2021	CITY COMMENTS	
4	1-27-2022	CITY COMMENTS	

McBride Berr Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

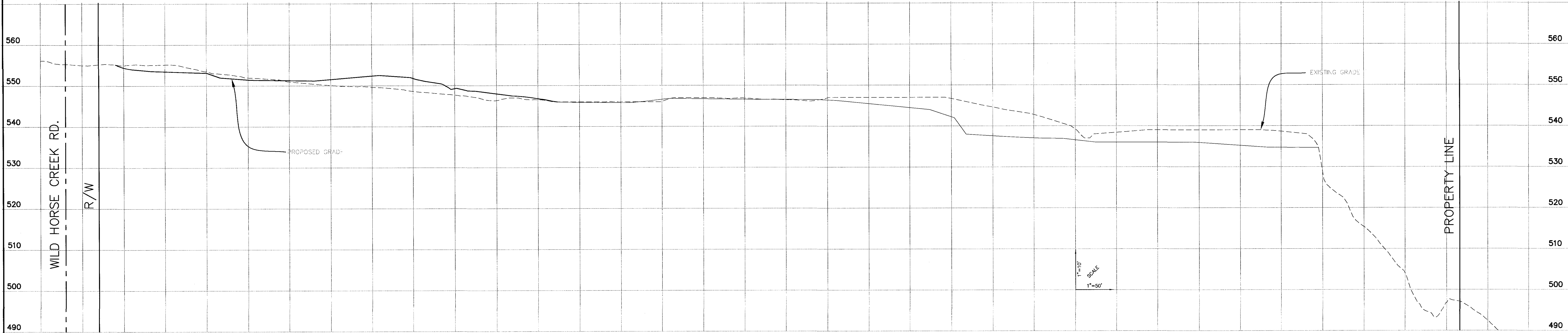
THE **STERLING** CO.
ENGINEERS & SURVEYORS
5035 New Baumgartner Road
St. Louis, Missouri 63129-8644
Ph: 314.435.8800
www.sterling-eng-survey.com
Corporate Certificate of Authority #001348

Estates at Fire Rock
17803 & 17915 WILD HORSE CREEK RD., WILWOOD, MO
NATURAL RESOURCE MAP

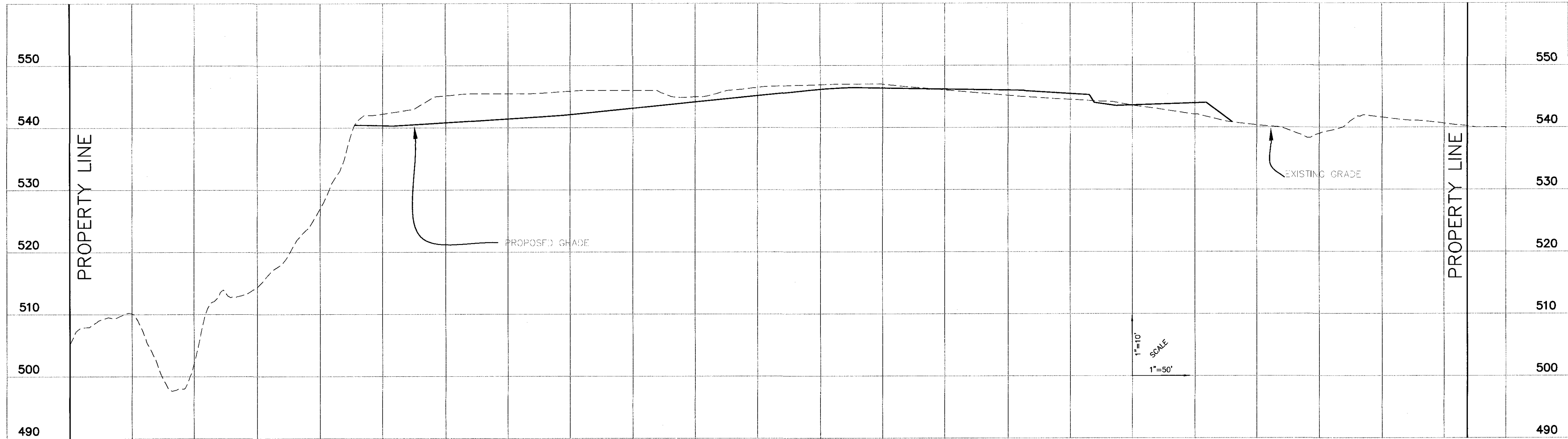
PRELIMINARY PLAN
Date: 1-27-2022
MICHAEL G. BOERDING
License No. E-28843
Professional Engineer

Job Number
20-07-232
Date
Jan. 27, 2022
Designed: MF
Drawn: EA
Checked: PRE

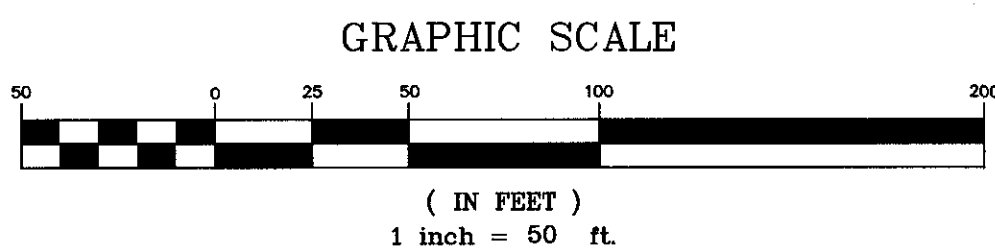
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SECTION A



SECTION B



MSD Base Map 18V
MSD P #
Highway & Traffic #

ISSUE	REMARKS/DATE
1	9-2-2021 INITIAL SUBMITTAL
2	1-27-2022 CITY COMMENTS
3	1-27-2022 CITY COMMENTS
4	1-27-2022 CITY COMMENTS

McBride Berra Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

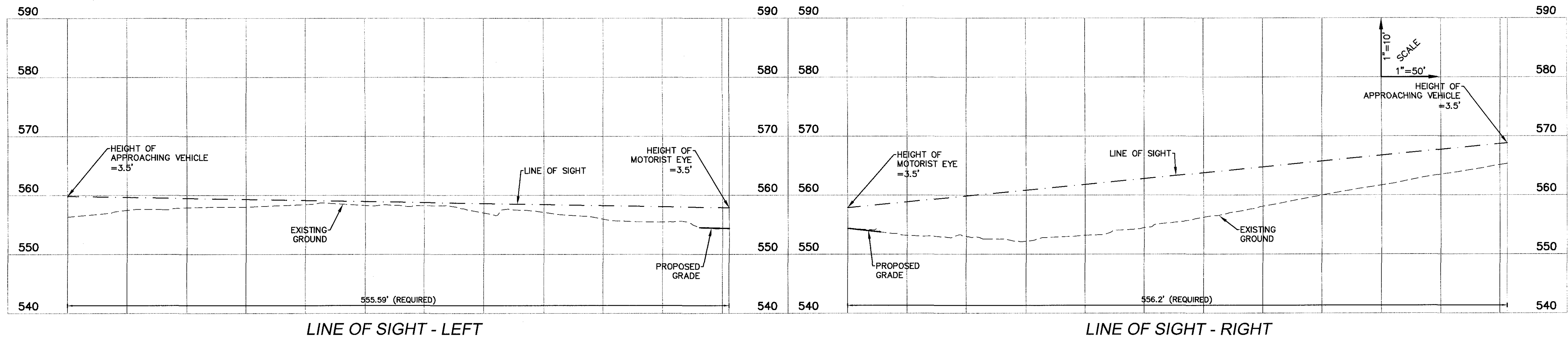
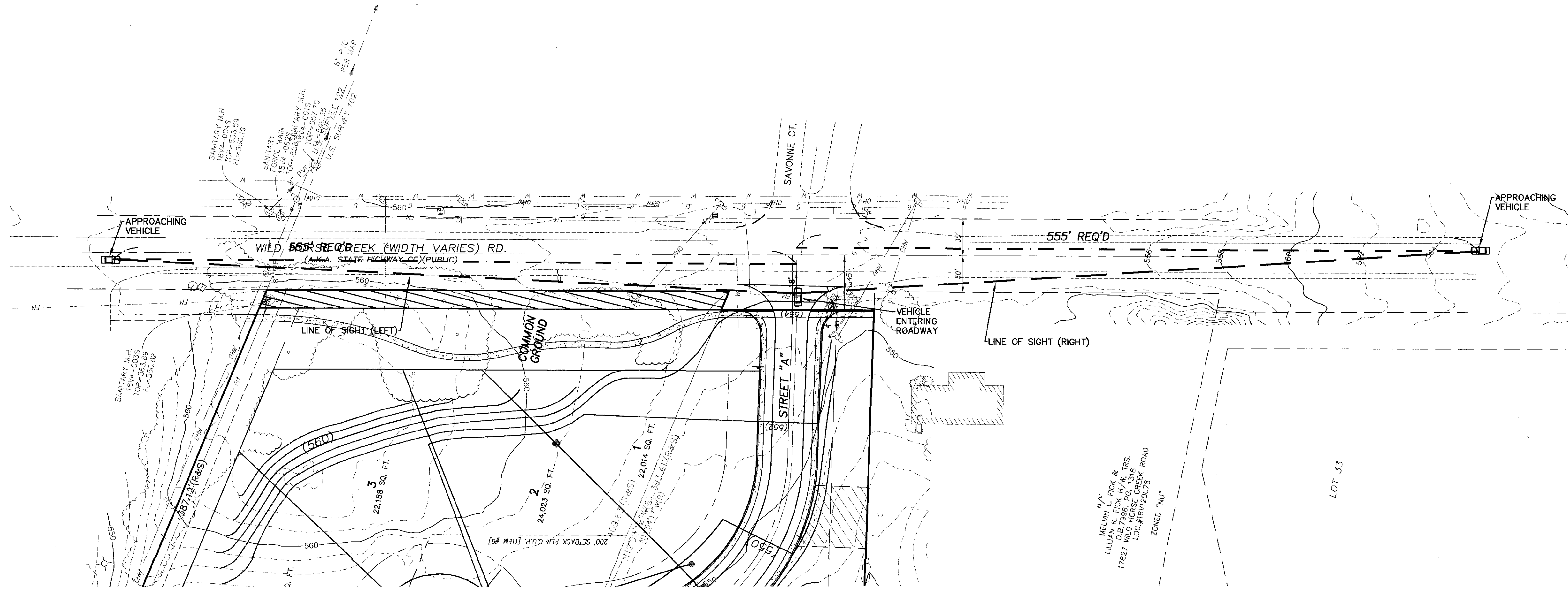
THE **STERLING** CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8944
Corporate Certificate of Authority #001348

Estates at Fire Rock
17803 & 17815 WILD HORSE CREEK RD., WILDMOOD, MO
SITE SECTIONS

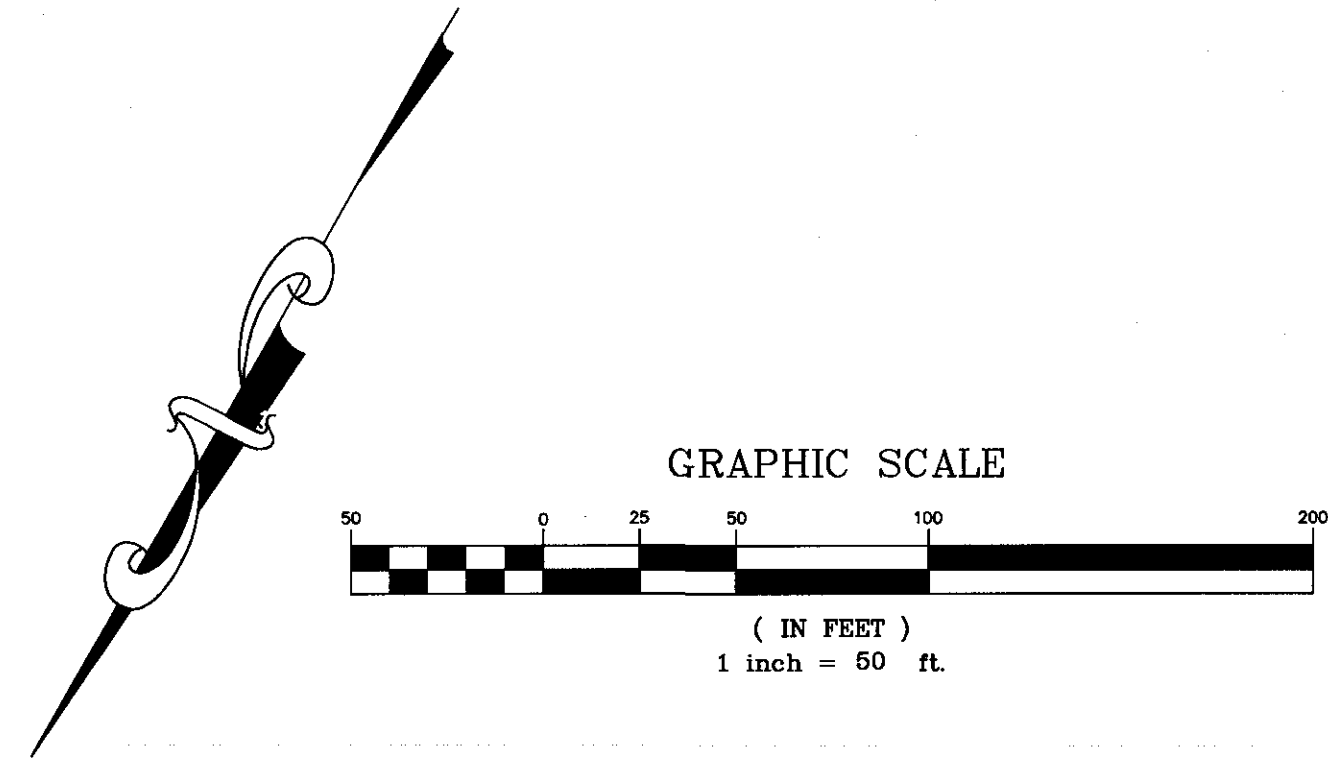
PRELIMINARY PLAN
Date: 1-27-2022
MICHAEL G. BOERDING
License No. E-28943
Professional Engineer

Job Number
20-07-232
Date
Jan. 27, 2022
Designed: MF
Drawn: EA
Checked: PRE
Sheet
7.1

Drawing name: V:\0007232 Base Academy Drawings\Drawings\Preliminary\232pre.dwg Plotted on: Jan 27, 2022, 1:20pm Plotted by: stewart



- NOTES:
1. POSTED SPEED LIMIT: 45 M.P.H.
 2. DESIGN SPEED: 50 M.P.H.
 3. REQUIRED MINIMUM SIGHT DISTANCE: 555 FT.



MSD Base Map 18V
Highway & Traffic #

ISSUE	REMARKS/DATE
1	9-2-2021 INITIAL SUBMITTAL
2	11-17-2021 CITY COMMENTS
3	12-2-2021 CITY COMMENTS
4	1-27-2022 CITY COMMENTS

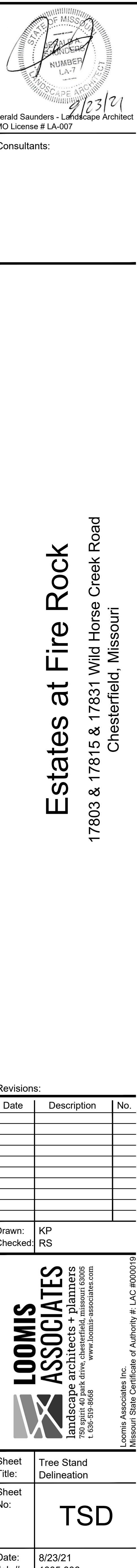
McBride Berra Land Company LLC
5091 NEW BAUMGARTNER ROAD
ST. LOUIS, MISSOURI 63129

THE **STERLING** CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph: 314-481-8844
www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Estates at Fire Rock
17803 & 17816 WILD HORSE CREEK RD., WILDLWOOD, MO
SIGHT DISTANCE STUDY

PRELIMINARY PLAN
Date: 1-27-2022
MICHAEL G. BOERDING
License No. E-28643
Professional Engineer

Job Number
20-07-232
Date
Jan. 27, 2022
Designed: MF
Drawn: EA
Checked: PRE



Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator
From: Justin Wyse, Director of Planning *JW*
Date: March 21, 2022



RE: **P.Z. 17-2021 Legends at Schoettler Pointe (Stock and Associates):** A request for a zoning map amendment from the “NU” Non-Urban District and “R1” Residential District to an “E-1/2 AC” Estate One-half Acre District for 9 acres located on the south side of Outer 40 Road and east side of Schoettler Road (19S640152 & 19S640657).

Summary

Lombardo Homes of St. Louis, LLC has submitted a request to change the zoning of a 9 acre tract of land from the “NU” Non-Urban District and “R1” Residential District to an “E-1/2 AC” Estate One-half Acre District. The petitioner is requesting to zone the property “E-1/2 AC” Estate One-half Acre District as part of a two-step zoning process in order to obtain entitlements to develop this tract of land as a single-family residential subdivision. The second step in this process is an additional petition for the same subject site - a zoning map amendment to obtain “PUD” Planned Unit Development zoning (P.Z. 18-2021).

A Public Hearing was held on December 13, 2021, with the City of Chesterfield Planning Commission raising no issue regarding this petition.

On February 28, 2022, Planning Commission approved this petition by a vote of 6-0.

On March 10, 2022, the petition was brought before the Planning & Public Works Committee. A motion was made to approve, as submitted, which passed by a vote of 4-0.

Attached to this document are:

- Legislation
- Boundary Survey

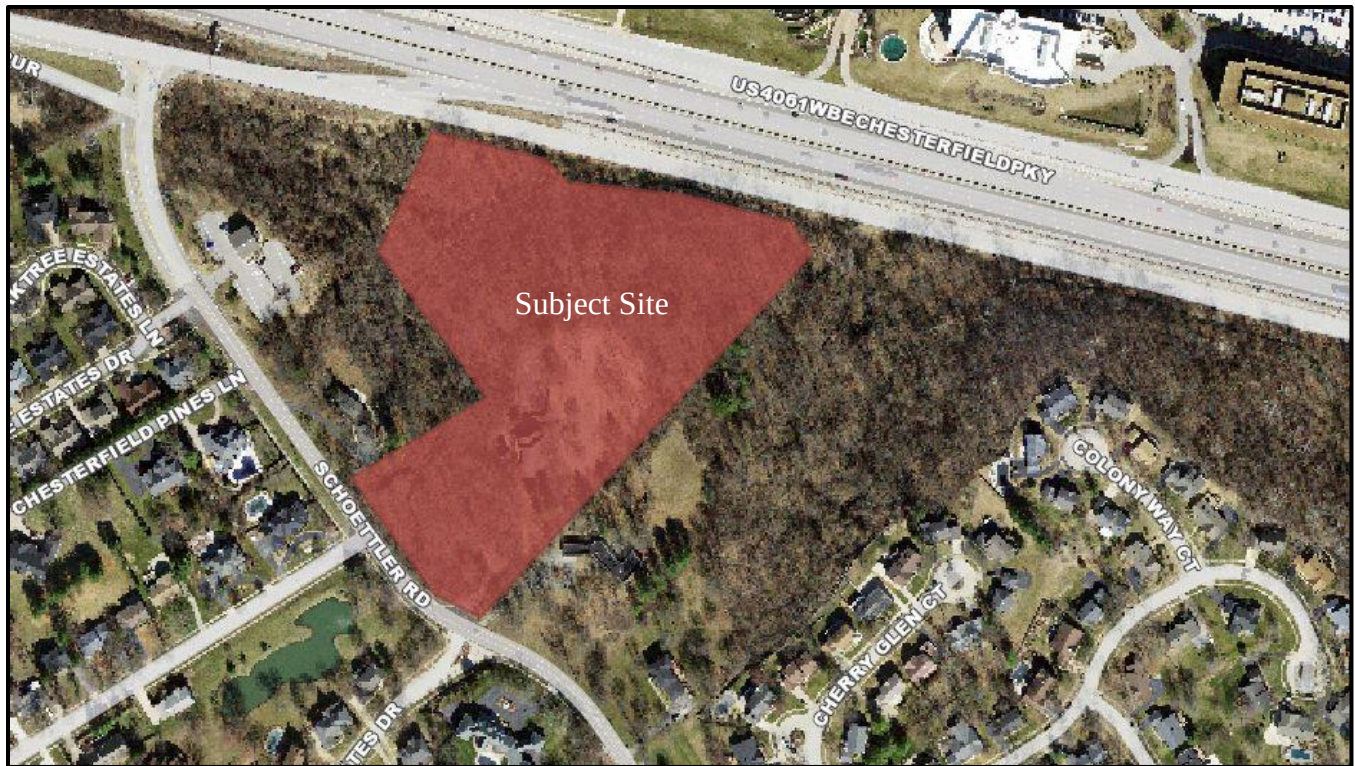


Figure 1: Subject Site Aerial

BILL NO. 3388

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “NU” NON-URBAN DISTRICT AND “R-1” RESIDENTIAL DISTRICT TO AN “E-1/2 AC” ESTATE DISTRICT FOR A 9 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF OUTER 40 ROAD AND EAST SIDE OF SCHOETTLER ROAD [P.Z. 17-2021 LEGENDS AT SCHOETTLER POINTE, 19S640152 & 19S640657].

WHEREAS, the petitioner, Stock and Associates has requested a change in zoning from the “NU” Non-Urban District and “R-1” Residential District to an “E-1/2 AC” Estate District for a 9 acre tract of land located on the south side of Outer 40 Road and east side of Schoettler Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 13, 2021; and,

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

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of a change of zoning to the “E-1/2 AC” Estate District 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 an “E-1/2 AC” Estate District designation for a 9 acre tract of land located on the south side of Outer 40 Road and east side of Schoettler Road and as described as follows:

A tract of land being Lots 1 and 3 of Hay Barn Lane, a Subdivision filed for Record in Plat Book 179, Page 77 and Lots 1, 2 and 3 of Hay Wain, a Subdivision filed for Record in Plat Book 192, Page 1 of the

St. Louis County Records, located in U.S. Survey 370, Township 45 North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a found iron pipe located at the northwest corner of Lot 1 of above said Hay Barn Lane, said point also being located on the northeastern right-of-way line of Schoettler Road, variable width, said point also being located on the southern line of a tract of land as conveyed to the Church of the Resurrection by instrument recorded in Book 18405, Page 3037; thence along the common line of said Resurrection Church and last said Lot 1, North 58 Degrees 01 Minutes 12 Seconds East, 290.71 Feet to a found iron pipe located at the southeast corner of said Church Tract; thence along the common line between the Church and said Lot 1 and Lots 1 and 2 of above said Hay Wain Subdivision North 36 Degrees 39 Minutes 21 Seconds West, 341.18 Feet to a found concrete monument located at the southwest corner of Lot 1 of said Hay Wain Subdivision; thence along the western line of last said Lot 1, North 25 Degrees 00 Minutes 45 Seconds East, 245.85 Feet (North 25 Degrees 05 Minutes 22 Seconds East, 245.83) to the southern right-of-way line of Missouri State Route 64 (Interstate Route 40), variable width, from which a found concrete monument bears South 29 Degrees 34 Minutes 51 Seconds East, 0.38 Feet; thence along said right-of-way line the following courses and distances: South 75 Degrees 54 Minutes 06 Seconds East, 221.76 Feet (South 76 Degrees 20 Minutes 48 Seconds East, 222.51 Feet) from which a found concrete monument bears North 34 Degrees 30 Minutes 51 Seconds West, 1.70 Feet; South 44 Degrees 21 Minutes 13 Seconds East, 62.43 Feet, from which a found concrete monument bears North 84 Degrees 10 Minutes 58 Seconds West, 2.34 Feet; South 84 Degrees 52 Minutes 38 Seconds East, a distance of 200.35 Feet and South 75 Degrees 37 Minutes 48 Seconds East, 226.83 Feet to its intersection with the southwestern line of a tract of land as conveyed to Royalwood Trustees, by instrument recorded in Book 7097, Page 2198 of above said records; thence along the common line between said Royalwood Trustee Tract and Lot 3 of above said Hay Barn Lane, South 32 Degrees 17 Minutes 55 Seconds East, 69.99 Feet to the northwestern corner of Lot 1 of Sjm Estates, a Subdivision according to the plat thereof as recorded in Plat Book 200, Page 47

of above said records; thence along said northwestern line, South 42 Degrees 55 Minutes 05 Seconds West, 906.63 Feet to a found iron pipe located on the northern right-of-way line of above said Schoettler Road; thence along said right-of-way line the following; North 71 Degrees 18 Minutes 56 Seconds West, 87.74 Feet and North 36 Degrees 39 Minutes 21 Seconds West, 270.96 Feet to the point of beginning, containing 394,573 square feet or 9.058 acres more or less.

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

Section 3. The City Council, pursuant to the petition filed by Stock and Associates in P.Z. 17-2021, 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 13th day of December 2021, 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 _____, 2022

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 03/21/2022

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: March 21, 2022

RE: **P.Z. 18-2021 Legends at Schoettler Pointe (Stock and Associates):** A request for a zoning map amendment from an “E-1/2 AC” Estate One-half Acre District to a “PUD” Planned Unit Development for 9 acres located on the south side of Outer 40 Road and east side of Schoettler Road (19S640152 & 19S640657).



Summary

Lombardo Homes of St. Louis, LLC has submitted a request to change the zoning of 9 acres of land from an “E-1/2 AC” Estate One-half Acre District to the “PUD” Planned Unit Development District. The petitioner is requesting to zone the property “PUD” Planned Unit Development District as part of a two-step zoning process. The first step in this process is to request a change of zoning to a conventional “E-1/2 AC” Estate One-half Acre District to establish the development density that is being requested in conjunction with the “PUD” petition. In order to satisfy the first step, the Petitioner has submitted P.Z. 17-2021 concurrently with the “PUD” request.

A Public Hearing was held on December 13, 2021 for this petition, during which the City of Chesterfield Planning Commission raised multiple issues regarding:

- Side setback request.
- Topography of the site.
- Proposed amenities on the site.
- Additional 15’ landscape buffer along the eastern property line.

These issues and the applicant’s response to each issue were discussed at the February 28, 2022 Planning Commission meeting. Planning Commission voted to approve this petition as presented by a vote of 6-0.

On March 10, 2022, the petition was brought before the Planning & Public Works Committee. A motion was made to approve, as submitted, which passed by a vote of 4-0.

Attached to this document are:

- Legislation
- Draft Attachment A
- Attachment B – Preliminary Development Plan

- Landscape Plan (Supplementary Exhibit B)



Figure 1: Subject Site Aerial

BILL NO. 3389

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “E-1/2 AC” ESTATE DISTRICT TO “PUD” PLANNED UNIT DEVELOPMENT FOR A 9 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF OUTER 40 ROAD AND EAST SIDE OF SCHOETTLER ROAD [P.Z. 18-2021 LEGENDS AT SCHOETTLER POINTE, 19S640152 & 19S640657].

WHEREAS, the petitioner, Stock and Associates has requested a change in zoning from the “E-1/2 AC” Estate District to “PUD” Planned Unit Development for a 9 acre tract of land located on the south side of Outer 40 Road and east side of Schoettler Road; and,

WHEREAS, a Public Hearing was held before the Planning Commission on December 13, 2021; and,

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

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval of a change of zoning to the “PUD” Planned Unit Development 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 “PUD” Planned Unit Development designation for a 9 acre tract of land located on the south side of Outer 40 Road and east side of Schoettler Road and as described as follows:

A tract of land being Lots 1 And 3 of Hay Barn Lane, a Subdivision filed for Record in Plat Book 179, Page 77 and Lots 1, 2 and 3 of Hay Wain, a Subdivision filed for Record in Plat Book 192, Page 1 of the St. Louis County Records, located in U.S. Survey 370, Township 45

North, Range 4 East of the Fifth Principal Meridian, City of Chesterfield, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a found iron pipe located at the northwest corner of Lot 1 of above said Hay Barn Lane, said point also being located on the northeastern right-of-way line of Schoettler Road, variable width, said point also being located on the southern line of a tract of land as conveyed to the Church of the Resurrection by instrument recorded in Book 18405, Page 3037; thence along the common line of said Resurrection Church and last said Lot 1, North 58 Degrees 01 Minutes 12 Seconds East, 290.71 Feet to a found iron pipe located at the southeast corner of said Church tract; thence along the common line between the Church and said Lot 1 and Lots 1 and 2 of above said Hay Wain Subdivision North 36 Degrees 39 Minutes 21 Seconds West, 341.18 Feet to a found concrete monument located at the southwest corner of Lot 1 of said Hay Wain Subdivision; thence along the western line of last said Lot 1, North 25 Degrees 00 Minutes 45 Seconds East, 245.85 Feet (North 25 Degrees 05 Minutes 22 Seconds East, 245.83) to the southern right-of-way line of Missouri State Route 64 (Interstate Route 40), variable width, from which a found concrete monument bears South 29 Degrees 34 Minutes 51 Seconds East, 0.38 Feet; thence along said right-of-way line the following courses and distances: South 75 Degrees 54 Minutes 06 Seconds East, 221.76 Feet (South 76 Degrees 20 Minutes 48 Seconds East, 222.51 Feet) from which a found concrete monument bears North 34 Degrees 30 Minutes 51 Seconds West, 1.70 Feet; South 44 Degrees 21 Minutes 13 Seconds East, 62.43 Feet, from which a found concrete monument bears North 84 degrees 10 Minutes 58 Seconds West, 2.34 Feet; South 84 Degrees 52 Minutes 38 Seconds East, a distance of 200.35 Feet and South 75 Degrees 37 Minutes 48 Seconds East, 226.83 Feet to its intersection with the southwestern line of a tract of land as conveyed to Royalwood Trustees, by instrument recorded in Book 7097, Page 2198 of above said records; thence along the common line between said Royalwood Trustee Tract and Lot 3 of above said Hay Barn Lane, South 32 Degrees 17 Minutes 55 Seconds East, 69.99 Feet to the northwestern corner of Lot 1 Of Sjm Estates, a Subdivision according to the plat thereof as recorded in Plat Book 200, Page 47 of above said records; thence along said northwestern line, South

42 Degrees 55 Minutes 05 Seconds West, 906.63 Feet to a found iron pipe located on the northern right-of-way line of above said Schoettler Road; thence along said right-of-way line the following; North 71 Degrees 18 Minutes 56 Seconds West, 87.74 Feet and North 36 Degrees 39 Minutes 21 Seconds West, 270.96 Feet to the point of beginning, containing 394,573 square feet or 9.058 acres more or less.

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

Section 3. The City Council, pursuant to the petition filed by Stock and Associates in P.Z. 18-2021, 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 13th day of December 2021, 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 _____, 2022

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 03/21/2022

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 PUD District shall be:
 - a. Single Family Residential
2. The above uses in the District shall be restricted as follows:
 - a. The total number of residential dwellings units shall not exceed thirteen (13)

B. LOT SIZE, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. Lot size
 - a. Minimum lot size shall be 10,000 square feet.
2. Height
 - a. The maximum height of the building, exclusive of roof screening, shall not exceed forty-five (45) feet.
3. Building Requirements
 - a. A minimum of 30% Common Open Space.

C. SETBACKS

1. Lot criteria :
 - a. Twenty (20) feet from any right-of-way.
 - b. Six (6) feet from any side property line.
 - c. Fifteen (15) feet from any rear property.

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.

E. LANDSCAPE AND TREE REQUIREMENTS

1. The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.
2. Thirty (30) feet Landscape Buffer from all four sides is required for this development.
3. Additional fifteen (15) feet landscape buffer shall be required from eastern property line beyond the depicted thirty (30) foot landscape buffer.

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, 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.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be as shown on the Preliminary Development Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield.
2. 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

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield. No gate installation will be permitted on public right of way.
2. If a gate is installed on a street in a development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.
3. All roadway and related improvements in each plat or phase of the development shall be constructed prior to issuance of building permits exceeding 60% for that plat or phase. Delays due to utility relocation and/or adjustment, for which the developer is responsible monetarily, shall not constitute a cause to issue permits in excess of 60%.
4. Provide a 5-foot wide sidewalk, conforming to ADA standards, along the Schoettler Road property frontage. The sidewalk shall provide for future connectivity to adjacent developments and/or roadway projects. The sidewalk may be located within City right-of-way or on private property within a 6-foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
5. A street light is required at the intersection of Schoettler Road and Schoettler Pointe that will illuminate Schoettler Road.
6. Additional right-of-way and road improvements shall be provided, as required by the City of Chesterfield and other agencies as necessary.
7. Obtain approvals from the City of Chesterfield and other agencies as necessary for locations of proposed curb cut(s) and access points, areas of new right-of-way dedication, and roadway improvements.

K. TRAFFIC STUDY

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

density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Schoettler Road. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield.

L. POWER OF REVIEW

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

M. STORM WATER

1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system.
2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield, Missouri Department of Transportation, and the Metropolitan St. Louis Sewer District. The storm water management facilities shall be operational prior to paving of any driveways or issuance of building permits exceeding sixty percent (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on all Site Development Plans.
3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the City of Chesterfield.
4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the one hundred (100) year high water.
6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield, Missouri Department of Transportation, and the Metropolitan Saint Louis Sewer District.

N. SANITARY SEWER

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

O. GEOTECHNICAL REPORT

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

P. MISCELLANEOUS

1. All utilities will be installed underground.
2. 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.
3. Any retaining wall along public right of way shall be private and remain private forever and shall be located such that it is not necessary to support any public improvements.
4. Prior to final release of subdivision construction deposits, the developer shall provide certification by a registered Land Surveyor that all monumentation depicted on the record plat has been installed and United States Public Land Survey Corners have not been disturbed during construction activities or that they have been reestablished and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program, as necessary.
5. Amenities including but not limited to Gazebo and pedestrian gathering space with benches, pavers, and ornamental plantings shall be required as delineated on the Preliminary Development Plan.

6. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the City of Chesterfield. Delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

II. GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
2. Outboundary plat and legal description of property.
3. Density calculations.
4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
6. Provide Floor Area Ratio (F.A.R.).
7. A note indicating all utilities will be installed underground.
8. A note indicating signage approval is a separate process.
9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
10. Specific structure and parking setbacks along all roadways and property lines.
11. Indicate location of all existing and proposed freestanding monument signs.
12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
13. Floodplain boundaries.

14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
18. Address trees and landscaping in accordance with the City of Chesterfield Code.
19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and 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.

III. TRUST FUND CONTRIBUTION

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

A. ROAD

1. The developer shall be required to contribute a Traffic Generation Assessment (TGA) to the Route 40 (Interstate 64) Corridor Trust Fund (No. 553). 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>
Single Family	\$1,294.61/parking space

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

If types of development differ from those listed, rates shall be provided by the St. 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 Saint 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 Saint 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. Traffic Generation Assessment contributions shall be deposited with Saint 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, Saint Louis County.
4. The amount of all required contributions, if not submitted by January 1, 2023, 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.

IV. RECORDING

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

V. ENFORCEMENT

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

PRELIMINARY DEVELOPMENT PLAN

STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63105
PH (636) 530-9100
FAX (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com

PERTINENT DATA

[illegible]

(IN FEET)
1 inch = 50 ft.

ATC	— ADJUST TO GRADE
B.C.	— BACK OF CURB
C.O.	— CEMENT
DB	— DEED BOOK
E	— ELECTRIC
ELEV.	— ELEVATION
EX.	— EXISTING
F.C.	— FACE OF CURB
FL	— FLOWLINE
FT.	— FEET
FRD.	— FORD
FG	— GAS
H.W.	— HIGH WATER
LFB	— LOW FLOW BLOCKED
M	— MANHOLE
N/P	— NOW OR FORMERLY
P.B.	— PLAT BOOK
PG	— PAGE
PR	— PROPOSED
P.V.C.	— POLYVINYL CHLORIDE
R.C.P.	— REINFORCED CONCRETE PIPE
R/W	— RIGHT-OF-WAY
SQ.	— SQUARE
T	— TELEPHONE CABLE
T.B.A.	— TO BE ABANDONED
T.B.R.	— TO BE REMOVED
T.B.R.&R.	— TO BE REMOVED AND REPLACED
TPP	— TYPICALLY
ULP	— USED IN PLACE
U.O.N.	— UNLESS OTHERWISE NOTED
V.C.P.	— VITRIFIED CLAY PIPE
W	— WATER
(56"W)	— WIDTH OF WAY WIDTH

EXISTING SANITARY SEWER
EXISTING STORM SEWER
EXISTING TREE
EXISTING BUILDING
EXISTING CONTOUR
SPOT ELEVATION
EXISTING UTILITIES
FOUND 1/2" IRON PIPE
SET IRON PIPE
FOUND CROSS
FOUND GROUND
FIRE HYDRANT
LIGHT STANDARD
BUSH
SIGN
NOTES PARKING SPACES
QUI WIRE
POWER POLE
VALVE WATER
DENOTES RECORD INFORMATION
ACCESSIBLE PARKING
PROPOSED CONTOUR
PROPOSED SPOT
PROPOSED STORM
PR. WET WELL FOR LPSS PUMP
PROPOSED 2' FORCEMAIN

1. BOUNDARY AND TOPOGRAPHIC SURVEY BY STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. FOR 14.215 ACRE TRACT, RECORD INFORMATION WAS USED FOR 0.40 ACRE TRACT.
2. SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X" (AREA DEEMED SUSCEPTIBLE TO OCEANIC FLOODING) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD MAPS. THE FLOOD ZONE "X" AREAS ARE NOT INCORPORATED AREAS. THE MAPS ARE IDENTIFIED AS MAP 29189C070 K WITH AN EFFECTIVE DATE OF 02/04/2015.
3. GRADING AND DRAINAGE PER CITY OF CHESTERFIELD, M.S.D. AND ST. LOUIS COUNTY STANDARDS AND SPECIFICATIONS. STORM WATER TO DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE NATURAL DISCHARGE POINTS.
4. NO SLOPE GREATER THAN 3:1 ALLOWED WITHOUT CITY AND GEOTECH. APPROVAL. GRADING SHALL FOLLOW GEOTECHNICAL RECOMMENDATIONS. ALL EROSION CONTROL MEASURES PREPARED BY SO CONSULTANTS, INC. FOR ALL RECOMMENDATIONS.
5. ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE VERIFIED PRIOR TO CONSTRUCTION. THE ENGINEER ACCEPTS NO RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED.
6. GRADING AND STORM WATER PER M.S.D., MODOT, ST. LOUIS COUNTY AND CITY OF CHESTERFIELD STANDARDS.
7. STORMWATER SHALL BE DISCHARGED AT ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE DISCHARGE POINTS.
8. ALL UTILITIES WILL BE INSTALLED UNDERGROUND.
9. SITE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF CHESTERFIELD ZONING ORDINANCE, ANNUAL REPORT AND ALL ITS SUPPLEMENTAL PROVISIONS AND ADDENDUMS.

TOTAL SITE: 394,573 S.F.
LOT SIZE: BASED ON E- $\frac{1}{2}$ Ac. ESTATE = 21,780 S.F.
DENSITY: (394,573 S.F.) / (21,780 S.F.) = 18 LOTS
PROVIDED = 13 LOTS

PROPOSED ZONING: PUD

SINGLE FAMILY LOT AREA:	10,000 s.f. MIN.
MAX. BUILDING HEIGHT:	3 STORIES OR 45 FEET
FRONT YARD SETBACK:	20 FEET
SIDE YARD SETBACK:	6 FEET
REAR YARD SETBACK:	15 FEET
LANDSCAPE BUFFER:	SHOWN ON PLAN

CLEARING LIMITS	±6.07 ACRES
EX. TREE (10/15/21 TSD-1 DELONG LANDSCAPE ARCHITECTS)	±6.61 ACRES
TREE PRESERVATION	±2.17 ACRES
PR. COMMON GROUND	±4.97 ACRES OR 54.92%

The diagram shows a horizontal line representing the FM system. A vertical line branches off downwards from this horizontal line. At the point of branching, there is a solid black circle labeled "FM". Further down the vertical line, there is another solid black circle labeled "WET WELL WITH PUMP". The vertical line segment between the "FM" circle and the "WET WELL WITH PUMP" circle is labeled "LPSS". An arrow points from the text "VALVE JUNCTION BOX" to the horizontal line, just to the left of the "FM" circle. Another arrow points from the text "FOR CHAIN - 2 HDPE IPS DR 11" to the horizontal line, further to the left.

(N.T.S.)

SIDEWALK

FORCEMAIN

SIDEWALK

FM

70" (Min.)

15' UTILITY EASEMENT

20' FRONT SETBACK

10,000

APPROXIMATE LOCATION FUTURE RIGHT-OF-WAY AND
SIDEWALK SHOWN ARE PER "SCHOETTLER ROAD
CORRIDOR IMPROVEMENTS" CONCEPTUAL PLANS
DATED AUGUST 29, 2013 (PROVIDED BY CITY OF
CHESTERFIELD)
N/F

INVESTIGATION BY: ON-SITE SOILS

— — — — — JURISDICTIONAL WATERS

— — — — — NONJURISDICTIONAL WATERS

BENCHMARK# 12-358 Elev = 614.33 (NGVD29)
Cut circle mark on top of and east of the center of a 6

ELEV.=600.60
R.R. SPIKE IN POWER POLE AS SHOWN HEREON.

A TRACT OF LAND BEING LOTS 1 AND 3 OF HAY BARN LANE, A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 179, PAGE 77 AND LOTS 1, 2 AND 3 OF HAY WAIN, A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 192, PAGE 1 OF THE ST. LOUIS COUNTY RECORDS, LOCATED IN U.S. SURVEY 370, 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:

[illegible]

LEGENDS AT SCHOETTLER POINTE

CHESTERFIELD, MISSOURI 63017

STATE OF MISSOURI
GEORGE
MICHAEL
STOCK
NUMBER
PE-25116
2/1/2022
GEORGE M. STOCK E-25116
MIL. ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 0006

REVISIONS:
02/12/2 MSD DELETION PUMP STATION & ADDITION OF AMENITIES
02/12/16 LOT MATRIX
02/01/07 ISSUES RESPONSE
02/02/01 CITY

DRAWN BY: K.S.G. DATE: 12/28/2021 D. P. #: — S. H&T #: — N.R. #: —	CHECKED BY: G.M.S. JOB NO.: 221-6964 BASE MAP #: 19S S. H&T S.U.P. #: —
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PROJECT TITLE:

PRELIMINARY DEVELOPMENT PLAN

PROJECT NO.:

C1.0



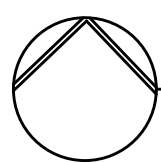
1/6/2022
Douglas A. DeLong, Landscape Architect LA-81

Consultants:

Hay Barn Lane Chesterfield, Missouri 63017

Lombardo Homes

Individual Tree List-Hay Barn Lane					
Number	Common Name	DBH Of Trunk	Canopy Area	Condition Rating	Comments
1	Red Cedar	8	113	3	
2	Green Ash	10	706	3	
3	Shingle Oak	12	706	3	
4	Hackberry	10	452	3	
5	Mulberry	12	0	0	Dead
6	Hackberry	14	452	3	
7	Hickory	10	0	0	Dead
8	White Pine	24	2425	3	Intertwined canopies 8-14
9	White Pine	21	*	3	
10	White Pine	18	0	0	Dead
11	Sassafras	12	*	3	
12	Dogwood	7	*	3	
13	Green Ash	22	*	2	
14	Dogwood	7	*	2	
15	Red Maple	24	1,017	3	
16	Red Maple	29	1,025	3	
17	Crab	14	615	2	
18	Red Maple	12	452	3	
19	Crab	14	615	1	
20	Crab	15	615	2	
22	Dogwood	6	200	1	
23	Silver Maple	20	452	2	
24	Red Cedar	10	200	3	
25	Dogwood	7	254	3	
26	Dogwood	7	1069	3	Intertwined canopies 26-30
27	Sassafras	14	*	3	
28	Sassafras	12	*	3	
29	Red Cedar	8	*	3	
30	Sassafras	10	*	3	
31	Mimosa	5	*	3	Intertwined canopies 31-33
32	Mimosa	5	*	3	
33	Mimosa	5	*	3	
34	Bowelder	8	153	1	Triple Trunk
35	Silver Maple	11	314	3	
36	Cottonwood	18	706	3	
37	Cottonwood	18	812	3	Intertwined canopies 37-39
38	Cottonwood	12	*	3	
39	Cottonwood	12	*	1	
40	Black Cherry	12	1360	3	Intertwined canopies 40-42
41	Black Cherry	10	*	3	
42	Black Cherry	19	*	3	
43	Elm	10	115	2	
44	Dogwood	8	452	4	
45	Black Cherry	7	78	2	
46	Elm	6	758	2	Intertwined canopies 46-50
47	Elm	9	*	2	
48	Walnut	7	*	3	
49	Elm	9	*	3	
50	Persimmon	8	*	3	
51	Mimosa	6	956	2	
52	Mimosa	6	*	2	Intertwined canopies 51-57
53	Mimosa	6	*	2	
54	Mimosa	6	*	2	
55	Black Cherry	12	*	2	
56	Black Cherry	6	*	1	
57	Black Cherry	12	*	2	
58	Redbud	12	452	2	
59	Dogwood	6	314	3	
60	Elm	14	314	2	
61	Black Cherry	12	200	3	
62	Black Cherry	18	1,017	3	
63	Red Cedar	6	78	3	
64	Dogwood	10	452	3	
65	Black Cherry	16	452	3	
66	Silver Maple	15	452	3	
67	Black Cherry	20	706	3	
68	Dogwood	5	113	3	
69	Green Ash	6	78	1	Topped
70	Green Ash	12	0	0	dead
71	Green Ash	8	200	3	
72	Green Ash	5	50	3	
73	Alanthus	6	671	2	Intertwined canopies 73-75
74	Shingle Oak	12	*	3	
75	Shingle Oak	14	*	3	
76	Shingle Oak	12	0	0	dead
78	Redbud	9	113	2	
79	Silver Maple	60	625	1	Half Dead
80	Black Cherry	12	314	3	
81	Mulberry	14	452	3	
82	Elm	11	314	2	
83	Norway Spruce	9	200	2	Vine Covered
Total			24,926		



Tree Stand Delineation

SCALE 1" = 40'-0"

WOODLAND A = 1.40 Ac. (81,254.5 sq. ft.)
WOODLAND B = 2.14 Ac. (83,281.0 sq. ft.)
WOODLAND C = 1.90 Ac. (83,014.2 sq. ft.)
WOODLAND D = 0.58 Ac. (25,501.3 sq. ft.)
INDIVIDUAL TREES = 0.59 Ac. (24,526.0 sq. ft.)
TOTAL = 6.61 Ac. (287,987.0 sq. ft.)

Tree Stand Delineation Narrative October 4, 2021

The overall property comprises a total of 6.65 Ac. and has a total of 6.65 Ac. of Woodlands. The attached detailed Tree Stand Delineation map was completed by field inspection.

Woodland A: The woodland area covers a portion of southeastern lot between the existing house and Schoettler Road. The dominate canopy is comprised of primarily Shingle Oak, Ash, Hackberry and Elm that vary in size 5-12" DBH. The understory is comprised of shrub honeysuckle.

Woodland B: This woodland area is to the North and West of the existing house along the upper portion of the ridge. This woodland is made up of volunteer growth and the dominate canopy consisting of Sassafras, Elm, Black Cherry, and Juniper that vary in size from 3-8". Dogwood is a primary co-dominate understory. Grapes and other vines cover some of the trees. The understory is shrub honeysuckle.

Woodland C: This woodland is on the north facing steep slope to the Northern property line and a small portion of the Church property in the SW corner. The dominate canopy is comprised of Red Oak, Shingle Oak, Hickory, and Black Cherry. The size varies from 8-18" DBH. The understory is shrub honeysuckle.

Woodland D: This woodland is located in the North West Corner of the property along the creeks that bisect the parcel. The dominate canopy is made up of Cottonwood, Sycamore, and Boxelder. The size varies from 12-30" but would not classify any as Monarch status. The understory is shrub honeysuckle.

RATING: 1=Fair Quality
3=Average Quality
5=Excellent Quality

There are no state champion or rare trees were found on the site.
NO TREES WERE FOUND TO MEET TWO OR MORE OF THE REQUIREMENTS TO BE CLASSIFIED AS MONARCHS.

Tree Stand Delineation Plan Prepared
Under Direction of
Colleen Baum
Certified Arborist MW-4777-A

Colleen L. Baum

Base Map Provided by: Stock & Associates

PREPARED FOR:
Doug Nance
Lombardo Homes
4 Research Park Dr.
St. Charles, MO. 63304

Revisions:

Date	Description	No.
1/6/22	COMMENTS	1

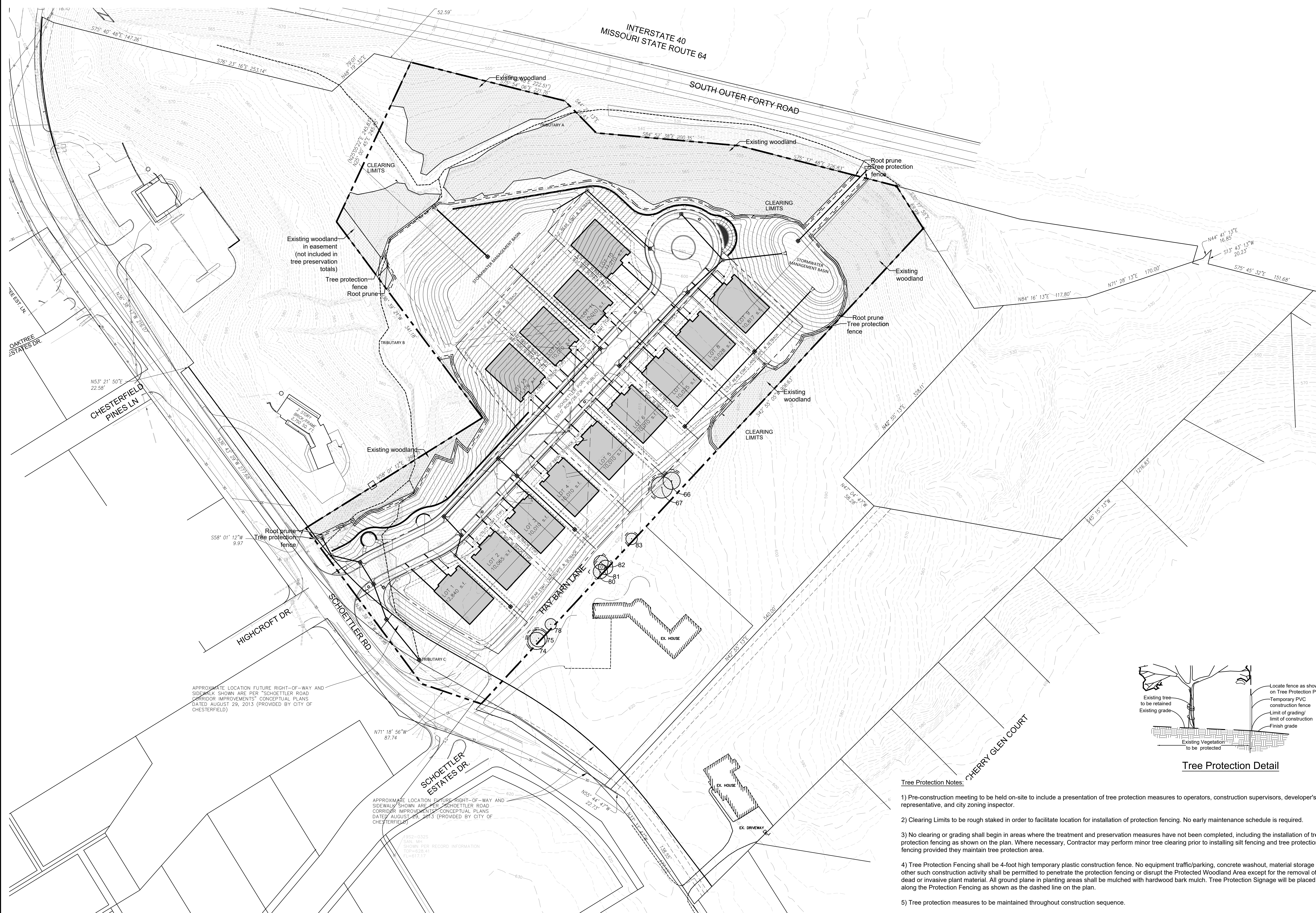
Drawn: **bad**
Checked: **dad**

eLong
andscape Architecture
7620 West Bruno Ave
St. Louis, MO. 63117
(314) 346-4856
delong.ta@gmail.com

Sheet Title: **Tree Stand Delineation**

Sheet No: **TSD-1**

Date: **10/15/2021**
Job #: **209.001**



ID	Tree Name	DBH	Canopy Area	Condition Rating	Comment
66	Silver Maple	15	452	3	
67	Black Cherry	20	706	3	
74	Shingle Oak	12	452	3	
75	Shingle Oak	14	452	3	
78	Redbud	9	113	2	
80	Black Cherry	12	314	3	
81	Mulberry	14	452	3	
82	Elm	11	314	2	
83	Norway Spruce	9	200	2	Vine covered

RATING:
1=Poor Quality
3=Average Quality
5=Excellent Quality

Tree Protection Notes:

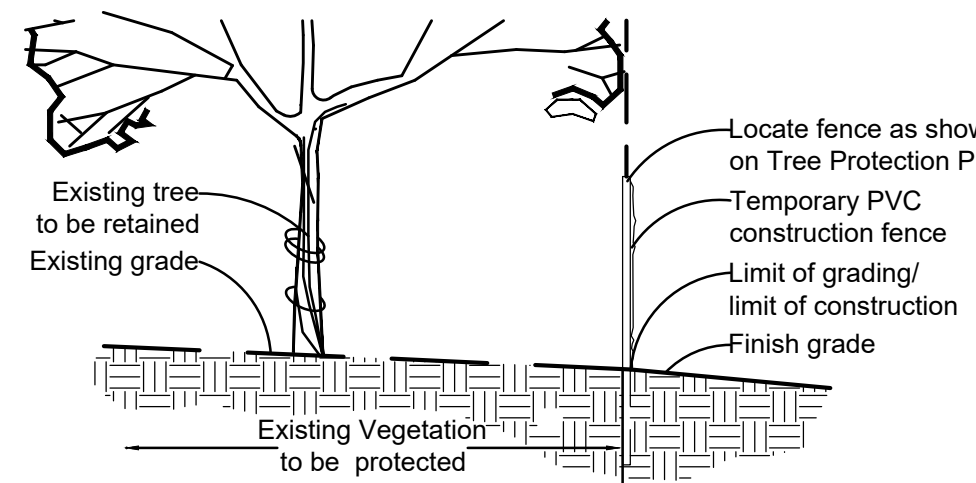
- 1) Pre-construction meeting to be held on-site to include a presentation of tree protection measures to operators, construction supervisors, developer's representative, and city zoning inspector.
- 2) Clearing Limits to be rough staked in order to facilitate location for installation of protection fencing. No early maintenance schedule is required.
- 3) No clearing or grading shall begin in areas where the treatment and preservation measures have not been completed, including the installation of tree protection fencing as shown on the plan. Where necessary, Contractor may perform minor tree clearing prior to installing silt fencing and tree protection fencing provided they maintain tree protection area.
- 4) Tree Protection Fencing shall be 4-foot high temporary plastic construction fence. No equipment traffic/parking, concrete washout, material storage or other such construction activity shall be permitted to penetrate the protection fencing or disrupt the Protected Woodland Area except for the removal of dead or invasive plant material. All ground plane in planting areas shall be mulched with hardwood bark mulch. Tree Protection Signage will be placed along the Protection Fencing as shown as the dashed line on the plan.
- 5) Tree protection measures to be maintained throughout construction sequence.

Tree Protection Action Key Sequence:

- 1) Survey limit of disturbance.
- 2) Perform root pruning.
- 3) Install tree protection fencing.
- 4) Post tree protection signage on fence (No signs will be posted on trees).
- 5) Maintain tree protection area as an off-limits zone.

Tree Preservation Summary:

Site Area = 394,573 s.f. (9.06 ac.)
Total existing tree canopy = 287,987 s.f. (6.61 ac.)
Existing woodlands to be preserved = 92,247 s.f. (2.12 ac.)
Existing individual trees to be preserved = 2,202 s.f. (0.05 ac.)
Total existing tree canopy to be preserved = 94,449 s.f. (2.17 ac.) (32.8 %)



Tree Protection Detail

Date	Description	No.
12/2/21	Plan Changes	1
1/7/22	City Comments	2

Drawn: KP
Checked: RS

LOOMIS ASSOCIATES
landscape architects + planners
780 south 40 park drive, chesterfield, missouri 63005
t. 636.519.8668
www.loomis-associates.com

Loomis Associates Inc.
Missouri State Certificate of Authority # LAC #000193

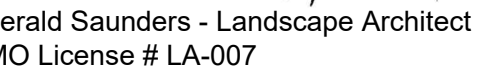
Sheet Title:	Tree Preservation Plan
Sheet No:	TPP
Date:	10/15/21
Job #:	1043.001

Jerald Saunders - Landscape Architect
MO License # LA-007

Consultants:

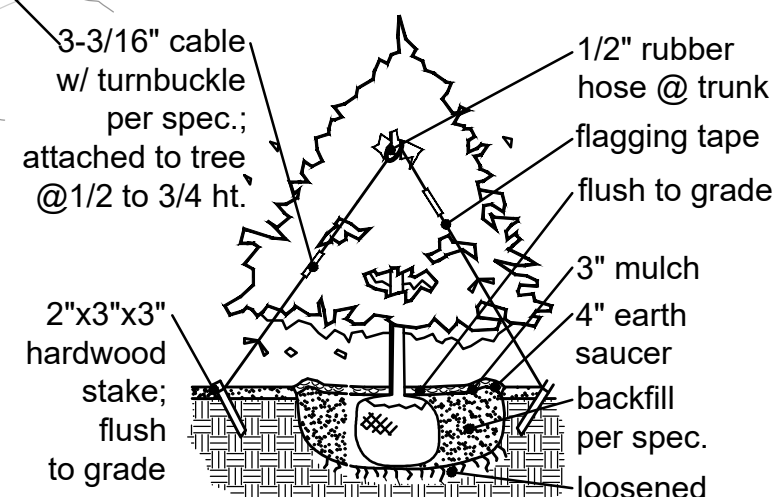
Legends at Schoettler Pointe

1 & # 15 Haybarn Lane
Chesterfield, Missouri 63017

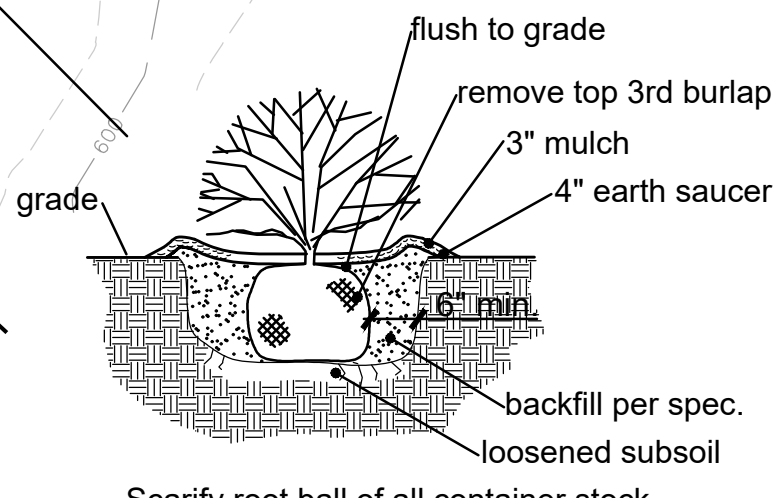


Legends at Schoettler Pointe

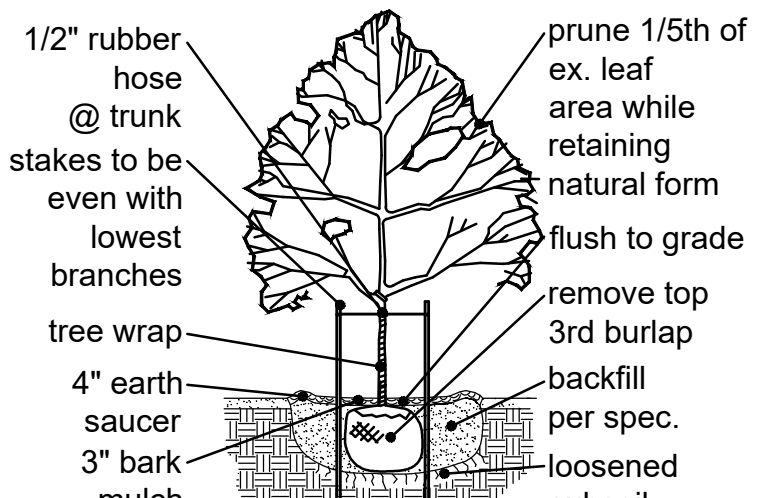
1 & # 15 Haybarn Lane
Chesterfield, Missouri 63017



Typical Evergreen Planting



Typical Shrub Planting



Typical Canopy Tree Planting

Date	Description	No.
12/2/21	Plan Changes	1
1/7/22	City Comments	2

Drawn: KP
Checked: RS

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750 spirit 40 park drive, chesterfield, missouri 63005
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Sheet Title:	Landscape Plan
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Sheet No:	1101
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LI.01

Date:	10/15/21
Job #:	1043.001

Landscape Plan



- 1) All new landscape shall be irrigated with an automatic underground sprinkler system per the City of Chesterfield Unified Code Section 04-02.
- 2) No proposed street trees shall be planted closer than three (3) feet to any curb per UDC.
- 3) No proposed street trees shall be planted closer than twenty-five (25) feet of streetlights, street signs and intersections per UDC.
- 4) No street trees shall be planted within ten (10) feet of street inlets or manholes per UDC.
- 5) All landscape buffers to be maintained by HOA.

Native Prairie Landscape Notes:

Seed mix; Splitbeard Bluestem (2 lbs/ac), Broomsedge (2 lbs/ac), Sideoats Grama (4 lbs/ac), Little Bluestem 4 lbs/ac), Prairie Droopseed (1 lb/ac), Lanceleaf Coreopsis (1.25 lb/ac), Gray-Headed Coneflower (0.50 lb/ac), Gray Goldenrod (0.25 lb/ac), Partridge Pea (2 lb/ac), Plains Coreopsis (0.25 lb/ac) Basketflower (0.25 lb/ac), Blackeyed Susan (0.25 lb/ac) Upright Prairie Coneflower (0.438 lb/ac) by Pure Air Natives or equal.

Erosion Control Blanket:

S-75 by North American Green or equal shall be utilized on all 3:1 slopes or greater in conjunction with the native seeding.

PLANTING SCHEDULE						
SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	
SHRUBS-GRASSES-PERENNIALS-ANNUALS-GROUNDCOVER						
a	24	Ilex x meserveae 'Blue Prince' & 'Blue Princess'	Berri-Magic Royalty Holly Combination	18"	72"	o.c.
b	21	Ilex glabra	Inkberry	18"	72"	o.c.
c	21	Viburnum rhytidophyllum	Leatherleaf Viburnum	18"	72"	o.c.
d	16	Physocarpus opulifolius	Ninebark	18"	72"	o.c.
e	16	Hydrangea quercifolia	Oakleaf Hydrangea	18"	72"	o.c.
f	16	Sambucus canadensis	Elderberry	18"	72"	o.c.
g	11	Juniperus x pfitzeriana 'Sea Green'	Sea Green Juniper	18"	72"	o.c.
h	12	Fothergilla gardenii	Dwarf Fothergilla	18"	48"	o.c.
j	13	Buxus microphylla 'Bulthouse'	Sprinter Boxwood	18"	48"	o.c.
k	13	Cornus stolonifera 'Farrow'	Arctic Fire Red Twig Dogwood	18"	48"	o.c.
m	15	Pennisetum alopecuroides 'Hamel'	Hamel Fountain Grass	3 gal.	36"	o.c.
n	16	Sporobolus heterolepis	Prairie Dropseed Grass	3 gal.	36"	o.c.
p	5	Cotoneaster dammeri 'Coral Beauty'	Coral Beauty Cotoneaster	1 gal.	72"	o.c.
q	84	Iberis sempervirens	Candytuft	1 qt.	18"	o.c.
gc	30	Sedum ternatum	Three-leaved Stonecrop	2" c.p.	12"	o.c.
	10,076 s.f.	T.B.D.	Bioretention Plantings per MSD	D.C.P.	24"	o.c.
	35,796 s.f.	T.B.D.	Native Prairie	Seed	PLS	

Planting Schedule							
Symbol	Quantity	Botanical Name	Common Name	Size	Remarks	Size/Growth Rate	Bloom/Medium Growth Rate
Canopy-Shade (Street) Trees							
A	9	Acer x freemanii 'Jeffersred'	Autumn Blaze Maple	2.5" cal.	B&B	Lg/Fast	
B	8	Quercus shumardii	Shumard Oak	2.5" cal.	B&B	Lg/M-Fast	
C	7	Ulmus americana 'Frontier'	Frontier Elm	2.5" cal.	B&B	Lg/Med	3.2 %
Canopy-Shade (Buffer) Trees							
E	10	Liriodendron tulipifera	Tuliptree	2.5" cal.	B&B	Lg/Fast	
F	10	Gleditsia triacanthos f. inermis	Honeylocust (thornless)	2.5" cal.	B&B	Lg/Fast	
G	10	Quercus bicolor	Swamp White Oak	2.5" cal.	B&B	Lg/M-Fast	
H	10	Celtis occidentalis	Hackberry	2.5" cal.	B&B	Lg/M-Fast	
J	10	Acer saccharum	Sugar Maple	2.5" cal.	B&B	Lg/Slow-M	4.6 %
K	10	Nyssa sylvatica	Blackgum	2.5" cal.	B&B	Lg/Slow-M	4.6 %
Understory-Ornamental (Buffer) Trees							
M	10	Carpinus caroliniana	American Hornbeam	2.5" cal.	B&B	Sm/Med	4.6 %
N	10	Syringa reticulata	Tree Lilac	2.5" cal.	B&B	Sm/Med	4.6 %
P	10	Prunus serrulata	Cherry	2.5" cal.	B&B	Med/Med	4.6 %
Q	10	Cornus florida	Flowering Dogwood	2.5" cal.	B&B	Sm/Slow-M	4.6 %
R	10	Amelanchier arborea	Downy Serviceberry	2.5" cal.	B&B	Med/Slow-M	4.6 %
S	10	Cercis canadensis	Redbud	2.5" cal.	B&B	Med/Fast	
Evergreen (Buffer) Trees							
U	12	Picea abies	Norway Spruce	6' h.	B&B	Lg/Med	5.6 %
V	12	Picea pungens	Colorado Blue Spruce	6' h.	B&B	Med/Med	5.6 %
W	12	Picea glauca	White Spruce	6' h.	B&B	Med/Med	5.6 %
X	12	Juniperus virginiana	Juniper	6' h.	B&B	Med/Med	5.6 %
Y	12	Pinus strobus	White Pine	6' h.	B&B	Lg/Fast	
Z	12	Thuja 'Green Giant'	Green Giant Arborvitae	6' h.	B&B	Lg/Fast	
						Total	57.8 %

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: March 21, 2022



RE: **P.Z. 16-2021 City of Chesterfield (Unified Development Code—Article 4 and Article 10):** An ordinance amending Article 4 and Article 10 of the Unified Development Code pertaining to signs.

Summary

The Unified Development Code (UDC) was approved and adopted by the City of Chesterfield City Council in June of 2014. The purpose of the UDC is to promote public health, safety and general welfare, while recognizing the rights of real property owners and providing administrative procedures and development standards. The purpose of this petition is to discuss the potential revision to the regulations of the UDC pertaining to signs; in Article 4, Section 405.04.050 Sign Requirements and Article 10, Section 405.10.040 Signage Terms.

The Unified Development Code contains municipal regulations for residential and non-residential/commercial signs. Although the regulations in code (UDC) are static, sign technology and legalities are ever evolving. It is important to continually adapt and update the City's Sign Code regulations to conform to recent legal decisions, address changes in technology, and provide a clear set of codified standards with a clear submission and approval process for residential and commercial properties. The City of Chesterfield remains well poised to address future sign issues by continuing to review and modernize the City's Sign Code regulations within the UDC.

A Public Hearing was held on November 8th, 2021. At that meeting, City staff discussed possible issues with the City's current sign code as they relate to content neutrality (Article 4, Section 405.04.050 of the UDC) and identified potential resolutions and methodology to address the identified issues. The Planning Commission provided a general consensus to move forward with the methodology created by City Staff.

On January 10th, 2022, the petition was brought back to the Planning Commission solely for review, with no action requested from the Commission. At that meeting, City staff brought forward clarification over the discussion items raised at the Public Hearing. Also at that meeting, City staff articulated in presentation form how the methodology secured at the Public Hearing would be implemented into Article 4 including a description of the areas of code least and most affected by the implementation.

On February 14, 2022, the petition was brought back to the Planning Commission. At this meeting, the Planning Commission took action on the petition. A motion was made to approve the petition as submitted. This motion passed by a vote of (9-0).

On March 10th, the petition was brought to the Planning and Public Works Committee for recommendation. At this meeting, the Planning and Public Works Committee took action on the petition.

A motion was made by the Committee to revise Section 405.04-01 D.5.a.3 of the draft Article 04 from a minimum duration of 10 seconds to 30 minutes. The motion passed by a vote of 4-0. This amendment is embodied as a Green Sheet amendment attached hereto.

A motion was made to remove Section 405.04-01 G.1.b of the draft Article 04. The motion passed by a vote of 4-0. This amendment is embodied as a Green Sheet amendment attached hereto.

A motion was made to approve PZ 16-2021 as amended by the Committee. This motion passed by a vote of 4-0.

Attached to this memo is the legislation and the updates to Article 04 and Article 10 of the City's Unified Development Code.

Attachments:

1. Green Sheet Amendments
2. Legislation
3. Draft Article 04
4. Draft Article 10

GREEN SHEET AMENDMENT

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 405.04-01 D.5.a.3

Revise the following language:

(3) Duration of image display. Each image displayed shall have a minimum duration of ~~ten (10) seconds~~ **thirty (30) minutes**.

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 405.04-01 G.1.b

Remove the following language:

~~b.) For the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one (1) year.~~

BILL NO. 3390

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 04, SECTION 405.04.050 SIGN REQUIREMENTS AND ARTICLE 10 SECTION 405.10.040 SIGNAGE TERMS OF THE UNIFIED DEVELOPMENT CODE {P.Z. 16-2021 CITY OF CHESTERFIELD (UNIFIED DEVELOPMENT CODE-ARTICLES 4 AND 10)}.

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 definitions pertaining to Signs; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 8th 2021; and,

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

WHEREAS, the Planning and Public Works Committee, having considered said amendments, recommended approval; and,

WHEREAS, the City Council, having considered said amendments, voted to approve the updates to Article 4 and Article 10 of the Unified Development Code pertaining to the regulations and definitions of Signs.

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 4 and Article 10 of the Unified Development Code pertaining to the regulations and definitions to signs 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 _____, 2022.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 03/21/22

ARTICLE 04. DEVELOPMENT REQUIREMENTS AND DESIGN STANDARDS**Sec. 04-01. SIGN REQUIREMENTS****A. Purpose.**

The purpose of the sign regulations provided herein are to encourage excellence in design of signs, fostering economic viability of the community, and provide safe and concise directional information designed to facilitate traffic flow. Signs shall be designed so as to protect motorists, bicyclists, and pedestrians from distractions that may cause crashes or other detrimental impacts.

Signs shall not overload the public's capacity to receive information, or cause visual confusion by interfering with pedestrian or vehicular traffic. Signs shall conform to the character of the community, enhance the visual harmony of development, and preserve the public health, convenience, welfare and/or safety within the City of Chesterfield by maintaining the high aesthetic quality of the community.

The City does not intend to infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, Section 8, of the Missouri Constitution. All regulations in this article are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of residents and visitors to speak freely.

B. Scope of Provisions.

1. These regulations are supplemented and qualified by the regulations of the particular zoning district in which a sign may be located and by additional general regulations appearing elsewhere in this UDC which are incorporated as part of this Section by reference. This Section contains regulations applicable to all signs in all zoning districts.
2. Regulations for any signs may be made more restrictive in the conditions of the ordinance governing a particular Planned District or Special Procedure. Regulations may also be modified when a sign package is submitted and approved by the City of Chesterfield.
3. On the effective date of this UDC, no sign, except a sign presently so lighted, shall be illuminated by intermittent light sources. This prohibition shall not apply to the manual changeable copy on a sign.
4. When sign illumination is desired, it shall be arranged so as to not cast light directly from any source of illumination on any public right-of-way or on adjoining properties in the "NU" Non-Urban, "PS" Park and Scenic, "AG" Agricultural or any residential district.

C. Permits and Municipal Zoning Approvals (MZAs) for Signs.

1. Unless excepted by these regulations or the City of Chesterfield Building Code, no sign shall be erected, constructed, posted, altered, enlarged, maintained, or relocated until an MZA has been issued by the Department and a sign permit issued by St. Louis County Department of Public Works. Before any MZA is issued, an application, provided by the Department, shall be filed, together with drawings and specifications as may be necessary to fully advise and acquaint the Department and St. Louis County Department of Public Works with the location, construction, materials, manner of illuminating, and securing or fastening, and the wording or delineation to be carried on the sign. All signs that are to be illuminated by one (1) or more sources of artificial light shall require a separate electrical permit and inspection conducted by St. Louis County Department of Public Works.
2. Structural and safety features and electrical systems shall be in accordance with the requirements of the City of Chesterfield Building Code or any applicable building codes being enforced by the City of Chesterfield. No sign shall be approved for use unless it has been inspected by the Department issuing the permit and is found to be in compliance with all the requirements of this UDC and applicable technical codes. Signs found to be in violation of the requirements of this UDC and/or applicable technical codes and which are determined to be a danger to public health and safety may, after 15 days of an inspection determining said violation and after notification to the property owner, be dismantled and removed by the City of Chesterfield. The expense for such action shall be charged to the owner of the property on which the sign is erected and shall be filed as a special lien thereon.
3. Planning Commission Approval. The proponent of a sign subject to Planning Commission Approval as set out in subsequent sections shall file with the Department, in addition to those document requirements specified in Section 04-05.C. of this Article, a written statement addressing the following information:
 - a.) The underlying purpose of such a sign.
 - b.) Why such a sign should exceed the maximum height and/or outline area specification for a particular sign in order to accomplish the underlying purpose as stated in item a.) above.
 - c.) What the proponent of such a sign believes the adverse impact may be upon the underlying purpose of such a sign if the proponent is compelled to reduce the height and/or outline area of such a sign to within the maximum height and/or outline area specification for any one (1) sign and the factual basis supporting such belief.

- d.) The approximate distance the proposed sign will be from other existing or planned structures visible or planned to be visible within a radius of 1,000 feet from said sign, identifying such structures with sufficient particularity to enable the Planning Commission to determine whether there is a reasonable likelihood of an adverse public health, convenience, welfare and/or safety impact within the 1,000 foot radius area while maintaining the high aesthetic quality of said area.
- e.) What steps, if any, the proponent has taken to integrate the design with the surrounding environment in order to minimize the amount of visual clutter, and to avoid the distraction to pedestrians and motorists beyond that necessary to convey the underlying purpose of said sign.
- f.) If no steps (referred in item e.) above) have been taken, provide information as to why such steps should not be required of the Applicant.
- g.) Any other information, such as length of frontage, special speed limit or topographic considerations, that the proponent deems pertinent to the approval of such a sign request.

D. Sign Package Submittals.

1. The purpose of a sign package is to provide comprehensive, complementary and unified signage throughout a single planned zoning district, 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 405.04.03, 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.
 - 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) 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.
 - (2) 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 1,000 feet from the center point of two intersecting arterial roadways as designated within the City of Chesterfield Street Classification Map.

- (3) Duration of image display. Each image displayed shall have a minimum duration of ten (10) seconds.
- (4) 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.
- (5) Transition. When the image or any portion thereof changes, the change sequence shall only be accomplished by means of instantaneous re-pixelization.
- (6) 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.
- (7) 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.
- (8) 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.
- (9) 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.
- (10) Resolution and pixel spacing. The electronic message center shall not have a pixel pitch larger than sixteen (16) millimeters (mm).
- (11) 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 and 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 5a. of this section may be modified by a separate 2/3 vote of the Planning Commission.
 - d.) Sign packages including electronic message centers shall only apply to on-site signage. Advertising signs (billboards) are prohibited.
- 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 Subsection (A) of this Section 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 405.02.190.

E. Sign Regulations – Area and Height Computations.

The following regulations shall govern the computation of sign area and height computations:

- 1. Freestanding Sign – Outline Area.

- a.) The outline area of a freestanding sign shall include the area within a continuous perimeter of a plane enclosing the limits of writing, graphic representation, logo, or any figure or similar character together with the outer extremities of any frame, or other material or color forming an integral part of the display which is used as a background for this sign. The area of a freestanding sign of individually cut out writing, graphic representation, logo, or any figure or similar character which is not enclosed by framing, and which projects from a sign support or main body of a sign, is the sum of the areas of all of the triangles or parallelograms necessary to enclose each writing, graphic representation, logo, or any figure or similar character, including the space between individual letters comprising a word, and including the space between individual words.
- b.) The outline area of a freestanding sign shall not include the necessary supports for the sign when such supports do not extend above the sign and are not a part of the overall design of a sign. The outline area of a freestanding sign shall also not include the area between separate cabinets or modules of such sign or any pole covers, lighting fixtures, or landscaping provided they contain no commercial or non-commercial messaging.

2. Freestanding Signs – Height.

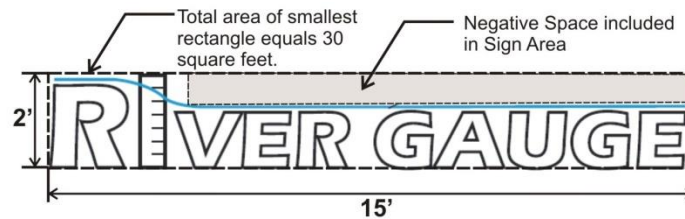
- a.) Except as may be specifically noted in these regulations, setbacks for all signs shall be governed by the minimum setback yard requirements in each particular zoning district.
- b.) Freestanding signs shall not exceed the maximum allowed height above the ground elevation. The ground elevation of freestanding signs shall be measured at the elevation of the adjacent street or the average existing finished ground elevation at the base of the sign, whichever is higher.
- c.) The height of all signs on corner lots shall not exceed three (3) feet above the elevation of the adjacent street pavement when located within the sight distance triangle.

3. Attached Wall Sign – Outline Area.

The size of attached wall signs shall be measured in the following manner:

- a.) The outline area of an attached sign shall include all lettering, graphic representation, logo, design or any figures together with the background whether open or enclosed upon which they are displayed.

- b.) A sign consisting of individually cut out writing is measured as the total area of a rectangle or square enclosing all words. This includes any negative space.



4. Outline Area - Double-Faced Signs. Only one (1) side of a double-faced sign shall be included in the sign area. Double-faced signs shall include those signs where the sign face is parallel or where the interior angle formed by the faces of a V-shaped sign is 60 degrees or less. If the two (2) faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger face.
5. Sign Area on Walls of Circular Buildings and Other Buildings with Curved Wall Surfaces.
- a.) The area constituting a single wall of a circular building shall be designated by the owner on a portion of the wall, but shall be limited to be determined by multiplying three-fourths ($3/4$) of the diameter of an area of the building by the average height of the exterior walls of the building at the finished ground elevation of the building.
- b.) The area contained on a single wall of a non-circular building with continuous curved wall surfaces shall be designated by the owner on a portion of the wall but shall be limited to an area determined by multiplying three-fourths ($3/4$) of the average diameter of the building by the average height of the exterior walls of the building at the finished ground elevation of the building.
- c.) The area contained on any single curved wall of a building that is not totally circular or is not composed of a continuous curved wall surface shall be determined by multiplying the shortest distance between the two (2) ends of the arc forming the curved wall surface by the average height of the exterior walls of the curved wall surface at the finished ground elevation of that surface.
- d.) The horizontal length of any single wall of a building that is characterized by the multiple curved wall surfaces or other irregular wall surfaces shall be measured as a straight line extending between both edges of the wall.

F. Sign Regulations – Permanent Signs.

The following provisions shall govern the erection of all permanent signs, together with their appurtenant and auxiliary devices with respect to size, number, height, location and construction.

1. General Provisions.

- a.) Permitted signs may either be a flat sign permanently affixed to the face of a building, awning or canopy or be freestanding. Incidental Signs affixed to buildings shall not project above the eave line of the roof except as an integral roof sign.
- b.) All freestanding signs shall be located as not to impair the visibility of any official highway sign or marker and no commercial or non-commercial sign shall be so placed as to unnecessarily obstruct the visibility of any other commercial or non-commercial sign.

2. Signs – Freestanding.

- a.) General. Subject to other provisions of this Section, each developed lot may have no more than one (1) freestanding business sign facing each roadway on which the lot has frontage regardless of the number of buildings upon the lot. Furthermore, each building regardless of the number of lots upon which it may be located, shall have no more than one (1) freestanding business sign facing each roadway on which its lot or lots has frontage. Permanent freestanding signs are prohibited on single family lots and common ground, except for when approved as a Residential Subdivision Identification Sign. For the purpose of these regulations, an aggregation of two (2) or more structures connected by a wall, firewall, facade or other structural element, except for a sidewalk, shall constitute a single building.

The height of all permanent freestanding signs shall not exceed six (6) feet when located within the minimum front yard setback of a particular zoning district.

- b.) Specific Regulations and Exceptions.

- (1) A freestanding sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign, or the elevation of the adjacent street, whichever is higher. The total outline area per face shall not exceed 50 square feet or twenty-five one hundredths (0.25) square feet of signage per linear foot of street frontage up to 100 feet of street frontage and one-tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less (see exceptions below).

- (2) Said sign face shall be attached to a proportionate enclosed base, integrated planter or structural frame, the width of which shall be a minimum of one-half ($\frac{1}{2}$) the width of the widest part of the sign face. The bottom of the sign face shall not exceed a height of three (3) feet above the average existing finished grade at the base of the sign, or elevation of the adjacent street, whichever is higher. An enclosed sign base or integrated planter shall not be required if the sign face is within one (1) foot of the average finish grade at the base of the sign.

Exceptions:

- (a) For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher, or;
- (b) The maximum outline area and/or height of any freestanding business sign may be increased to a maximum of 100 square feet in outline area and/or 20 feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 405.04.05.C. of this Article.
- (3) An individual lot having a minimum of 850 feet of frontage on any roadway, and a minimum size lot of 20 acres or more, shall be allowed two (2) freestanding business signs on each roadway frontage exceeding 750 feet of frontage. However, a minimum of 400 feet shall separate the two (2) permitted signs.

In lieu of the two (2) permitted freestanding signs, one (1) freestanding business sign may be permitted, the maximum outline area of which may be increased to 150 square feet, subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article "Planning Commission Approval".

- (4) A single commercial, non-commercial or industrial development or subdivision without residential uses in excess of 20 acres in size shall be permitted a project identification sign at each main entrance to the subdivision or development. Such sign may be located on any platted lot or common ground of a development or subdivision or any unplatted portion of the development or subdivision identified as part of a particular development on an approved preliminary plat, site development concept plan, site development section plan, or site development plan.
- (5) A project identification sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher, with the total outline area per face not to exceed 50 square feet or twenty five one hundredths (0.25) square feet of signage per linear foot of street frontage up to 100 feet of street frontage and one tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less.

Exceptions:

- (a) For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height of a project identification sign to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher; or,
 - (b) The minimum outline area and/or height of any project identification sign may be increased to a maximum of 100 square feet in outline area and/or 20 feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article "Planning Commission Approval".
- (6) Commercial, non-commercial, industrial or mixed-use subdivisions without residential uses of ten (10) lots/units

or more that are less than 20 acres shall be permitted a subdivision identification sign at each main entrance to the subdivision. Such sign shall not exceed 50 square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Subdivision identification signs shall be located within an easement on any platted lot or on common ground of subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat, site development concept plan, site development section plan, or site development plan. No subdivision identification sign shall be permitted for a development permitted a project identification sign.

- (7) Landscaping. All permanent freestanding signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports.

3. Signs – Attached to Wall.

a.) General Provisions.

- (1) Subject to the specific regulations set out below, each commercial or non-commercial tenant space or the sole occupant of a freestanding building shall have no more than one (1) attached sign on any two (2) walls of a building that are exterior walls of the particular building or tenant space. Permanent wall signs are prohibited on single family residential buildings, multi-family residential buildings, and the exterior residential walls of a mixed-use building.
- (2) The outline area of each sign shall not exceed five percent (5%) of the wall area of the commercial or non-commercial tenant space on which said sign is attached. No sign shall exceed 300 square feet in outline area.
- (3) Countable wall area shall include the entire surface of a wall, such as gable and similar areas, and the vertical face of a mansard roof, whether real or artificial, which extends above the wall of the business on which the sign is attached. However, the countable area of mansard roofs shall be limited to the area not greater than six (6) feet above the eave line of the roof times the length of associated wall.

Example: Where "Z" equals the maximum square footage of a wall sign. The height of a building "Y" is multiplied the width of a building "X" to provide the total square footage of the façade. This value is then multiplied by 0.05 or 5% to provide "Z" the maximum signage square footage. See Illustration A:

Illustration A.



b.) Specific Regulations and Exceptions.

- (1) For a commercial or non-commercial tenant being the sole occupant of a building located on a corner lot or a lot with double frontage, said business may have one (1) attached sign on any three (3) walls of a building that are exterior walls.
- (2) Where a lot or parcel of land is developed with more than one (1) building, interior buildings shall be permitted the same type and number of wall signs on the interior buildings as are allowed on peripheral buildings. The mounting requirements of the permitted signs shall be the same as any attached wall sign.
- (3) In buildings containing single or multiple tenants where public access to individual tenant space(s) is gained via interior entrances, said building shall be allowed no more than one (1) attached sign on any two (2) walls having roadway frontage.
- (4) A sign may be painted or otherwise permanently affixed to the surface of an awning or canopy. The outline area of the message shall not exceed 15% of the horizontal projection in elevation of the exterior surface of the awning or canopy.

Said message outline area, shall not be counted toward the allowable outline area for a wall sign.

- (5) Where a multi-tenant building contains both public access to individual tenant space(s) via interior entrances and an additional exterior access point(s) that services only one tenant, signage may be permitted above said exterior access point of the tenant. This signage is in addition to the exterior signage permitted in subsection (3) above. The outline area of each sign shall not exceed five percent (5%) of the wall area of the tenant space on which said sign is attached. No wall sign shall exceed 300 square feet in outline area.

4. Advertising Signs (Billboards).

- a.) Advertising signs (subsection 4. refers to Billboards only) are permitted in the Planned Commercial District, Planned Industrial District, and "MXD" Mixed Use Development District if permitted in the conditions of the ordinance governing the particular planned district.
- b.) Advertising signs shall not exceed 800 square feet in outline area, nor extend more than 35 feet above the elevation of the adjacent street. Subject to more restrictive regulations of the zoning district in which it is located, an advertising sign shall not be located closer than 100 feet to any other advertising sign or building, nor within 50 feet of any "PS" Park and Scenic or any residentially zoned property or any property line of any "NU" Non-Urban zoned property, nor within ten (10) feet of any side or rear property line. Not more than one (1) advertising sign shall be permitted on one (1) structure, except that where a structure is located perpendicular to the street right-of-way, two (2) sign facings shall be permitted in each direction.
- c.) No outdoor advertising sign shall be located within 50 feet of any roadway right-of-way line, except that where existing buildings on immediately adjacent tracts (on both sides) are located closer to the roadway right-of-way than 50 feet, an advertising sign may be placed within the average setback of the existing buildings on each side of the advertising sign. Where a building on an adjacent tract exists on one (1) side only, located closer to the roadway right-of-way than 50 feet, an advertising sign may be placed within the average setback of the existing building and the 50 foot setback required by these regulations.

- d.) Notwithstanding the regulations as set out above, all Advertising Signs (Billboards) must be in conformance with Chapter 226.500 through 226.600 RSMo. as amended.
- e.) Separation from Other Zoning Districts. No advertising sign shall be located within 1,000 feet of any "NU" Non-Urban District, "AG" Agricultural, residential districts, or "PS" Park and Scenic District zoned tract, or any tract subject to the Landmark and Preservation Area Special Procedure.
- f.) Separation from Other Advertising Signs. No advertising sign shall be erected within five (5) miles of any existing sign on the same side of the highway. No sign shall be located in such a manner as to obstruct or otherwise physically interfere with the effectiveness of any official traffic sign, signal, or device, or obstruct or physically interfere with motor vehicle operators' view of approaching, merging, or intersecting traffic. The separation requirements between advertising signs outlined in this subsection shall be measured perpendicular to the centerline off the subject highway. The separation distance shall apply only to advertising sign structures located on the same side of the subject highway.
- g.) Lighting. No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any advertising sign. No flashing, intermittent, or moving light or lights shall be allowed. External lighting, such as floodlights, thin line and gooseneck reflectors may be permitted in the conditions of the ordinance governing a particular planned or mixed use district, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the public right-of-way. Lights shall not be of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal, nor shall any sign illumination cast light on adjacent properties.
- h.) In accordance with the authority granted to the City pursuant to H.B. 831, 89th General Assembly (1997), the following regulations shall apply to all billboards and outdoor advertising structures, within the meaning of H.B. 831 and sections 226.500 to 226.600, R.S.Mo., which are placed or proposed to be placed at any location within the view of any Federal, State, interstate, primary or other highway within the City:

- (1) No outdoor advertising structure or billboard shall be erected or maintained which exceeds 15 feet in height above ground level.
 - (2) No outdoor advertising structure or billboard shall be erected or maintained within the view of any Federal, State, interstate or primary highway at a distance of less than five (5) miles from any other outdoor advertising structure or billboard within the City which is visible to persons traveling in the same direction on such highway.
 - (3) No outdoor advertising structure or billboard, other than on-premises signage specifically regulated pursuant to other provisions of the UDC of the City of Chesterfield, shall be lighted or artificially illuminated after dark in any manner visible from any location outside the right-of-way of the highway from which the outdoor advertising structure or billboard is visible.
5. Residential Subdivision Identification Signs. Residential subdivisions of ten (10) lots/units or more shall be permitted a subdivision identification sign at each main entrance to the subdivision. Such sign shall not exceed 50 square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Residential subdivision identification signs shall be located within an easement on any platted lot or on common ground of a subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat or site development concept plan, site development section plan, or site development plan.
6. Supplementary Regulations.
 - a.) An outdoor automatic teller or similar facility may have either one (1) freestanding or one (1) wall sign not to exceed 16 square feet in outline area associated with the facility. No freestanding sign for such a facility shall exceed eight (8) feet in height or width or be illuminated in any manner other than from an internal source.

G. Sign Regulations – Temporary Signs and Attention-Getting Devices.

The provisions of this Section shall govern the erection of all temporary signs and attention-getting devices, together with their appurtenances, with respect to size, height, location, and construction.

1. General.

- a.) A sign not permanently affixed to a vehicle or trailer, which is parked or located such that the primary purpose is to display such sign, is prohibited. This prohibition shall not apply to signs or lettering on buses, trucks, or other vehicles while in use in the normal course of business.
 - b.) For the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one (1) year.
 - c.) Unless otherwise specifically stated, temporary signs shall not be illuminated.
 - d.) No temporary sign shall require a foundation, support, wiring, fittings, or elements that would traditionally require a building permit or electrical permit.
 - e.) Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.
2. Temporary signs without a commercial message. Temporary signs without a commercial message do not require a sign permit, provided that they comply with the standards of this article, including the standards that apply to all temporary signs.
- a.) The maximum sign area of any single temporary sign without a commercial message shall be eight square feet in residential zoning districts and 24 square feet for each commercial or non-commercial tenant space or the sole occupant of a freestanding building in nonresidential zoning districts.
 - b.) The maximum height of temporary signs without commercial speech shall be six feet.
 - c.) The signs are limited to yard signs and banner signs
3. Temporary signs with a commercial message in residential zoning districts. The following are the temporary signs with a commercial message allowed in residential zoning districts:
- a.) Up to two temporary signs with a commercial message are permitted on each lot in a residential zoning district.
 - b.) The maximum sign area for each sign shall be eight square feet with a maximum height of six feet.

- c.) The signs are limited to yard signs and banner signs
- 4. Temporary signs with a commercial message in nonresidential zoning districts. The following are the temporary signs with a commercial message allowed in nonresidential zoning districts:
 - a.) Each commercial or non-commercial tenant space or the sole occupant of a freestanding building is permitted up to 24 square feet of temporary signs year round, subject to the standards for each specific type of sign.
- 5. Window Signs.
 - (1) Window Signs are permitted in addition to other commercial and non-commercial temporary signs. Window Signs shall not occupy more than twenty-five percent (25%) of any single window area. The window area may include multiple panes of glass separated only by supporting framing materials but not separated by architectural elements. Such signs are solely permitted on a window of that particular tenant space and solely on a façade that has an entrance to said tenant space.
 - (2) Window Signs are solely permitted on the first and second floor of a building.
 - (3) A sign permit shall not be required for any window sign.
- 6. Living or Human Signs associated with a commercial business are permitted on the premises of the business for which the advertising is for. The maximum size of a commercial or non-commercial sign that may be held by an individual is three (3) square feet. These signs do not require an MZA and are not permitted off-site, or within the right-of-way.
- 7. Temporary Signs – Development Related.
 - a.) General. One (1) Temporary Construction sign may be erected in addition to other temporary signs per roadway frontage at any one time after first obtaining the required zoning approval and sign permit. At no time shall guy wires or auxiliary support posts be used to anchor a temporary development related sign.
 - b.) Temporary Construction Signs.
 - (1) Construction signs on a site may be erected during the construction period. Each construction site may have no more than one (1) such sign facing each roadway on which the site has frontage. No construction sign shall exceed 32

feet in outline area, nor exceed ten (10) feet in height above the average existing finished grade.

- (2) The signs shall be confined to the site of the construction and shall be removed no later than 14 days after completion of all construction on the site or after 90 days of suspension of work.
 - (3) The maximum outline area of a temporary construction sign may be increased to 64 square feet subject to Planning Commission approval as outlined in Section 405.04.05.C.3. of this Article.
- c.) Attention-Getting Devices (on premises). Attention-getting devices, which shall include, but are not limited to, inflatables, beacons, festoons, pennants and streamers, shall be allowed in conjunction with a grand opening for each business. Said devices shall be in use for a period not to exceed 15 consecutive days and only upon the initial opening of each business. Attention-getting devices, with the exception of inflatables, may be used in conjunction with a special promotion for a period not to exceed 45 days per calendar year. A temporary zoning approval is not required for an attention-getting device. The total sign area must not exceed the allowable area of temporary signs for the associated zoning district.

H. Sign Regulations – Exempt and Prohibited

1. Exempt Signs. The following signs shall be exempt from the provisions of this UDC. However, setback and height requirements for all structures, where applicable, shall be in accord with the regulations of the particular zoning district in which the structure is located. The Director of Planning is the final authority on the interpretation of an Exempt Sign.
 - a.) Official traffic or government signs, including memorial plaques and signs of historical interest.
 - b.) Flags of any nation, government, or non-commercial message.
 - c.) Scoreboards on athletic fields.
 - d.) Display window signs, not attached to a window, incorporated and related in content to such a display.
 - e.) Temporary signs indicating a potential danger.
 - f.) Public notices and legal notices required by law.
 - g.) Signs mandated by the Federal, State, local or city government.

- h.) Gravestones.
 - i.) Commemorative tablets and monument citations of less than ten (10) square feet that are an integral part of a permanent structure.
 - j.) Incidental signs.
 - k.) Post Office Address.
 - (1) All buildings and structures having a post office address shall list the street number of such post office address on the front of the building or structure in a type of sufficient size as to be clearly visible from any street adjacent to the property. In any case where the building or structure is not visible from the street that is adjacent to the property, or if the building is more than 150 feet from the street adjacent to the property, the street number must be placed at some location on said property within 50 feet of the adjacent street. This number need not always be on a mailbox, but a number on the mailbox on said property will satisfy the requirements of this statute. In the case of buildings or structures which are adjacent to more than one (1) street, the number shall be visible from the street to which the post office address corresponds.
 - (2) All buildings or structures which are used for business, commercial, industrial, manufacturing or public purposes which have post office addresses shall list the street number of such post office address on the front of the building in a type of sufficient size (minimum three (3) inches, maximum 12 inches) as to be clearly visible from a street adjacent to the property and on the rear of the building on the right edge of the building when facing the rear of the building and not less than six (6) feet nor more than eight (8) feet above the ground level.
2. Prohibited Signs. All signs not expressly permitted under this UDC or expressly exempt from regulation hereunder in accordance with the above Section are prohibited within the City of Chesterfield. Such signs shall include:
- a.) Abandoned signs.
 - b.) Neon.
 - c.) Off-premises signs, other than those specified previously in this Section of the UDC.

- d.) Portable signs, unless used to convey public, not-for-profit, or civic information.
 - e.) Projecting signs.
 - f.) Rooftop signs.
 - g.) Signs attached or painted on vehicles parked and visible from the public right-of-way unless said vehicle is used in the normal day-to-day operations of a business.
 - h.) Signs affixed to bus stop shelters or other similar structures.
- I. Sign Regulations – Non-conforming Signs.
- Information on non-conforming signs may be found in Article 7 of this UDC.

ARTICLE 10. DEFINITIONS

SEC. 10-04. SIGNAGE TERMS	10-1
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SIGNAGE TERMS

Attention-getting device – A balloon, banner, beacon, festoon, pennant or other similar object erected on a site to draw attention to that particular site, business, or activity. For additional information, see definitions for balloon, festoon, and pennant.

Balloon – Any nonporous bag of light material filled with heated air, a gas lighter than air, or with continuous airflow so as to be inflated whether it floats in the air or is inflated and remains on the ground. For the purposes of these regulations, a balloon devoid of characters, letters, symbols or illustrations shall be considered a sign.

Banner – Any temporary sign of light-weight fabric or similar material that is mounted to a pole or building at one or more edges. National flags, state or municipal flags, official flags of any institution or business, or subdivision promotion flags shall not be considered banners. See also sign, street banner.

Beacon – Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same premises as the light sources.

Billboard – A sign structure advertising a commercial enterprise, product, service, industry or other activity not conducted, sold, or offered on the same premises on which the sign is erected.

Electronic message center – A sign whose alphabetic, graphic, or symbolic informational content can be changed or altered on a fixed display surface, composed of electrically illuminated or mechanically-driven changeable segments either by means of pre-programming or by computer-driven electronic impulses. Also see sign, changeable copy (automatic).

Festoon – A string of ribbons, tinsel, small flags or pinwheels used primarily to gain attention. See also pennant.

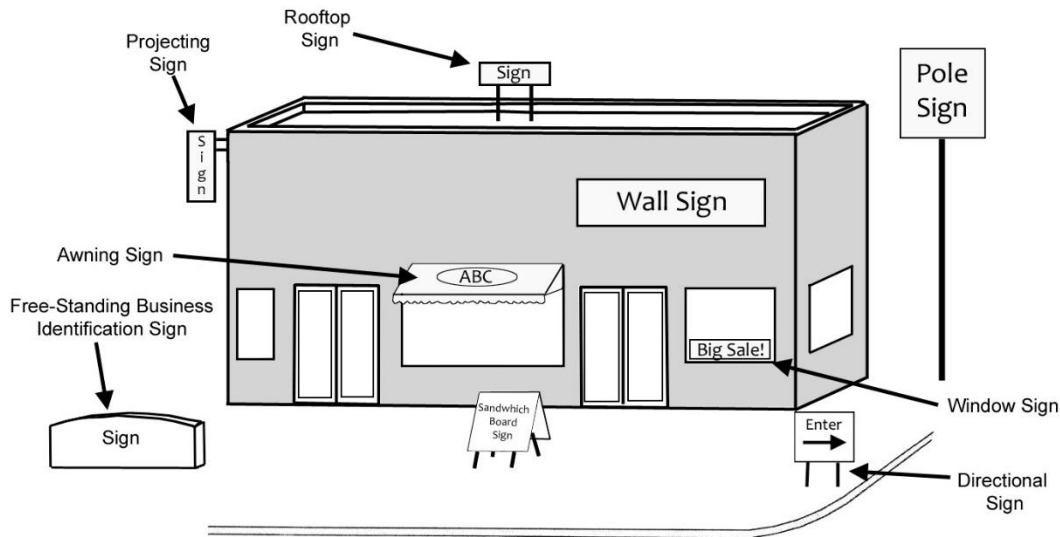
Graphic representation – A written or pictorial likeness or image.

Message, Commercial – Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

Message, Noncommercial – Any sign, wording or logo that does not represent a commercial message or commercial speech. Such signs may express messages that include, but are not limited to, free speech opinions, ideological messages, religious messages, political messages, etc. See also "message", commercial."

Pennant – Any light-weight fabric, or other material suspended from a rope, wire, or string, designed to move in the wind for the purpose of gaining attention.

Sign – Any device, structure, fixture, or placard that uses any graphics, symbols, written copy, and/or illumination to advertise, direct, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.



Sign illumination – Any artificial light source incorporated internally or externally for the purpose of illuminating a sign.

Sign Package – A comprehensive, complementary and unified plan for signage throughout a single development or contiguous lots under common ownership.

Sign permit – A license to proceed with erecting, constructing, posting, altering, enlarging, maintaining, or relocating a sign.

Sign structure – Any structure which supports, has supported, or is capable of supporting a sign including decorative cover.

Sign, abandoned – A sign which no longer is utilized to identify, direct, or otherwise advertise a bonafide business, lessor, service, owner, product, or activity and/or which no legal owner can be found. A sign that is in disrepair or has not been maintained by the owner in such a fashion that is unsafe, unsound, or can no longer be read from a reasonable distance as a result of failure to have been maintained.

Sign, accessory – A sign relating to an accessory use on a lot or development that provides on-site directional information to pedestrians or motorists. Also see sign, incidental.

Sign, advertising – A sign intended to attract general public interest concerning a commercial enterprise, product, service, industry, or other activity not conducted, sold or offered on the same premises upon which the sign is erected. Also see billboard and sign, off-premise.

Sign, animated – Any sign which includes action or motion. This term does not refer to flashing or changing, all of which are separately defined.

Sign, awning / canopy – A sign painted on, printed on, or otherwise affixed to the surface of an awning, canopy or similar structural protective cover over a door entrance, window or outdoor service area.

Sign, background area – The entire area of a sign on which copy could be placed, but does not include a permanent building surface.

Sign, board – Any freestanding sign made from plywood, particle board, masonite or any other type of sawed lumber material.

Sign, changeable copy – A sign or portion thereof whose characters, letters, illustrations or other informational content can be changed, altered, or rearranged by manual or automatic means.

Sign, changeable copy (automatic) – A sign whose characters, letters, illustrations, or other informational content can be changed, altered, or rearranged by electronic or mechanical means. A time and temperature and date sign, electronic message center or reader board, and stock market sign are considered automatic changeable copy signs.

Sign, changeable copy (manual) – A sign whose characters, letters, illustrations, or other informational content can be changed, altered, or rearranged by manual means.

Sign, construction – A temporary sign used during construction of new buildings or reconstruction of, or additions to existing buildings for the project on which the sign is located.

Sign, directory – A permanent business sign intended for customer convenience, direction and safety which identifies a building, office park, or industrial park by name/address and includes tenant names/locations.

Sign, display house promotion – A temporary sign intended to inform the general public about a particular display house in a developing subdivision.

Sign, face of – The entire area of a sign on which copy could be placed irrespective of structural supports. The area of a sign which is visible from one direction as projected on a plane.

Sign, flashing – Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted light source. Automatic changing signs such as public service, time and temperature, and date signs, stock market or electronically controlled message centers are classified as flashing signs. Also see also sign, animated

Sign, flat or wall – A sign attached directly to the wall of a building which is in the same plane as the face of the wall with the maximum space between the sign and the face of the wall to be six (6) inches.

Sign, freestanding – Single or double faced sign placed upon or supported by the ground independent of any building or structure; including pole or pylon signs and monument signs.

Sign, height of – The vertical distance measured from the existing finished grade adjacent to the sign or the elevation of the adjacent street, whichever is higher, to the highest point of the sign.

Sign, illegal – A sign which contravenes this UDC or a non-conforming sign for which a permit required under a previous ordinance was not obtained.

Sign, incidental – A sign, generally informational, that has a purpose solely accessory to the use of the lot on which the sign is located. No sign with a commercial message legible or apparent from off the lot on which the sign is located shall be considered incidental.

Sign, information – A sign which identifies a residence, a non-commercial activity, or conveys cautionary information. Also see sign, public information.

Sign, living or human – A living or human sign is a sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purposes of advertising or drawing attention to an individual, business, commodity, service or product.

Sign, mailbox – A business identification sign expressly for the Commercial Service Procedure not to exceed 18 inches by 24 inches in sign face area.

Sign, menu board – A sign which lists the assortment of offerings that may be ordered at a restaurant via the drive-thru lane.

Sign, monument type – A freestanding sign attached to a proportionate base, integrated planter or structural frame, the width of which shall be a minimum of one-half (1/2) the width of the widest part of the sign face.

Sign, non-conforming – A sign which existed lawfully whether by variance or otherwise, on the date this Unified Development Code or any amendment thereto became effective, and which fails to conform to one or more of the applicable regulations of this Unified Development Code or such amendment thereto.

Sign, non-conforming (illegal) – A sign which fails to conform to one or more of the applicable sign regulations or amendments thereto and was erected unlawfully on the date this Unified Development Code or any amendment became effective.

Sign, non-conforming (legal) – A sign which existed lawfully on the date that this Unified Development Code or any amendment thereto became effective and which fails to conform to one or more of the applicable sign regulations or amendments thereto.

Sign, off-premise – A sign advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located. Also see billboard and sign, advertising.

Sign, pole or pylon – A freestanding sign supported by uprights, braces, columns, poles, or other vertical members which are not attached to a building and where the bottom edge of the sign face is located three (3) feet or more above the average grade at the base of the sign.

Sign, portable – Any sign not permanently attached to the ground, building, or other permanent structure, or a sign designed to be transported by means of wheels and signs attached to or painted on vehicles parked and visible from the public right-of-way unless said vehicle is used in the normal day-to-day operations of a business.

Sign, project identification – A permanent, freestanding sign located at the main entrance to a commercial or industrial development which is in excess of 20 acres in size. Also see sign, directory.

Sign, projecting – Any sign, other than a flat or wall sign, affixed to a building or wall in such a manner that its back edge extends more than six (6) inches beyond the surface of such building or wall.

Sign, roof – A sign erected on, over or above the roof line of a building.

Sign, roof (integral) – Any sign erected or constructed as an integral or essentially integral part of a normal roof structure, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the roof by a space of more than six (6) inches.

Sign, sandwich board – Two (2) sign board faces, usually hinged, placed on the ground which is used primarily for advertising purposes.

Sign, street banner – A temporary sign composed of light-weight fabric or similar material attached to a pole or street light by means of a rigid frame at one or more edges.

Sign, temporary – A sign which is intended or contracted for a time of limited duration not exceeding twelve (12) months.

Sign, wall – Any sign attached parallel to, and with its back within six (6) inches of, a wall, painted on the wall surface of, or erected and confined within the outside limits of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.

Sign, window – A sign placed on the surface of a window or other transparent surface and is visible from the exterior of the window or surface.

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember Moore

Vice-Chair: Councilmember McGuinness

There are no Finance and Administration Committee action items scheduled on the agenda for this meeting.

NEXT MEETING

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

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

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember Mastorakos

Vice Chair: Councilmember Budoor.

NEXT MEETING

Central Park Pickleball Courts – As directed by the Parks, Recreation and Arts Committee, staff has developed a revised cost estimate for pickleball courts at Central Park. In addition, we have provided information related to our direct conversations with the Y regarding the potential use of their site for pickleball courts.

As directed, the number of courts was reduced to three and they were shifted as far east as possible. The retaining wall was deleted, which results in an uneven terrain connecting the open fairground area with The Awakening.

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

Mike Geisel
City Administrator



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

OFFICE OF THE CITY ADMINISTRATOR

TO: Mayor & City Council
Date: March 16, 2022
RE: Central Park Pickleball Courts

As directed by the Parks, Recreation and Arts Committee, staff has revised the layout and cost estimates to provide for pickleball courts at Central Park. The Committee also directed that the layout and cost estimates be forwarded directly to City Council. These courts were to be shifted to the east, reduced in number to three courts, and the retaining wall was to be eliminated. The attached concept design drawing reflects the requested layout. Staff's estimated cost to construct these courts is \$527,725. However, it should be remembered that these are our engineering estimates and prices are increasing at a rapid rate. These costs do not represent actual construction bids and the sitework quantities are estimated as well, not based on actual surveys or bid proposals.

Staff was also requested to summarize discussions that occurred with Greg Davenport and Patricia Meinhold of the Y, related to potentially constructing courts on the parking area at the southwest portion of their existing parking lot. These discussions are provided in bullet point form below:

- The Y would be willing for us to build the courts on the back lot of YMCA on the west side of the facility. They have no funding assistance available for the courts. The YMCA has no ability to split the cost of the construction of the courts on their property.
- The City may have to lease the land for construction and use of the space.
- The Y would need to find additional parking for the displaced parking spaces.

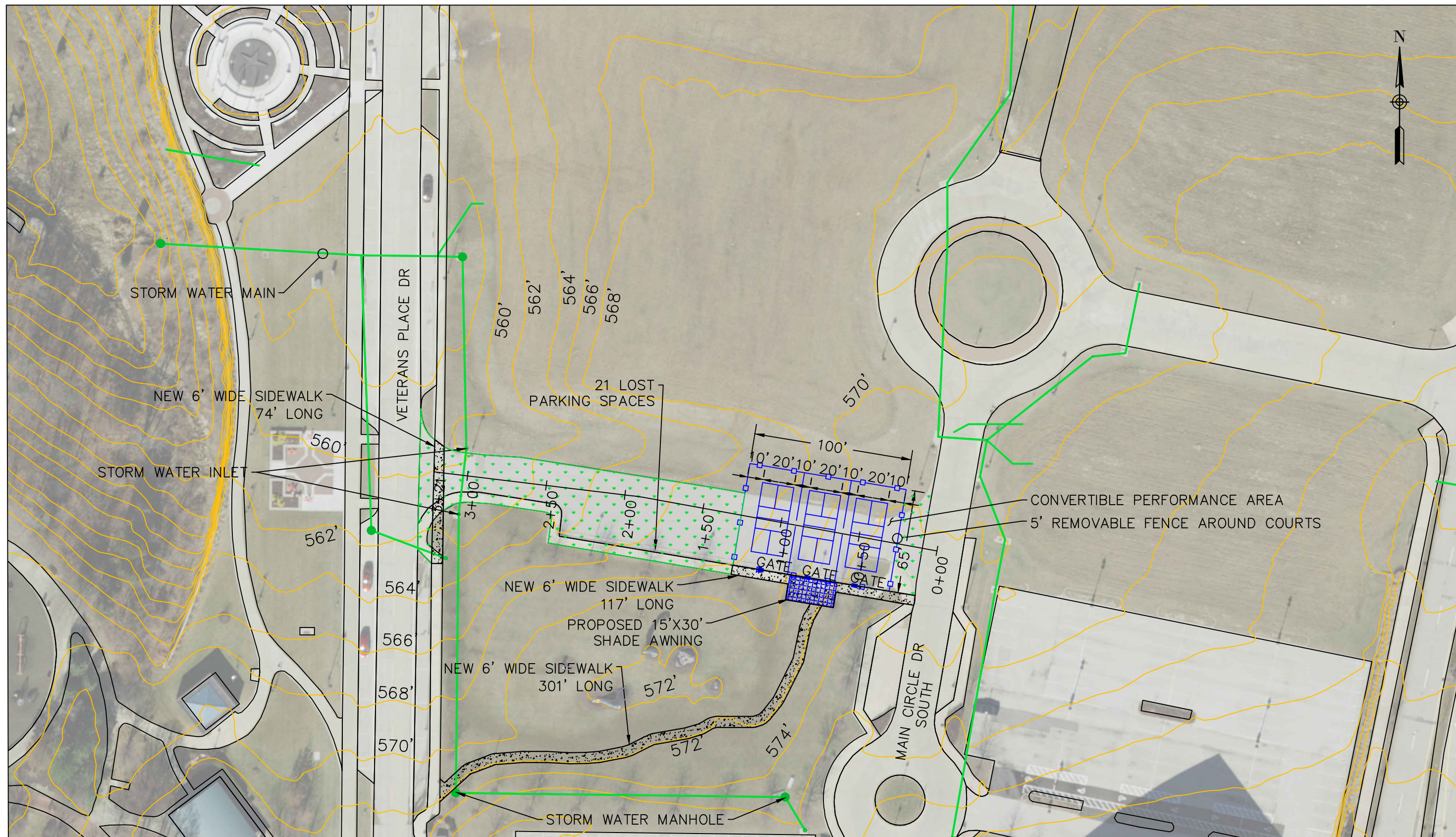
- The pickleball courts would be closed for eleven weeks during their summer camp season unless we could provide them exclusive use of our pavilions in the park for their program. This would result in canceling the City's current camp programs as well as making the pavilions unavailable to other users.
- The Y desires to program the pickleball courts. That would result in lost revenues for the City as we rely on revenue from our clinics and leagues.
- Grading and construction of a retaining wall would be required.
- External restrooms would need to be built \$350,000-500,000. There is no funding available.
- No shade structures are available.

If you have any questions, please let me know.

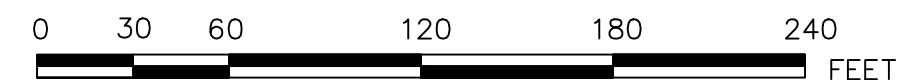
Central Park Pickleball Courts
Conceptual Cost Estimate - REVISED (3 Courts No Retaining Walls)

Line Item	Quantity		Unit Price		Unit Totals
Site Work for Pickleball Courts					
Mobilization	1	LS	\$ 5,000.00		\$ 5,000.00
Removal of Existing Improvements	1	LS	\$ 10,000.00	LS	\$ 10,000.00
Traffic Control	1	LS	\$ 2,500.00		\$ 2,500.00
Excavation and Placement (On-Site Material)	0	CY	\$ 22.00	CY	\$ -
Furnish and Compact Fill (Import Material)	2000	CY	\$ 55.00	CY	\$ 110,000.00
Tree Removal	10	EA	\$ 500.00	EA	\$ 5,000.00
Removal and Replacement of Lights	3	EA	\$ 2,500.00	EA	\$ 7,500.00
Mechanically Stabilized Earth Retaining Walls	0	SF	\$ 50.00	SF	\$ -
Stairs	0	SF	\$ 60.00	SF	\$ -
4" Sidewalk	3270	SF	\$ 7.50	SF	\$ 24,525.00
Curb Ramps	0	EA	\$ 1,200.00	EA	\$ -
6" Type "S" Vertical Curb	180	LF	\$ 15.00	LF	\$ 2,700.00
Convert Curb Inlet to Area Inlet	1	EA	\$ 4,250.00	EA	\$ 4,250.00
Contractor Furnished Staking and Surveying	1	LS	\$ 2,000.00	LS	\$ 2,000.00
Restoration/Seed	2840	SY	\$ 5.00	SY	\$ 14,200.00
Inlet Protection	2	EA	\$ 250.00	EA	\$ 500.00
Silt Fence	250	LF	\$ 4.00	LF	\$ 1,000.00
Site Work for Pickleball Court Subtotal					\$ 174,175.00
20% Constrution Contingency					\$ 34,835.00
Site Work for Pickleball Court Subtotal (with contingency)					\$ 209,010.00
Pickleball Courts and Site Furnishings					
Say 80% of Byrne & Jones Proposal for 4 Courts					\$ 318,712.00
Pickleball Courts and Site Furnishings Subtotal					\$ 318,712.00

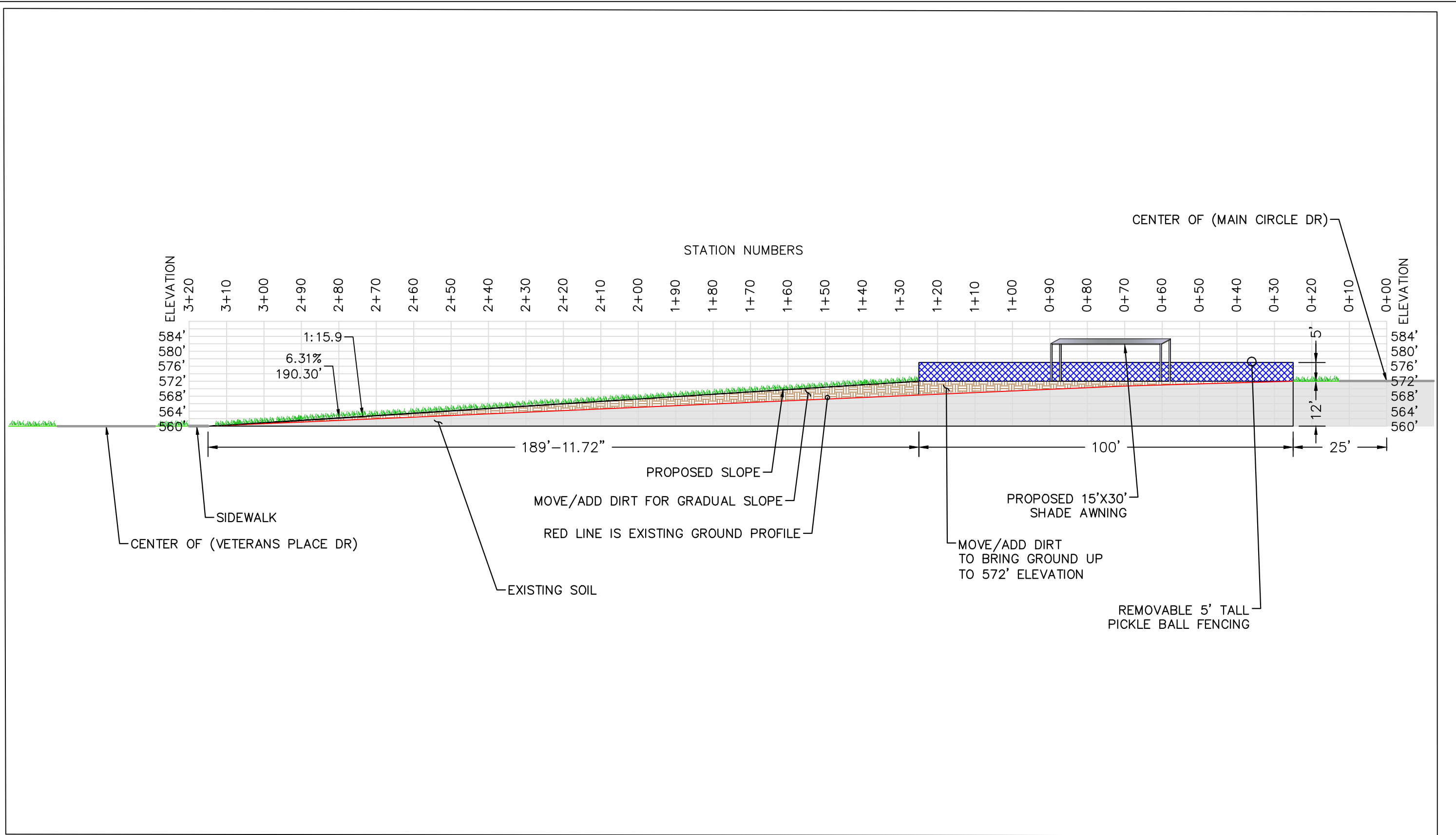
CENTRAL PARK TOTAL (3 Courts) = \$527,722.00



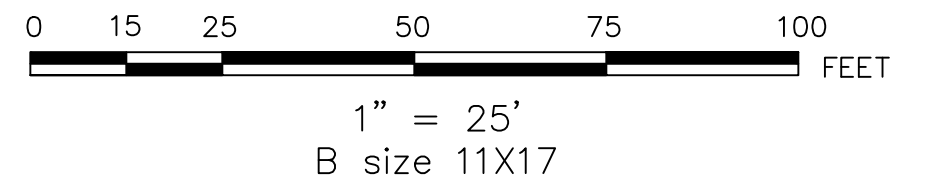
TOPOGRAPHICAL LINES
CENTRAL PARK



1" = 60'
B size 11X17



PROFILE
CENTRAL PARK





PARKS, RECREATION AND ARTS COMMITTEE OF COUNCIL MEETING RESULTS
February 28, 2022
5:30 p.m.
City Hall Chambers

Chairperson Mastorakos called the meeting to order at 5:32 p.m.

Those in attendance included:

Councilmember Mary Monachella, Ward I
Chairperson Mary Ann Mastorakos, Ward II
Councilmember Dan Hurt, Ward III (arrival after Agenda Item #1)
Councilmember Gary Budoor, Ward IV

Also in attendance were:

Mayor Bob Nation
City Administrator, Michael Geisel
Director of Parks, Recreation & Arts, Tom McCarthy
Executive Assistant, Parks, Recreation & Arts, Ann-Marie Stagoski
Residents representing pickleball and cricket

Agenda Item #1: Approval of Meeting Results

The meeting results of the January 12, 2022 Parks, Recreation & Arts Committee of Council Meeting were submitted for approval. Councilmember Monachella made a motion, seconded by Councilmember Budoor, to approve the meeting results. There being no discussion, the motion was passed by a voice vote of 3 to 0 (Councilmember Hurt not in attendance at the time).

Chairperson Mastorakos allowed residents to speak. Four spoke in favor of pickleball courts in Central Park and one spoke in favor of a cricket pitch.

Deborah Kumming – spoke in favor of pickleball courts at Central Park

Louise Nation – spoke in favor of pickleball courts at Central Park

Ed Fusco – spoke in favor of pickleball courts at Central Park

Jane Brown – spoke in favor of pickleball courts at Central Park

Pogo Ganesh – spoke in favor of building a cricket pitch in Chesterfield

Agenda Item #2: Pickleball Court Location Discussion for Central Park – vote required

Chairperson Mastorakos stated that pickleball courts would be built in Chesterfield and that she had received many emails on the subject. Players who spoke were unanimous in their desire to have them in Central Park. Council strives to represent all 50,000 residents. The Parks Department and

the Parks, Recreation & Arts Advisory Committee both recommend the Central Park location. The Parks staff was tasked to present the committee options.

Director McCarthy stated some of the pluses and minuses at each location -

4 courts at Central Park

6 courts at the CVAC

One of the biggest issues is the funding of the locations.

If at Central Park then it would cost about \$761,890. We have that funding now.

If at CVAC then it would cost about \$1,134,553. We would have to come up with \$835,000 and couldn't use the \$465,000 that is set aside for the development of Central Park so we'd have to come up the \$835,000 out of the Parks Fund or the General Fund if we put them at the CVAC.

He noted that if they are put at Central Park then they could be closed at times because they would be used as a flex space if we have other events such as a Taste of St. Louis or Pedal the cause. They wouldn't be open 24/7. Having the courts in Central Park was included in the Parks Master Plan.

Chairperson Mastorakos recapped the two options presented by the Parks Department.

Councilmember Budoor asked how many places you can play pickleball in Chesterfield and how often they are used. Director McCarthy stated that some subdivisions have converted their tennis courts to pickleball, the YMCA has some courts, there are two make shift courts at CVAC, the apartment complex by City Hall has some that it's residents can use and the mall has some indoor courts which will go away when they tear down the mall. The courts at the CVAC are open for general play. The leagues and clinics have fees. They are quite popular and often used.

Councilmember Hurt brought up an option of having it at the YMCA property where it would be overlooking the lake. He requested a rebuttal from staff about a partnership with the YMCA.

Director McCarthy stated he had a discussion with Greg Davenport who is the Director of the YMCA and Tricia, District Director of the YMCA. The negative concerns included the fact that we wouldn't have courts for 11 weeks during their day camp. They proposed taking their day camps and running them out of the City's pavilions but we use pavilions for our own camps and residents use pavilions during that time. The other issue is the money we have set aside to build these because they are not on the 8 acres we purchased for Central Park. Other issues include:

Major grading issue

No restrooms

They want to coordinate the programming of our courts.

They would have to come up with an alternative for parking that they would lose.

They also didn't want to contribute any money to building the courts.

Councilmember Hurt suggested continuing the discussion of this location with the YMCA and leasing the land so we could control it. They use a temporary canopy to house their summer camp and wouldn't have to use our pavilions. He would like a study to see the legitimacy of doing it and get a cost estimate. Grading would have to be addressed. He felt that City should allow them to operate their camp in the City park.

Councilmember Mastorakos inquired what the Y's responsibility would be in this to which

Councilmember Hurt understood that we could lease the property from the Y but we would control it.

Mayor Nation stated that he felt for all the reasons Director McCarthy stated that this was not a viable option. The YMCA used to have use of the property across the street for their summer camps but now that it's under construction they are not able to use that space. He hopes the committee will decide on location quickly. The mayor addressed the concerns on green space and the entrance to Central Park. He stated he would most likely veto the financial aspect if the courts are not put in Central Park and feels it would be a waste of money to put them in the Valley as they wouldn't be used.

Councilmember Monachella stated she has several issues with both locations. She felt we would get more courts for the money by placing them at CVAC. She does not like the aesthetics of the eight foot retaining wall and would prefer it be slid closer to Main Circle Drive. She has constituents who don't want them in Central Park and prefer it quiet.

Councilmember Budoor stated he is opposed to the CVAC location and preferred it at Central Park for better usage.

Councilmember Budoor moved to put the courts somewhere in Central Park. Chairperson Mastorakos seconded the motion.

Councilmember Monachella stated it was a tough choice because the motion doesn't say where it would go. Mayor Nation responded that staff spend months looking into options in Central Park and felt the staff would have identified if there was another location the courts could be placed. He felt we should rely on the engineers and ask staff if grade could be reduced.

Councilmember Monachella moved to amend the motion to move the three courts toward Main Circle Drive. Councilmember Budoor seconded the motion.

Mayor Nation stated that there was a need for four courts and six were originally discussed. Director McCarthy suggested that we take it back to staff with the location closer to Main Circle Drive and look at layout options. Limiting to less than four courts makes hosting clinics and leagues much more challenging. Councilmember Budoor asked if CVAC could be used for clinics to which Director McCarthy stated the courts at the Athletic Complex were not up to Chesterfield standards.

Councilmember Budoor expressed concerns over delays and wanted to finalize something. City Administrator Mike Geisel stated that council wouldn't meet again before May so this would not be delayed. Mayor Nation proposed bringing the staff proposal to full council instead of back to the committee. City Administrator Geisel stated that the motion could go to full council if the committee agrees to it.

There being no further discussion, the amendment passed by a voice vote of 4-0. The motion as amended passed by a voice vote of 4-0.

Councilmember Monachella moved to send staff recommendations to full council. Councilmember Budoor seconded the motion. There being no further discussion, the amendment passed by a voice vote of 4-0.

Agenda Item #3: Creative Arts Alliance Public Art Recommendation

Director McCarthy requested that the committee approve the artwork for the Creative Arts Alliance to lease the art *Popsicles* for two years and move it on to full council. Once there is another Parks Advisory Committee meeting, the location would be recommended and they would come back to the committee with that. 150 pieces of artwork were submitted this year and there are 24 cities participating across Missouri and Kansas as a way to get more artwork out in the public. They do a draft for the selection process.

Councilmember Monachella moved to approve the recommendation. Councilmember Budoor seconded the motion. There being no further discussion the motion passed on a voice vote of 4-0.

Agenda Item #4: Independent Sponsorship for the Amphitheater

Director McCarthy requested the committee's approval for hiring someone to do major sponsorships for the Amphitheater. He explained that Dave Kinsey has experience in this line of work. All decisions would have to come back to committee of council before they would be approved. His rate is 15% on any sponsorships up to \$100,000 and 20% over \$100,000.

Councilmember Monachella was concerned about naming rights for the Amphitheater but was reassured that any naming decisions would come back to council for approval.

Councilmember Monachella moved to approve the recommendation. Councilmember Mastorakos seconded the motion. City Administrator Geisel reminded the committee that they had passed something very similar prior to Covid but because of Covid nothing had been done up to this point. There being no further discussion the motion passed on a voice vote of 4-0.

Agenda Item #5: Unfinished Business

Councilmember Budoor stated that he has been working with Director McCarthy on exploring the option of a cricket pitch. He stated that he has no where to play in Chesterfield and travels to other cities to play.

Chairperson Mastorakos proposed that he work with Director McCarthy on developing a plan. Councilmember Budoor stated that Director McCarthy and Kevin Schuh had been working on gathering information regarding details for such a proposal.

A resident expressed that he would like it put on the next agenda. Mayor Nation explained that there was no information in tonight's packet and didn't want to mislead the residents. His understanding that there is no specific proposal or agreement. There is no assurance from any group that space would be rented.

Agenda Item #6: New Business

No new business.

Agenda Item #7: Adjournment

There being no further business to discuss, Chairperson Mastorakos adjourned the meeting at 6:38 p.m.

Draft

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember DeCampi

Vice Chair: Councilmember Wahl

Bill # 3383 – The Public Health and Safety Committee unanimously recommended adoption of the proposed ordinance which amends Chesterfield municipal code chapter 605 as it relates to regulating commercial solicitation. This legislation was initiated due to recent legal decisions and with the advice of our City legal Counsel. **(Second Reading) Public Health and Safety Committee recommends approval.**

Bill # 3384 – The Public Health and Safety Committee unanimously recommended adoption of the proposed ordinance to amend the municipal code, adding a section thereto, Vehicle Prowling, which creates the offense of vehicle tampering. **(Second Reading) Public Health and Safety Committee recommends approval.**

NEXT MEETING

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

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

BILL NO. 3383

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CHESTERFIELD AMENDING MUNICIPAL CODE CHAPTER 605 REGULATING COMMERCIAL SOLICITATION

WHEREAS, Chapter 605 of the City's Municipal Code regulates solicitation within the City; and

WHEREAS, the City of Chesterfield (the "City") has undertaken a review of its regulations regarding solicitation due to the May 11, 2021 opinion by Judge Stephen N. Limbaugh Jr. of the United States District Court for the Eastern District of Missouri in the case of *Robert Fernandez v. St. Louis County, Missouri*, which, in part, struck down certain sections of St. Louis County's Code regarding solicitors;

WHEREAS, the City Council desires to amend the Municipal Code to reflect the changes in the state of the case law;

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

Section I: Section 605.260 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.260 Definitions.

For purposes of this Article, the following terms shall have the meanings herein ascribed:

~~REGISTERED SOLICITOR~~

~~Any person who has obtained a valid certificate of registration, as hereinafter provided and who has such certificate in his/her possession and on his/her person while engaged in soliciting.~~

RESIDENCE

Every separate living unit occupied for residential purposes by one (1) or more persons and contained within any type of building or structure.

SOLICITING SOLICITOR

~~Any one (1) or more of the following activities: seeking to obtain orders for purchase of goods, wares, merchandise, foodstuffs or services of any kind of description whatsoever; seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication; or seeking to obtain contributions or donations of money or any other thing of value, for the~~

~~use or benefit of any benevolent, charitable, philanthropic, patriotic or eleemosynary association, organization or not for profit corporation. A Solicitor, as used herein, is any individual, for the purpose of communicating or presenting a message, regardless of the topic discussed or the idea or message expressed:~~

- ~~(1) Traveling by foot, wagon, automobile, motor truck, or any type of conveyance from place to place, uninvited or without invitation; or~~
- ~~(2) positioned on or near street corners, public ways or places of public assembly or congregation; or~~
- ~~(3) located in or near the roadway or right-of-way of a roadway.~~

COMMERCIAL SOLICITOR

A Commercial Solicitor, as used herein, is a person who attempts to make personal contact with a resident at his/her residence or business with or without prior specific invitation or appointment for the primary purpose of selling or attempting to sell or delivering a previously sold good or service for profit. This contact would result in an agreement or order for which payment would occur at the time of the visit or arrangements for payment at a later date. The good or service could be delivered at a later date. A "commercial solicitor" does not include a person who distributes handbills or flyers for a commercial purpose advertising an event, activity, good or service that is offered to the resident for purchase at a location away from the residence or business, such a person is a Solicitor.

Section II: Section 605.270 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.270 Certificate of Registration Required

~~It shall be unlawful for any Commercial Solicitor person, firm or corporation not designated as a 501(c)(3) organization to go in or upon any private residence in the City for the purpose of soliciting from the occupants without having first applied for and received a certificate of registration as hereinafter provided. Members of an approved 26 U.S.C. § 501(c)(3) [hereinafter "501(c)(3)"] organization desiring to solicit may do so without obtaining certificates of registration and 501(c)(3) organizations are exempt from Sections 605.270 through 605.310 of this Article.~~

Section III: Section 605.280 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.280 Application.

A. The applicant shall truthfully state in full the information requested on

the application, which shall include at least the following:

1. Name and address of present place of residence and length of residence at such address; also business address if other than residence address and Social Security number.
2. Physical description of applicant.
3. Name and address of person, firm, corporation or association whom the applicant is employed by or represents and length of time of such employment or representation.
4. Description sufficient for identification of the subject matter of the soliciting which the applicant will engage in.
5. Period of time for which the certificate is applied for.
6. Date, or approximate date, of latest previous application for a certificate of registration under this Article, if any.
7. Whether a certificate of registration issued to the applicant under this Article has ever been revoked.
8. Whether the applicant has ever been convicted of a violation or any of the provisions of this Article or any ordinance of any other municipality regulating soliciting.
9. Whether the applicant has ever been convicted of the commission of a felony under the laws of the State of Missouri or any other State or the Federal law of the United States.
10. Such additional information as the Chief of Police may deem necessary to process the application. All statements made by the applicant upon the application or in connection therewith shall be under oath.
11. An indemnity agreement provided by the City of Chesterfield in which the applicant agrees to hold harmless the City of Chesterfield from any and all liability arising out of the solicitation in the City of Chesterfield;

All statement made by the applicant upon the application or in connection therewith shall be under oath.

B. Each applicant shall pay an application fee as set by the City Council.

C. The City Administrator shall cause to be kept an accurate record of every

application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this Article and of the denial of applications.

D. ~~No certificate of registration shall be issued to any person who~~ Every permit shall be granted unless the solicitor has been convicted of the commission of a felony under the laws of the State of Missouri or any other State or the Federal law of the United States within five (5) years of the date of the application; ~~nor to any person who~~ has been convicted of a violation or any of the provisions of this Article; ~~nor to any person or~~ whose certificate of registration issued hereunder had previously been revoked, as herein provided.

E. ~~No certificate of registration shall be issued to an applicant until~~ If applicable, an applicant should:

1. ~~He/she~~ demonstrates that he/she or his/her employer has a valid retail sales license issued by the State Director of Revenue as required by Section 144.083, RSMo; ~~or,~~
2. ~~He/she demonstrates that the organization for which he/she wishes to solicit has as its primary purpose the influence of public policy.~~

Section IV: Section 605.300 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted stricken:

Section 605.300 Duration – Renewal – Maximum Number.

A certificate of registration shall be issued for a specific period of time not to exceed twenty-eight (28) calendar days. No more than two certificates of registration will be issued in a given calendar year. ~~Renewal of certificates shall require an additional application fee. A maximum of three (3) certificates per year shall be issued to any person, firm or organization.~~

Section V: Section 605.310 of the City of Chesterfield Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 605.310 Exhibition Of Certificate.

A certificate of registration issued pursuant to this Article shall be carried at all times by the ~~solicitor~~ Commercial Solicitor to whom issued when soliciting or canvassing in the City and shall be exhibited by such Commercial Ssolicitor

whenever he/she shall be requested to do so by any officer of the City or by any person being solicited.

Section VI: Section 605.320 of the City of Chesterfield Municipal Code shall be repealed and replaced with the following:

Section 605.320 Duty to Observe Notice.

- A. Any individual, business, or organization may place a sign which substantially states “NO TRESPASSING OR SOLICITING ALLOWED” on or directly adjacent to any entrance to the individual, business, or organization’s residence, place of work, or other non-public or semi-public place.
- B. It shall be the duty of every Commercial Solicitor and Solicitor upon going onto a premises in the City to first examine any notice which substantially states “NO TRESPASSING OR SOLICITING ALLOWED” which may have been placed on such premises.
- C. A violation of this Section may be prosecuted as a trespass in the first degree or second degree under Section 210.1060 or Section 210.1070, respectively.

Section VII: Section 605.330 of the City of Chesterfield Municipal Code shall be deleted.

Section VIII: Section 605.340 of the City of Chesterfield Municipal Code shall be deleted.

Section IX: Section 605.350 of the City of Chesterfield Municipal Code shall be repealed and replaced as follows:

Section 605.350. Sale Of Goods Or Services Prohibited In Public Rights-Of-Way

- A. Definitions. For purposes of this section only, the following terms shall be defined, as follows:
 - 1. Roadway shall mean the portion of a street or highway improved, designed, or ordinarily used for vehicular travel and extending from one (1) curb or edge of pavement to the opposite curb or edge of pavement, including lanes commonly used for parking and including center medians and lane dividers.

2. Sidewalk shall mean that portion of a public right-of-way between the curb lines, or the lateral lines of a roadway and the adjacent property lines, intended for use by pedestrians.

B. No person shall stand in or enter upon a roadway for the purpose of soliciting, except from the occupants of parked motor vehicles located in the roadway adjacent to a sidewalk if the solicitor is on a sidewalk.

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

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

Passed and approved this ____ day of _____, 2022.

Presiding Officer

Bob Nation, Mayor

ATTEST:

Vickie McGownd, City Clerk

FIRST READING HELD: 3/7/2022

BILL NO. 3384

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE RELATING TO VEHICLE TAMPERING.

WHEREAS, it is deemed necessary to amend the Municipal Code to enact certain motor vehicle tampering provisions;

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

Section 1: Article VII (Offenses involving vehicle tampering) Chapter 210 of the City of Chesterfield Code of Ordinances, inclusive, is hereby amended by adding a new section to be known as Vehicle Prowling, which shall read as follows: Vehicle Prowling.

Vehicle Prowling

1. No person shall test or pull any doors of successive vehicles or open or attempt to open the trunk of successive vehicles, that the person does not own or lease without the owner's or lessee's permission and which serves no legitimate or lawful purpose and which would lead a reasonable person to believe said conduct was in furtherance of a crime. For purposes of this ordinance, "successive" shall mean more than one vehicle.

2. No person shall enter a vehicle that person does not own or lease without the owner's or lessee's permission and which serves no legitimate or lawful purpose. For purposes of this ordinance, "enter" shall mean being present in or accessing a vehicle in a way that would lead a reasonable person to believe said conduct was in furtherance of a crime.

3. This section shall not apply to any law enforcement officer, public safety officer or other public employee who preforms the acts described herein while in the performance of official duties.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2022.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 3/7/2022

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

There are no action items from the City Administrator at this meeting.

OTHER LEGISLATION

There is no "Other Legislation" scheduled for action at this meeting.

UNFINISHED BUSINESS

There is no "Unfinished Business" scheduled for action at this meeting.

NEW BUSINESS

EXECUTIVE SESSION

An Executive Session (closed meeting) has been scheduled to take place immediately following the Agenda Review Meeting on Monday, February 07, 2022, which itself is scheduled to begin at 5:45 p.m.

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

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

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

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